

## CRAVEN DISTRICT COUNCIL

### **PLANNING COMMITTEE – REVISED SITE VISIT**

22<sup>nd</sup> October 2018

#### **AGENDA**

Members are asked to note the revised timetable which now includes a second site visit:

The Committee will visit the following sites on Monday, 22<sup>nd</sup> October 2018. Members are asked **to meet at site A at 10.55am**, or alternatively at the Belle Vue Square Offices car park **no later than 10am**.

- a. **2018/19587/HH Retrospective application for the creation of raised area (to form a level garden area) to the front of no. 4 Greta Heath, Burton-in-Lonsdale, Ingleton, LA6 3LH.**
- b. **2018/19509/OUT Outline application with some matters reserved for two pairs of semi-detached dwellings, land adjacent to Back Church Street, Church Street, Settle. (Settle and Ribblesbanks) approximately 11.20am.**

Following the site visits refreshments will be available at the Belle Vue Square Offices.

Agenda Contact Officer: Chris Waterhouse

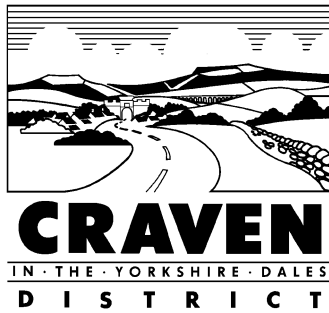
E-mail : [cwaterhouse@cravendc.gov.uk](mailto:cwaterhouse@cravendc.gov.uk)

Tel. 01756 706235

16<sup>th</sup> October 2018.

## **Planning Committee Site Visit Procedure**

- A. On arrival, the Chairman will call the Members of the Planning Committee, any Ward Representative(s) and others invited to be present to order. The Chairman will explain the purpose of the site visit so that all are aware that it is a fact finding exercise only and that no decision will be taken until the Committee meeting.
  - B. The Chairman will then ask the appropriate officer to describe the proposal to Members, identify relevant features of the site, and raise the principal planning considerations. The Officer may also draw Members' attention to the relevant points regarding objections/observations received.
  - C. The Chairman will then ask any other officer, e.g. Highways Officer, Environmental Health Officer, to address the Members.
  - D. Members will then be invited through the Chairman to ask any questions or seek clarification of facts from the Officers present. Members should not direct these questions to the applicant or others present. Any matters not to hand will be reported at the Committee meeting. Discussion on the merits of the application will not be permitted, and Members should refrain from making comments on the proposal.
  - E. A representative of the Parish or Town Council or Parish Meeting will be invited to advise Members on matters of fact relating to the application site.
  - F. The applicant and others present will not be allowed to speak unless he or she is specifically asked by the Chairman or a senior officer to
    - point out particular matters on site, or
    - to clarify or respond to Member's questions in respect of particular factual matters, relevant to the site of the planning application/planning matter.
- Applicants/agents will be given prior notice of the time and date of the site visit.
- G. When the Chairman considers that the purpose of the site visit has been achieved, (s)he will declare the site visit finished and Members will promptly leave the site.
  - H. Whilst conducting the site visits Members will have due regard to the health and safety of themselves and others and will follow appropriate safety instructions on site, including any guidance on parking and access. Under no circumstances will Members or Officers enter a site without wearing the appropriate safety equipment (if any) required.
  - I. A note will be taken by the appropriate officer of those present at each site visit.
  - J. Members should be aware at all times that site visits mainly take place on privately owned land. They should be careful not to damage any property or do anything that may cause problems for or distress to the landowner.
  - K. Where arrangements have been made for a site visit to take place on land which does not form part of the specific area under consideration/application site, the appropriate officer will have sought the necessary permission from the occupier of that land in writing.



## PLANNING COMMITTEE

**1.30pm on Monday, 22<sup>nd</sup> October, 2018**  
**Belle Vue Suite, Belle Vue Square Offices, Skipton**

**Committee Members: The Chairman (Councillor Sutcliffe) and Councillors Baxandall, Brockbank, Harbron, Heseltine, Lis, Morrell, Place, Rose, Shuttleworth, Thompson and Whitaker.**

## AGENDA

**Comfort Break** : Please note that a formal 15 minute comfort break will be taken at an appropriate point in the Committee's consideration of the Schedule of Plans.

