

PLANNING COMMITTEE

2nd July 2018

Present – The Chairman (Councillor Sutcliffe) and Councillors Baxandall, Harbron, Heseltine, Lis, Morrell, Rose, Shuttleworth, Thompson and Whitaker.

Officers – Legal Services Manager, Planning Manager, Spatial Planning Manager, Planning Officers and Committee Administrator.

Ward Representatives : Councillor Brown (Application 2017/18762/FUL).

Apologies for absence were received from Councillors Brockbank and Place.
Councillor Heseltine left the meeting at 3.54pm

Start: 1.44pm

Finish: 4.30pm

The minutes of the Committee's meeting held on 4th June 2018 were confirmed and signed by the Chairman.

Exclusion of the Public –

Resolved – (1) The Committee resolved to receive advice from the Legal Services Manager and Spatial Planning Manager in closed session under Schedule 12A of the Local Government Act 1972 (paragraph 5) on the basis that legal advice was required regarding PL.868 the determination of application numbered 62/2017/18067, land South of Ingfield Lane and East of Skipton Road, Settle. The Committee were satisfied that the public interest in keeping the information confidential outweighed the public interest in declaring it.

(2) The Committee resolved to take the item numbered \$PL.870 in closed session under Schedule 12A of the Local Government Act 1972 (paragraph 5) on the basis that legal advice was required and that a claim to legal privilege could be maintained regarding it. The Committee were satisfied that the public interest in keeping the information confidential outweighed the public interest in declaring it.

Minutes for Report

PL.866

APPLICATIONS FOR PLANNING PERMISSION

a. Declarations of Interest

Members were invited to declare any interests in the business before the Committee – none were declared.

b. Lobbying

Members indicated that they had been lobbied, as follows, on applications to be determined at this meeting:-

Application 2017/18456/FUL : All Members present indicated that they had received lobbying against the application.

Application 2017/18762/FUL : Non declared.

Application 2018/19243/FUL : Non declared.

Application 62/2017/18067 : All Members present indicated that they had received lobbying against the application.

PL.867

PUBLIC PARTICIPATION

The following persons addressed the Committee under its public participation scheme:-

Application 2017/18456/FUL : Mr D Adams (objector)
Ms C Robinson (objector)
Mr M Widdup (for the applicant)
Application 2017/18762/FUL : Mr L Binns (for the applicant)
Application 62/2017/18067 : Mr D Taylor (Settle Town Council)
Mr N Young (objector)
Ms C Ramwell (objector)

PL.868

APPLICATIONS FOR PLANNING PERMISSION

a. Delegated Matters

The Strategic Manager for Planning and Regeneration reported the following applications for planning permission which had been dealt with under delegated authority:-

63/2016/17352 Application for Lawful Development Certificate for confirmation of compliance conditions 7 & 14 from application No. 63/2013/13823.
DOC satisfactory.

30/2017/17787 Outline application for a residential development of up to 44 dwellings and associated works (access applied for with all other matters reserved). Refused.

2017/18569/FUL Proposed development of seven dwellings. Refused

2017/18672/FUL Change of use of part of premises to taxi booking office by a computer despatch system, no access to public and erection of external antenna to the rear of the property for backup. Temporary Consent Issued.

2017/18689/FUL Storage building. Approved with Conditions.

2017/18838/HH 'Retrospective application for retention of raised platform with railings along front edge, fence along south east edge and storage area underneath at rear of house, and retention of lean-to storage shed to front elevation. Proposed re-rendering of all elevations of property (excluding existing stone work). Approved with Conditions.

2017/18826/HH Erection of double garage and tarmac residential drive and yard. Approved with Conditions.

2017/18827/LBC Erection of double garage and tarmac residential drive and yard. Approved with Conditions

2018/18935/TCA Fell 7 Trees. Approved Tree Works in Conservation Area.

2018/18958/REM Reserved matters application for approval of appearance, site layout, landscaping and scale of 2 dwellings as reserved in outline planning consent reference 66/2016/17307, along with confirmation that sewerage will be discharged via the existing mains drainage connection available on the site. Approved with Conditions

2018/18990/MMA Minor material amendment to original planning application 72/2016/16636 for additional window adjacent to fireplace. Approved with Conditions.