1. **Apologies for absence and substitutes**
2. **Confirmation of Minutes** – 24<sup>th</sup> September 2018.
3. **Public Participation** – In the event that any questions/statements are received or members of the public wish to ask questions or address the Committee **in respect of matters not appearing on this agenda**, the public participation session will proceed for a period of up to fifteen minutes.
4. **Declarations of Interest** – All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

(Note: Declarations should be in the form of:

a **“disclosable pecuniary interest”** under Appendix A to the Council's Code of Conduct, or **“other interests”** under Appendix B or under Paragraph 15 where a matter arises at the meeting which relates to a financial interest of a friend, relative or close associate.

A Member of Council who has a disclosable pecuniary interest must leave the room and not take part in the discussion or vote. When declaring interests under Appendix B or Paragraph 15 of the Code, Members must move to the public seating area, not vote, and speak only if members of the public are also allowed to speak at the meeting.)

5. **Schedule of Plans** – Attached. The schedule is comprised of the following:-

- (a) Applications to be determined by the Committee.
- (b) Details of applications determined by officers under the Scheme of Delegation.

If Members have any queries regarding individual applications dealt with under the Scheme of Delegation, or if they have any queries regarding an enforcement matter, they are asked to consider contacting Neville Watson, Development Control Manager (email: [nwatson@cravencdc.gov.uk](mailto:nwatson@cravencdc.gov.uk), telephone: 01756 706402)

6. **Any other items** which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act, 1972.

Agenda Contact Officer: Chris Waterhouse  
Tel. 01756 706235, E-mail [cwaterhouse@cravendc.gov.uk](mailto:cwaterhouse@cravendc.gov.uk)  
12<sup>th</sup> October 2018.

### **Recording at Council Meetings**

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, subject to

- (i) the recording being conducted with the full knowledge of the Chairman of the meeting; and
- (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact the Agenda Contact Officer (details above) prior to the start of the meeting. Any recording must be conducted openly and not disrupt proceedings.

### **Emergency Evacuation Procedure**

In case of an emergency or if the alarm sounds, leave the committee room and leave the building using the nearest available door. The assembly point is in the main square at the front entrance. An officer will take a roll call at that point. Please do not leave without telling the Chairman or the Democratic Services Section's representative.

## **PLANNING COMMITTEE**

24<sup>th</sup> September 2018

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

**Officers** – Legal Services Manager, Planning Manager, Principal Planning Officer (x3), Planning Assistant (x2) and Committee Officer.

Ward Representatives : Councillors Brown (Applications 2018/19269/FUL and 2018/19492/FUL) and Dawson (2018/19460/NMA).

Apologies for absence were received from Councillors Heseltine, Lis, Place and Solloway (substitute for Councillor Heseltine).

Start: 1.35pm

Finish: 18:57pm

Councillor Baxandall left the meeting at 5.58pm

Duration of Meeting : In accordance with Council Procedure Rule 9, the Committee agreed that the meeting should continue beyond three hours.

The minutes of the Committee's meeting held on 29<sup>th</sup> August 2018 were confirmed and signed by the Chairman.

### **Minutes for Report**

PL.881

### **DECLARATIONS OF INTERESTS AND LOBBYING**

#### **a. Declarations of Interest**

Members were invited to declare any interests in the business before the Committee. The following declarations were made:

Application 2018/19508/FUL : Councillors Whitaker and Harbron made reference to their positions in respect of the Tarn Moor Trust and declared interests under Appendix B and Paragraph 15 respectively of the Council's Code of Conduct; Councillor Whitaker exercised his right to speak and they both left the room taking no part further in the discussion or vote.

#### **b. Lobbying**

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

Application 2018/19460/NMA : Councillor Whitaker indicated that he had received lobbying against this application.

Application 2018/19269/FUL : All Members indicated that they had received lobbying for this application.

Application 2018/19386/FUL : Non declared.

Application 2018/19508/FUL : The Chairman indicated that he had received lobbying against this application.

Application 2018/19270/MMA : Non declared.

Application 2018/19234/FUL : The Chairman indicated that he had received lobbying against this application.

Application 2018/19509/OUT : Non declared.

Application 2018/19492/FUL : Non declared.

Application 2018/19428/ADV : Non declared.

Application 2018/19150/FUL : Non declared.

Application 2018/19314/FUL : Non declared.

Application 62/2017/18064 : Non declared.