2018/19016/HH 2 storey extension to side , replace single storey rear extension with 2 storey extension, removal of sectional concrete garage (resubmission of previously withdrawn application 2017/18503/HH). Refused.

2018/19035/FUL Proposed rebuilding of the front elevation as original. Refused.

2018/19036/LBC Proposed rebuilding of the front elevation as original. Refused.

2018/19041/FUL Proposed traditional farm building. Approved with Conditions

2018/19079/CND Application to discharge conditions 1 to 27 on planning approval referenced 21/2016/17019 granted 31 January 2018. Split Decision.

2018/19049/MMA Application for a minor material amendment to original planning consent reference 73/2016/16782 to alter roof form, use UPVC gutters/fall pipes and thin profile UPVC timber effect windows and doors. Approved with Conditions.

2018/19062/FUL Full planning permission for re-building the detached masonry building. Approved with Conditions.

2018/19086/VAR Application to remove condition no. 14 of original planning consent reference 12/2017/17952 to allow unrestricted hours of use for office building. Approved with Conditions

2018/19091/HH Construction of new garage, conversion of existing garage to bedroom, conversion of existing bedroom to dining area, conversion of existing garden room to study. Approved with Conditions.

2018/19135/HH Upper floor extension of existing build to provide a pitched and flat roof extension providing extra bedroom and bathroom upstairs. Approved with Conditions.

2018/19133/HH Proposed rear single storey extension. Approved with Conditions.

2018/19107/NMA Application for a non-material amendment to original planning consent referenced 63/2015/15726 to retrospectively authorise a minor non-material change to the siting of the play equipment erected as part of the on-site public open space pursuant. Non-material amendment approved.

2018/19108/CND Application to discharge condition no.s 3, 4, 6, 11, 12, 13, 14, 16, 20, 22, 23, 24, 25, 26, 27, 28, 29 of planning approval 63/2015/15417. Split Decision.

2018/19110/FUL Erection of new dwelling. Refused.

2018/19156/HH Construction of first floor bedroom extension over former garage. Approved with Conditions.

2018/19121/TCA T1 & T2 - Sycamores. Crown thin by 15-20 %. Works to remove lower branches overhanging garden & greenhouse.

2018/19159/CND Application to discharge conditions no's 3 (access), 4 (lighting), 5 (hard landscaping), 7 (materials) and 8 (refuse & recycling) of original planning permission 73/2017/17932 granted 26/09/2017. DOC satisfactory.

2018/19165/HH Retention of replacement shed which is full length of garden with decking to level the bottom of the garden plus a shed which totals 3.2m including decking at its highest point. This is half the size of the original shed. Approved no conditions.

2018/19178/HH Construction of 2 no. lay-by parking spaces and new gateway. Refused.

2018/19180/LBC Listed building application for construction of 2 No. lay-by parking spaces and new gateway. Refused.

2018/19181/HH Conversion of outbuilding to garden room. Siting of replacement oil tank in rear garden. Approved with Conditions.

2018/19193/LBC Listed building application for conversion of outbuilding to garden room. Siting of replacement oil tank in rear garden. Approved with Conditions

2018/19149/TPO Remove 4 no. Corsican Pine. Approved Tree Work under TPO.

2018/19155/TPO Fell 1 no. Pine. Refused Tree Work under TPO.

2018/19158/PNT Installation of electronic communications apparatus (Prior Approval). Deemed Consent.

2018/19167/TCA Fell 2 no. Yew, 1 no. Beech & 1 no. small tree. Crown reduction of 2 no. Beech by 30 %. Approved Tree Works in Conservation Area.

2018/19176/PNAG Proposed agricultural building to house feed to support existing livestock (Prior Notification). Prior Approval Not Required.

2018/19170/HH Provision of lean-to extension to rear of property (resubmission of previously approval application referenced 2017/18225/HH). Approved with Conditions.

2018/19172/FUL New agricultural building. Approved with Conditions.

2018/19173/FUL New agricultural building. Approved with Conditions.

2018/19174/FUL New agricultural building. Approved with Conditions.

2018/19175/FUL New agricultural building. Approved with Conditions.

2018/19218/FUL Retrospective change of use of first floor of No. 3 from A1 to A4 and A3 use to incorporate with first floor of No 1 Victoria Square. Approved with Conditions.

2018/19183/HH Demolition of existing porch and proposed new porch. Approved with Conditions.

2018/19227/COU Change of use of annexe to an independent dwelling. Approved with Conditions.

2018/19187/LBC Listed building application for chimney repair. Approved with Conditions.

2018/19192/HH Proposed single storey rear extension & replacement detached double garage. Approved with Conditions.

2018/19195/HH Erection of single garage with mono-pitch roof within existing yard and garden of property, stone clad to match existing walls and outbuildings. Approved with Conditions.

2018/19197/TPO T1 - Silver Birch - Reduce height of tree by 2m. Crown lift to 5.2m statutory clearance. Re shape crown and remove dead wood. Approved Tree Work under TPO.

2018/19203/ADV Replacement of external commercial vehicle dealership and forecourt signs. Approved with Conditions.

2018/19205/LBC Listed building application to re-roof main house with existing tiles, replacing damaged slates with matching stone slates; re-build chimney stack to match existing with reclaimed stone; replace existing guttering and downpipes; re-roof workshop with existing tiles. Approved with Conditions.

2018/19206/ADV Retrospective application for 2 no internally illuminated fascia signs. Approved with Conditions.

2018/19207/FUL Replacement of existing windows and doors with new PVCu windows and composite doors. Approved with Conditions.

2018/19208/FUL Replacement of existing windows and doors with new PVCu windows and composite doors. Approved with Conditions.

2018/19209/FUL Replacement of existing windows and doors with new PVCu windows and composite doors. Approved with Conditions.

2018/19210/FUL Replacement of existing windows and doors with new PVCu windows and composite doors. Approved with Conditions.

2018/19211/FUL Replacement of existing windows and doors with new PVCu windows and composite doors. Approved with Conditions.

2018/19212/FUL Replacement of existing windows and doors with new PVCu windows and composite doors. Approved with Conditions.

2018/19213/FUL Replacement of existing windows with new uPVC windows. Approved with Conditions.

2018/19214/FUL Replacement of existing windows with new uPVC windows. Approved with Conditions.

2018/19231/TCA T1 - Elder – remove T2 - Crown reduce by 50% T3 – Remove T4 - Crown reduce by 50% T5 - Silver Birch - crown reduce by 50% and lift to 4 metres T6 - Crown lift to 4 metres H1 - Row of Leylandii - reduce by 50%. Approved Tree Works in Conservation Area.

2018/19229/NMA Non-material amendment to original planning consent reference 42/2017/18080 to add Velux rooflights to rear elevation, replace conservatory roof with glazed roof, add front porch canopy. Non-material amendment approved.

2018/19235/CND Application to discharge condition no. 6 (structural details and proposed bridge details) from planning approval referenced 31/2015/16249 granted 20 November 2015 DOC satisfactory.

2018/19236/HH Formation of raised balcony and store with new door opening to rear, new steps and internal alterations. Approved with Conditions.

2018/19238/TCA T1 - Lime - Crown lift to 5 metres. Approved Tree Works in Conservation Area.

2018/19241/CND Application to discharge condition no. 25 (archaeological work) of planning permission 2017/18136/VAR granted 16/03/2018. DOC satisfactory.

2018/19244/TPO Fell 1 no. Cherry (021). Prune back 2 no. Birch (022 & 025) & 2 no. Cherry (023 & 026) to clear the building by up to 2 metres. Prune 1 no. Maple (028) to clear the building by up to 3 metres. Approved Tree Work under TPO

2018/19247/TPO Horse Chestnut (T1) reduce and prune branches away from touching telephone cables. Approved Tree Work under TPO.