PL.882

### **PLANNING SCHEME OF DELEGATION**

Further to Minute PL.879/18-19, the Strategic Manager for Planning and Regeneration submitted a report asking the Committee to consider an amendment to the proposed revised Planning Scheme of Delegation.

Members were reminded that in considering the proposed revised scheme of delegation at its meeting on 29<sup>th</sup> August 2018, the Committee had resolved that subject to Category 7 (Ward Member Referrals) of the draft Revised Planning Scheme of delegation being appropriately amended to include reference to members of neighbouring wards also being able to request that an application be referred to Planning Committee, the draft revised Planning Scheme of delegation be approved for reference to Council for approval. The following wording for Category 7 was presented for approval-

*Where a ward member requests, in writing, within 21 days of the receipt of the weekly list or by the closure of any publicity which has been carried out on the application (whichever is the latest), that an application be presented to the Planning Committee for decision, identifying the planning reasons for the referral and how the development affects their ward and agreed with the Planning Manager in consultation with the Chairman.*

*Footnote : As worded Category 7 referrals enables members other than the member for the ward within which the site is located to seek to refer the application to Committee where the development would have an effect on their ward.*

Following a brief discussion it was

**Resolved** – That, the revised drafting of Category 7, Planning Scheme of Delegation, Ward Member referrals, as now submitted, is approved for inclusion within the revised Scheme of Delegation adopted by Planning Committee on 29<sup>th</sup> August 2018 for reference to Council for approval.

Notes : Under the Council's Constitution the revised Planning Scheme of Delegation would be presented to Audit and Governance Committee before reference to Council.

PL.883

### **PUBLIC PARTICIPATION**

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

Application 2018/19460/NMA Mr R Hodgkiss (for the applicant)

Application 2018/19269/FUL Mr M Dracup (objector / for objectors)

Application 2018/19386/FUL Mr V Smith (for Embsay with Eastby Parish Council)  
Mr J Snell (applicant)

Application 2018/19508/FUL	Ms J Ledwon (for Stirton with Thorlby Parish Meeting) Ms J Andrews (objector / for objectors) Mr G Salisbury (for the applicant)
Application 2018/19234/FUL	Mr J Ketchell (for Rathmell Parish Meeting / Ribblesbanks Parish Council Parish Council) Mr S Craven (for the applicant)
Application 2018/19508/FUL	Mr T Turner (objector / for objectors) Mr I Swain (for the applicant)
Application 2018/19492/FUL	Mr A Durham (applicant)
Application 2018/19428/ADV	Mr R Hodgkiss (for the applicant)
Application 2018/19150/FUL	Mr H Thompson (applicant)
Application 62/2017/18064	Mr I Swain (for the applicant)

PL.884

### **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:-

2017/18476/FUL Revised design of proposed dwellinghouse to supersede previous planning approvals, parcel of land to eastern side of No. 16 Ickornshaw, Cowling - Approved with Conditions.

2017/18753/FUL Residential development of 10 dwellings including demolition of existing dwelling at no. 32 Greenroyd Drive to provide access off Greenroyd Drive and associated works, land west of Greenroyd Drive, Sutton in Craven – Refused.

2017/18767/CND Application to discharge conditions 5, 6, 7, 8, 11, 12 and 15 of original planning application referenced 08/2017/17775 granted 02/05/2017, Low Bentham CP School, Doctors Hill, Low Bentham - Split Decision.

2017/18804/HH New outbuilding within the curtilage of the site, 86 Otley Road, Skipton – Refused.

2017/18839/VAR Application for variation of condition no. 6 (provision of affordable housing) on planning appeal reference number APP/C2708/W/16/3144561 dated 28/07/2016 relating to planning application referenced 26/2015/15886, land south of Shires Lane, Embsay - Approved with Conditions.

2017/18865/HH Proposed two storey rear extension and external alterations, 17 Pendle Street, Skipton - Approved with Conditions.

2018/19109/FUL Construction of two detached dwellings with associated off street parking and landscaping, Lingah Farm, Cononley Road, Glusburn – Refused.

2018/19124/FUL Demolition of timber stable and erection of new dwelling and associated works, Scaleber Farm, Back Lane, Low Bentham - Approved with Conditions.

2018/19136/CND Application to discharge condition No. 7 of planning approval referenced 17/2016/17560 granted 3 January 2017, Park Lane Garages, Park Lane, Carleton – Conditions satisfactorily discharged.

2018/19128/OUT Outline planning application (with all matters reserved other than layout) for the erection of a proposed ground floor commercial unit (Use Class A1 or A2) with residential accommodation above following the demolition of an existing single storey outbuilding, adjacent 73 Main Street, Cross Hills - Approved with Conditions.

2018/19228/HH Proposed one and a half storey extension to front of existing dwelling with dormer. Proposed single storey lean-to extension to rear to create sunroom to replace existing UPVC conservatory, 26 Hall Croft, Skipton - Approved with Conditions.

2018/19273/LBC Installation of 1 no. wall-mounted digital advertising screen adjacent to ticket hall, Skipton Railway Station, Broughton Road - Approved with Conditions.

2018/19288/FUL Full planning permission for the construction of side extension, and retrospective permission for the change of use of agricultural land to domestic garden, 13 Spring Gardens, Cross Street, Cowling - Approved with Conditions.

2018/19324/HH Proposed one-storey and two-storey side extension to provide additional bedroom and living accommodation, East View, Carleton - Approved with Conditions.

2018/19338/HH Single storey extension, 57 Regent Crescent, Skipton - Approved with Conditions.

2018/19389/HH Alterations to window and door openings to the rear elevation, reduce ground level of rear garden and relocate solar panels to front roof slope from rear shed, 5 The Grove, Skipton - Permission not required.

2018/19346/FUL Proposed conversion of a traditional barn to form two dwellings, and associated car-port and curtilage, Lane House Farm, High Bentham - Approved with Conditions.

2018/19414/FUL Conversion of existing house to 2 no. self-contained apartments, Springholme, Otley Road, Skipton - Approved with Conditions.

2018/19383/HH Single storey extension to create sunroom, 2 Bowerley House, Settle - Approved with Conditions.

2018/19387/HH Proposed raising of existing main house roof by 1m and new rear pitched roof extension, 9 Park Wood Close, Skipton - Approved with Conditions.

2018/19398/HH Proposed two storey side extension and demolition of existing extension and garage, 15 Ribblesdale Estate, Long Preston - Approved with Conditions.

2018/19405/HH Raise the existing ground level of lowest part of the sloping rear garden by approx 60cm to create level garden. Erect boundary fence on north and south boundary, construct new steps to the existing out building (garage) 39 Midland Terrace, Station Road, Hellifield - Approved with Conditions.

2018/19407/FUL Amalgamation of two flats to form single detached domestic dwelling and first floor extension to side, dwelling rear of 74, High Street, Gargrave - Approved with Conditions.

2018/19408/LBC Amalgamation of two flats to form single detached domestic dwelling and first floor extension to side, dwelling rear of 74, High Street, Gargrave - Approved with Conditions.

2018/19427/HH Construction of rear and side extension, rebuild existing garage, convert the loft, dormer extension and extend the current drive/parking area, Haylands, Four Lane Ends, Raines Road, Giggleswick - Approved with Conditions.

2018/19433/HH Proposed side extension with associated external works, Thorncroft, Cam Lane, Thornton in Craven - Approved with Conditions.

2018/19436/HH Proposed three storey extension to side elevation, 28 Tarn Moor Crescent, Skipton – Refused.

2018/19439/HH Proposed first floor extension above existing rear lean-to, to create larger, bedrooms, 56 Windsor Avenue, Skipton - Approved with Conditions.

2018/19445/FUL Erection of two steel framed agricultural buildings to cover open yard areas, accessed via existing track, Waterscales Farm, Greystonegill Lane, High Bentham - Approved with Conditions.

2018/19478/HH Dropped kerb and creation of hardstanding, 11 Elmore Terrace, Keighley Road, Cross Hills - Approved with Conditions.

2018/19459/VAR Retrospective application to vary condition numbers 2, 3, 4, 5 and 13 to allow for the installation of a jet wash on the south-east corner of the site, the reconfiguration of the existing car park to accommodate the jet wash and minor alterations on application reference number 2018/18915/VAR dated 16/03/2017, Three Peaks Filling Station, New Road, Ingleton – Approved with Conditions.



2018/19462/HH Two storey side extension comprising of ground floor utility room & WC and single first floor bedroom. Along with modifications to existing house comprising of removal of internal wall, 33 Boundary Avenue, Sutton-in-Craven - Approved with Conditions.