2018/19266/HH Remove Leylandii hedge on Northern boundary or rear garden and replace with double picket style fence. Approved with Conditions.

2018/19268/HH Conversion of outbuildings to create a single garage with associated car port together with creation of additional car port over existing car parking space. Approved with Conditions.

2018/19282/VAR Application to change to opening hours from 1600-2230 to 1200-2230 Monday to Sunday including Bank Holidays as approved on planning application 2017/18674/COU granted 09 February 2018. Approved with Conditions.

2018/19255/FUL Installation of a courtyard canopy. Approved with Conditions.

2018/19258/FUL Change of use from newsagents to extension of Bizzie Lizzies Fish Restaurant. Approved with Conditions.

2018/19259/TPO T10 - Sycamore - fell. Split Decision.

2018/19260/FUL Restoration of existing dwelling and re-roofing of attached barn with conversion of part of barn to extend dwelling to provide assisted living accommodation for dependent relative. Approved with Conditions.

2018/19265/HH Proposed replacement of existing timber porch with enlarged stone porch. Approved with Conditions.

2018/19277/TCA Fell 1 no. Sycamore. Approved Tree Works in Conservation Area

2018/19303/LHSHLD Proposed single storey rear extension measuring 5.9m beyond the rear wall; 4.0m in height from ground level; 3.0m in height to eaves from ground level (Prior Approval Notification). PD HH PA Not Required.

2018/19304/LHSHLD Proposed single storey rear extension measuring 5.9m beyond the rear wall; 4.0m in height from ground level; 3.0m in height to eaves from ground level (Prior Approval Notification). PD HH PA Not Required.

2018/19291/DEM Demolition of single detached dwelling with attached garage (prior notification) Prior Approval Granted.

2018/19301/TCA Fell 1 no. Poplar. Approved Tree Works in Conservation Area.

2018/19339/NMA Non-material amendment to original planning consent 2017/18752/COU to re-locate oil tank adjacent to existing garage and alterations to entrance steps. Approved with Conditions.

2018/19344/LHSHLD Proposed single storey rear extension measuring 5.00m beyond the rear wall; 3.55m in height from ground level; 2.55m in height to eaves from ground level (Prior Approval Notification). PD HH PA Not Required.

b. Applications

Resolved – That decisions on applications for planning permission are made as follows: -

Permission Granted

2017/18762/FUL Proposed dwelling on brown field site (re-submission of withdrawn application reference 73/2017/18047) at Storage Buildings At Grange Farm Barn, Kildwick, BD20 9AD – subject to the conditions below:

Conditions

Time limit for commencement

1. The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

2. This permission relates to the following plans:

- P1787.001B Elevations received by Craven District Council on the 6th June 2018
- P1787.002B Floor Plans received by Craven District Council on the 6th June 2018
- P1787.003B Roof Plan received by Craven District Council on the 6th June 2018
- P1787.004B Garage Elevations received by Craven District Council on the 6th June 2018
- P1787.005B Garage Plan received by Craven District Council on the 6th June 2018
- P1787.007B Site Plan received by Craven District Council on the 6th June 2018
- P1787.008B Location Plan received by Craven District Council on the 6th June 2018

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings or where alternative details have been subsequently approved following an application for a non-material amendment.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the National Planning Policy Framework.

During Building Works

3. The demolition of the existing garage/store shall be carried out undertaken using a top down pull back technique.

Reason: To ensure that the root protection area of the tree is protected during construction by demolishing the building within its own footprint.

4. Following the demolition of the existing outbuildings a Construction Exclusion Zone has been formed around the Root Protection Areas of the protected trees identified as being retained on the approved plan. The Construction Exclusion Zone shall be provided in the form of protective fencing of a height and design which accords with the requirements BS 5837: 2012 and shall be installed in the positions indicated by a brown dot-and-dash line on the approved plan. The Construction Exclusion Zone shall be maintained in the duly installed positions during the entirety of the construction period insofar as it relates to these areas of the site.

Reason: To ensure that adequate measures are put in place to protect existing trees which are to be retained as part of the development before any construction works commence in accordance with the requirements of Saved Policy ENV10 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework.