2018/19468/HH Proposed demolition of existing garage and new build garden shed/potting store, re-roofing works to existing store (revised scheme to previous approval referenced 2017/18553/HH), 18 Ash Grove, Sutton-in-Craven - Approved with Conditions.

2018/19472/FUL New agricultural building, Marton Hall Farm, Thornton Road, West Marton - Approved with Conditions.

2018/19494/HH Erection of single storey extension at rear of property to form new kitchen & utility/rear entrance, 62 New Village, Ingleton - Approved with Conditions.

2018/19501/HH Rear dormer window and formation of tiled gable in place of hipped roof, 11 Hazel Grove Road, Sutton-in-Craven - Approved with Conditions.

2018/19504/FUL Change of use from dwelling to two self-contained flats, 2 Belgrave Street, Skipton - Approved with Conditions.

2018/19507/MMA Application to vary condition 2 of previously approved application 18/2016/16930 granted 27.06.2016, Greenways, Clapham - Approved with Conditions.

2018/19517/HH Demolition of existing rear porch extension. Erection of single storey sun lounge. Re-roofing using natural blue/grey slates, Thornton Cottage, Burton in Lonsdale - Approved with Conditions.

2018/19518/LBC Application for listed building consent for the demolition of existing rear porch extension. Erection of single storey sun lounge. Re-roofing using natural blue/grey slates, Thornton Cottage, Burton in Lonsdale - Approved with Conditions.

2018/19519/COU Change of use of retail area to office area (A1 to A2), The Annexe, 13 Coach House, Museum Walk, Skipton - Approved with Conditions.

2018/19520/HH Erection of a three bay oak framed garage. two bays with garage doors and one bay as a workshop, Wenning Hipping, Keasden, Clapham - Approved with Conditions.

2018/19515/HH Single storey side extension, Fieldswright, 29 Springfield, High Bentham - Approved with Conditions.

2018/19529/HH Single storey rear extension to provide utility, WC and storage, 3 Smithy Croft Road, Gargrave - Approved with Conditions.

2018/19530/MMA Application to vary condition no. 2 (plans) of original planning permission referenced 2018/19041/FUL to amend the external colour of the building from green fibre sheeting and timber boarding to grey steel sheeting, Raygill Farm, Raygill Lane, Lothersdale - Approved with Conditions.

2018/19531/HH Replacement of existing conservatory, replacement of existing render with stonework, change one window to a door and replace fascias and rainwater goods, 7 The Old Saw Mill, Rathmell - Approved with Conditions.

2018/19534/HH Single storey rear and side extension to provide enlarged kitchen and lounge with additional attached garage, 146 Burnside Crescent, Skipton - Approved with Conditions.

2018/19535/HH Construction of garden room over the existing garage, 1 Raikeswood Drive, Skipton - Approved with Conditions.

2018/19536/HH New porch to front and new pitched roof over existing garage (replacing flat roof), 20 Grassington Road, Skipton - Approved with Conditions.

2018/19561/NMA Non material amendment to original planning consent reference 2018/19115/HH to change external finish from painted render to pebbledash, 111 Burnside Avenue, Skipton - Non-material amendment approved.

2018/19543/CND Application to discharge condition No's. 3 (Archaeology) and 4 (Materials) of original planning permission referenced 2018/19287/HH granted 26/06/2018, Homesteads, Peel Green, Hellifield - Conditions satisfactorily discharged.

2018/19544/HH Attic conversion and front dormer window, 13 Ruskin Avenue, Skipton - Approved with Conditions.

2018/19553/HH Replacement porch supported on timber posts, replacement of door and window to front, 21 Tarn Moor Crescent, Skipton - Approved with Conditions.

2018/19577/HH Two single storey extensions to the rear of the property. One sunroom/lounger area and one shower room/toilet and utility area, 8 Greenfoot Lane, Low Bentham - Approved with Conditions.

2018/19558/HH Proposed alterations to an existing dwelling, Woodbourne, 7 Springfield, High Bentham - Approved with Conditions.

2018/19568/TCA Tree 1 – Sweet chestnut – Fell, Tree 2 - Cherry - Canopy reduction 20% 31 and 37 Higherlands Close, Gargrave - Approved.

2018/19581/TCA T1 Horse chestnut - Crown lift lower branches to give 2m clearance above roof of buildings. Remove dead wood and clean through any poor limbs, First Steps , Newmarket Street, Skipton - Approved.