5. Notwithstanding any description of materials in the application, no above ground works shall take place until full details of all materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of

the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

Reason: To ensure use of appropriate materials which are sympathetic to the character of the rural area and the site's surroundings in the interests of visual amenity in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy ENV2 and the National Planning Policy Framework.

On-going conditions

6. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellings.

Reason: To reduce the risk of flooding and pollution and increase the levels of sustainability of the development.

7. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage and in accordance with the National Planning Policy Framework.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2018, for the time being in force, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

Informative

The hours of operation during the construction phase of development and delivery of construction materials or equipment to the site and associated with the construction of the development hereby permitted should be limited to 0730 hours to 1800 hours on Monday to Fridays and 0730 hours to 1300 hours on Saturday. No work should take place on Sundays or Bank/Public Holidays.

The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or works which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. Craven District Council endeavours to monitor on site the compliance with conditions and building works. To assist with this monitoring of development the applicant/development is requested to complete the Start Notice issued with the Decision at least fourteen days prior to the commencement of development to ensure that effective monitoring can be undertaken.

The applicant should ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 - Specification for Topsoil.

The applicant needs to have regard to the BS8233:2014 Guidance on 'Sound Insulation and Noise Reduction for Buildings' which presents guideline noise levels for both inside and outside dwellings.

The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.

Statement of Positive Engagement: -

In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the NPPF.

2018/19243/FUL Proposed two storey dwelling and associated external works to land adjacent to Raygill House, Quarry Road, Lothersdale BD20 8HH subject to the following conditions:

Conditions

Time limit for commencement:

1. The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved plans:

2. This permission relates to the following plans:

- Drawing No. 804.01 A101 rev C, A102 rev D, A105 rev C, A106 rev C, A107 rev B and A109 Rev A
- Design and Access Statement rev B (4 April 2018)

Received by the local planning authority on 29th April 2018.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the saved policies contained within the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the National Planning Policy Framework.

Before you commence development:

3. Before their first use on site samples of the materials to be used in the construction of the external surfaces of the dwelling and the hard surfacing areas hereby permitted, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual

amenity in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan.

4. Prior to the commencement of the development hereby approved protective barrier fencing shall be erected around the Common Lime Tree (T1) located to the north of the proposed house. The barrier fencing shall comply with BS 5837 (2012) and within the fenced areas no development, vehicle manoeuvring, storage of materials or plant or the addition of soil shall take place. The fencing shall not be moved and shall remain in place until completion of all of the development work hereby approved (other than the bin store and parking spaces).

Reason: To prevent damage to trees during construction work.

5. Prior to the construction of the proposed bin store and car parking spaces a method statement detailing the precise means of construction of these elements shall be submitted to and approved in writing by the local planning authority. The method statement shall detail the means by which the development will be undertaken without damaged to the root system of the Common Lime tree lying adjacent.

Reason: To prevent damage to trees during construction work.

Informatives:

1. During construction there is a potential for noise nuisance to nearby residential properties for this reason operating times for construction should be limited to:

0800 to 1800 Monday to Friday
0800 to 1300 Saturday
No Sunday or Bank Holiday working.
2. Due to the proximity of the site to a working farm the development needs to be constructed in accordance with BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings which presents guideline noise levels for both inside and outside dwellings.
3. Contamination the site has not been identified as potentially contaminated land. However, the Curtains Geo Environmental Assessment (dated 18th April 20018 ref: 066865-CUR-00-XX-RP-GE-001-V0) has identified the presence of ash and clinker beneath the topsoil on the site. Environmental testing of this has identified one elevated level of Arsenic. In view of this it is the responsibility of the developer to ensure that this material is removed from any areas of proposed soft landscaping and that any such areas should be designed to have a 300mm depth of clean fill material.

Statement of Positive Engagement: -

In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the NPPF.

Delegated Authority

62/2017/18067 Hybrid application for a residential development including: full details of the erection of 65 dwellings (C3), public open space, landscaping and access details (Phase 2); together with an outline application for residential development (C3) with public open space and landscaping (outline) with details of access from Skipton Road (b6480) considered (Phase 3). Amended plans submission at land south of Ingfield Lane and East of Skipton Road, Settle - subject to the conditions listed below, and subject also to the applicant first entering into a Section 106 Planning Obligation to secure the following:

- a. Affordable Housing: The provision of 30% affordable housing within Phase 2 and Phase 3 subject to viability.
- b. Drainage: The submission and approval of surface water drainage proposals for Phase 2 in conjunction with a programme for the implementation and completion of the associated surface water storage mitigation scheme (the Flood Meadow) and the arrangements for its management and maintenance, as approved under Planning Permission 2017/18811/FUL granted 15th March 2018.
- c. Off-Site POS: A programme for the implementation and completion of the landscaping and recreation facilities within the off-site public open space (the Flood Meadow) and the arrangements for its management and maintenance, as approved under Planning Permission 2017/18811/FUL granted 15th March 2018.
- d. Off-Site Highway Works: A scheme and programme for the construction of the off-site highway improvement works to include: a new junction on the B6480; new zebra crossing at crossroads of Ingfield Lane and B6480; 8 lighting columns on the B6480; and new footpath across Lower Greenfoot.

ii) The conditions below:-

iii) Any further conditions the Strategic Manager for Planning and Regeneration may consider necessary following statutory consultations.

1. The development hereby permitted on the Phase 2 area as shown on drawing 3901-012-PL04 Rev H - Proposed Masterplan Layout shall be begun not later than the expiration of three years beginning with the date of this permission

Reason: To comply with S.91 of the Town and Country Planning Act 1990.

2. No development of the Phase 3 areas as shown on drawing 3901-012-PL04 Rev H - Proposed Masterplan Layout shall commence until approval of the details of the layout, scale, appearance of the buildings and the landscaping treatments (hereinafter called the 'reserved matters') have been obtained from the local planning authority in writing.

An application for the approval of the reserved matters shall be made to the local planning authority before the expiration of 3 years from the date of this permission.

The phase 3 development thereby permitted shall be begun either before the expiration of 3 years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: The area marked Phase 3 on the submitted drawing are in outline only and the information is necessary for the consideration of the detailed proposal and to safeguard the rights of control of the Local Planning Authority in respect of the

reserved matters, as required by Section 92 of the Town and Country Planning Act 1990.

CONDITIONS RELATING TO PHASE 2 (THE FULL APPLICATION PART OF THE HYBRID APPLICATION)

3. The Phase 2 development shall be carried out in accordance with the following plans:

3901-012-PL01 Rev A-Site Location Red Line Plan

3901-012-PL02-Topo Survey

3901-012-PL03 Rev M - Proposed Phase 2 Layout

3901-012-PL04 Rev H - Proposed Masterplan Layout

3901-012-PL10 Rev H - Proposed Site Sections

3901-012-PL110 - Rev B - Harrier - Plans & Elevations

3901-012-PL130 - Rev B - Ashton - Plans & Elevations

3901-012-PL140 - Rev C - Whittington - Plans & Elevations

3901-012-PL150 - Rev B - Cawder - Plans & Elevations

3901-012-PL160 - Rev D - The Whittaker - Plans & Elevations

3901-012-PL170 - Rev C – Branwell - Plans & Elevations

3901-012-PL180 - Rev B - Stainforth - Plans & Elevations

3901-012-PL210 - Rev B - Emily (Narrow)_Emily - Plans Elevations

3901-012-PL230 - Rev A - The Clifford - Plans & Elevations

3901-012-PL240 – Rev A - The Belmont - Plans & Elevations

3901-012-PL300 - Rev C - The Worth - Plans & Elevations

3901-012-PL310 – Rev C - The Wharfe - Plans & Elevations

3901-012-PL320 - Rev B - The Taylor - Plans & Elevations

GL0161 14E Soft Landscape Proposals

GL0161 15E Soft Landscape Proposals

GL0161 17 - Composite Landscape Masterplan (26-07-2016)

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven District (Outside the Yorkshire Dales National Park Authority) Local Plan and the National Planning Policy Framework.

PHASE 2 LANDSCAPING CONDITIONS

4. No development shall commence within Phase 2 until a Tree Protection Plan, setting out details for the protection of retained trees (as shown at Appendix 7 of the Tree Survey and AIA 12965-Rev1 by JCA Ltd submitted 28/4/2017) has been submitted to and approved and approved, in writing by the Local Planning Authority. The approved Tree Protection Plan shall be adhered to throughout the construction period.

Reason: The development hereby approved shall be constructed in accordance with the submitted details as modified by the attached conditions and any subsequent details approved as non-material amendments.

5. The Phase 2 scheme of landscaping and tree planting shown on drawing no. GL0161 14E and GL0161 15E Soft Landscape Proposals received by the LPA on the 21st August 2017 shall be completed prior to the occupation of the 33rd dwelling within Phase 2 or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season. Management of the landscaping shall be undertaken in accordance with the submitted Landscape Management Plan.

Reason: To ensure a satisfactory appearance and setting for the development and continued maintenance of the approved landscaping in the interests of local amenity.

6. The scheme of landscaping, recreation facilities and maintenance shown on the following drawings and documents (submitted and approved under Planning Permissions 62/2014/14929 and 62/2017/18048) shall be completed prior to the occupation of the 33rd dwelling within Phase 2 or within such longer period as may be first agreed in writing by the Local Planning Authority:

GL0161 13E Meadow Detailed Landscape Proposals (submitted 24-04-2017)

GL0161 16C LEAP Detail Plan (submitted 24-04-2017)

GL0161 - Implementation Specification - Infield Lane Settle - 18-10-2016 (submitted 21-10-2016)

GL0161 - Landscape Management Plan - Infield Lane Settle - 18-10-2016 (submitted 24-04-2017)

All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season. Management of the landscaping and recreation facilities shall be undertaken in accordance with the approved Landscape Management Plan.

Reason: To ensure a satisfactory appearance and setting for the development and continued maintenance of the approved landscaping in the interests of local amenity.

PHASE 2 DRAINAGE CONDITIONS

7. No dwelling in Phase 2 shall be occupied until works for the disposal of surface water have been provided on the site to serve the development hereby permitted, in accordance with a detailed scheme that has first been submitted to and approved in writing by the local planning authority. The submitted scheme shall include:

The detailed design and associated management and maintenance plan of surface water drainage for Phase 2.

A programme for the implementation and completion of the associated surface water storage mitigation scheme (the Flood Meadow) as approved under Planning Permission 62/2014/14929.

Reason: To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity.

8. No dwelling in Phase 2 shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted to and approved in writing by the local planning authority.

Reason: To ensure that an appropriate scheme of foul water disposal is in place, in the interests of residential amenity for future and nearby occupiers.

PHASE 2 MATERIALS CONDITIONS

9. Before the first use of external materials for the construction of the dwellings begins within Phase 2 samples of the materials to be used in the construction of the external surfaces of the dwellings (walls and roofs) and the hard-surfacing areas hereby permitted, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the development has an acceptable external appearance and is in keeping with the visual amenity and character of the area.

PHASE 2 HIGHWAY CONDITIONS

10. No dwelling within Phase 2 shall be occupied until the vehicular access, parking, lighting, manoeuvring space and pedestrian/cycle route have been provided on the site to serve the development hereby permitted, in accordance with a detailed scheme that has first been submitted to and approved in writing by the local planning authority. The submitted scheme shall include details showing the location, layout, design and method of construction of the proposed vehicular accesses, parking areas, lighting and manoeuvring space, and pedestrian/cycle routes.

Reason: In the interests of highway safety.

PHASE 2 CONSTRUCTION MANAGEMENT CONDITION

11. No development shall commence within Phase 2 until a Construction Method Statement has been submitted to, and approved, in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period and shall provide for:-
- details how construction traffic shall enter and leave the site
 - the routeing and management of construction traffic,
 - the parking of vehicles of site operatives and visitors,
 - loading and unloading of plant and materials,
 - storage of plant and materials used in construction of the development,
 - the erection and maintenance of any security hoarding including decorative displays and facilities for public viewing, where appropriate,
 - wheel cleaning facilities,
 - measures to control the emission of dust and dirt during construction,
 - details of noise reduction measures,
 - a scheme for recycling/disposing of waste resulting from construction work,
 - the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on site.

Reason: In the interests of local amenity

CONDITIONS RELATING TO PHASE 3 (THE OUTLINE APPLICATION PART OF THE HYBRID APPLICATION)

PHASE 3 HIGHWAY CONDITIONS

12. No dwelling within Phase 3 shall be occupied until the vehicular access, parking, lighting, manoeuvring space and pedestrian/cycle route have been provided on the site to serve the development hereby permitted, in accordance with a detailed scheme that has first been submitted to and approved in writing by the local planning authority. The submitted scheme shall include details showing the location, layout, design and method of construction of the proposed vehicular accesses, parking areas, lighting and manoeuvring space, and pedestrian/cycle routes.

Reason: In the interests of highway safety.

PHASE 3 DRAINAGE CONDITIONS

13. No dwelling in Phase 3 shall be occupied until works for the disposal of surface water have been provided on the site to serve the development hereby permitted, in accordance with a detailed scheme that has first been submitted to and approved in writing by the local planning authority. The submitted scheme shall include the detailed design and associated management and maintenance plan of surface water drainage for Phase 3.

Reason: To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity.

14. No dwelling in Phase 3 shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted to and approved in writing by the local planning authority.

Reason: To ensure that an appropriate scheme of foul water disposal is in place, in the interests of residential amenity for future and nearby occupiers.

PHASE 3 CONSTRUCTION MANAGEMENT CONDITION

15. No development shall commence within Phase 3 until a Construction Method Statement has been submitted to, and approved, in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period and shall provide for:-

- details how construction traffic shall enter and leave the site
- the routing and management of construction traffic,
- the parking of vehicles of site operatives and visitors,
- loading and unloading of plant and materials,
- storage of plant and materials used in construction of the development,
- the erection and maintenance of any security hoarding including decorative displays and facilities for public viewing, where appropriate,
- wheel cleaning facilities,
- measures to control the emission of dust and dirt during construction,
- details of noise reduction measures,
- a scheme for recycling/disposing of waste resulting from construction work,
- the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on site.

Reason: In the interests of local amenity.

Permission Refused

2017/18456/FUL Cessation of commercial animal care use, demolition of buildings and the construction of a building for the storage of agricultural machinery and plant and associated hardstanding and access track at Crag Side Farm Cottage, Dick Lane, Cowling, BD22 0JZ

Reasons for Refusal

1. The existing access, by which vehicles associated with this proposal would leave and rejoin the County highway is unsatisfactory since the required visibility of 60 metres x 2 metres cannot be achieved in either direction at the junction with the County highway and therefore, in the opinion of the Local Planning Authority, the intensification of use which would result from the proposed development would be unacceptable in terms of highway safety, and would fail to accord with Saved Policies ENV2 and EMP5 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the National Planning Policy Framework.
2. The proposed building, due to its position in relation to neighbouring property Crag Side Farm, would have an unacceptable impact upon the amenities of the occupiers of that property resulting from an increase in noise and activity from the building, and from associated vehicular movements. The proposed development would therefore fail to accord with Saved Policies ENV2 and EMP5 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the National Planning Policy Framework.

PL.869

PLANNING ENFORCEMENT

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in April / May 2018.

\$PL.870

ENFORCEMENT NOTICE APPEAL – REQUEST FOR DELEGATED AUTHORITY TO DEFEND THE POSITION OF THE COUNCIL

Further to Minute \$PL.865/18-19, the Planning Manager and the Legal Services Manager updated Members on the outcome of an enforcement notice appeal relating to the construction of a new dwelling in the open countryside and the implications for the Council.

Resolved – That the Planning Manager and Legal Services Manager’s verbal update is received.

Minutes for Decision

- None -

Chairman.