2018/19582/TPO T1 Sycamore - Crown lift to remove epicormic shoots. Shorten 2 limbs over neighbouring house, remove dead wood, 26 Main Street, Embsay – Approved.

2018/19583/TCA T1 Whitebeam, reduce height and spread by 10%, T2 Yew, light trim and shape, T3 Laurel, reduce height and spread by 15%, cut back from pavement Woodlands House , Woodlands Drive, Skipton - Approved.

2018/19585/TCA Fell 1 no. Hornbeam, 3 Low Street, Burton in Lonsdale - Approve Tree Works in Conservation Area.

2018/19589/CND Application to discharge condition no's 8 and 9 from planning approval referenced 2017/18416/VAR granted 19th December 2017, Craven College Aireville Campus, Skipton - Conditions satisfactorily discharged.

2018/19591/CND Application to discharge condition no's 3, 4, 5 and 10 of original planning approval referenced 2017/18195/FUL granted 21/11/2017, Land Off Ellers Road, Sutton-in-Craven - Conditions satisfactorily discharged.

2018/19607/TPO T4 Yew - Crown lift by 1m, T5 Holly - Fell Hollin Tree, Main Street, Ingleton – Approved.

2018/19608/TCA Various Crown lifting and reduction to park trees adjacent to 33 Hayton Way, Aireville Park Alongside, 33 Hayton Way, Skipton - Approved.

2018/19611/NMA Non material amendment application for amended property division lines and reopening and enlarging a former door opening on the front elevation relating to previous planning application referenced 17/2016/16525 granted 22 February 2016, Ivy Cottage Farm, Carla Beck Lane, Carleton - Non-material amendment approved.

2018/19622/TCA T1 Larch - Fell, Draughton House, Low Lane, Draughton - Approved.

2018/19624/TCA T1 Copper Plum - 25% crown reduction and re-shape, 5 The Bailey, Skipton - Approved.

2018/19662/PNAG Prior notification application for extension to existing agricultural building, Ingleborough View Barn, Westhouse, Ingleton – Prior notice refused; application required.

2018/19674/TPO Remove 4 no. Trees, Short Bank Gully Rec, off Shortbank Close, Skipton – Approved.

## **b. Applications**

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

**Permission Granted**

**2018/19460/NMA Non-material amendment to original planning consent reference 63/2016/17350 to revise position of entrance door, balustrade, handrails + steps, remove 2 windows in south-east elevation and reduce width of north-west window, 16 Park Wood Crescent, Skipton.**

Conditions

This permission relates to the following plans:

- Drawing no. 848/2D received 13th July 2018
- Drawing no. 848/7 received 21st June 2018
- Drawing no. 848/8A received 21st 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.

Informative : This decision notice should be read in conjunction with planning permission 63/2016/17350. All conditions that were imposed on planning permission 63/2016/17350 apply to the development as now amended (in addition to the conditions imposed under this permission), except where these have already been discharged. (\*)

Note : A motion to refuse the above application was lost on the Chairman's casting vote; the motion to approve the application was passed on the Chairman's casting vote.

**2018/19270/MMA Minor material amendment to original planning consent reference 31/2016/17348 to amend size and location of external openings; amend location of external wall materials; reduce size of plant room adjacent to the garage; remove chimney stack, site adjacent to Bankwell Road, Giggleswick.**

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.

Approved Plans

2. The approved plans comprise:

- 02 Rev A - Site Layout received by Craven District Council on the 14th September 2016.
- 04 Rev B - Proposed Plans received by Craven District Council on the 24th August 2018.
- 05 Rev B - Proposed Elevations received by Craven District Council on the 24th August 2018

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

Before Development Commences

3. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

- a. The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- b. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
- c. Any gates or barriers shall be erected a minimum distance of 4.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- d. That part of the access(es) extending 4.5 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10.
- e. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
- f. The final surfacing of any private access within 4.5 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

4. Before any equipment, machinery or materials are brought on to the site for the purposes of the development, fencing shall be erected in accordance with BS5837:2012 'Trees in Relation to Construction' along the northwest and northeast boundaries of the application site. The fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

Informative: The fencing erected in accordance with BS5837:2012 'Trees in Relation to Construction' should be sufficiently strong to withstand impacts likely to be caused during any building operations undertaken in the vicinity. The recommendations BS5837:2012 should be consulted and employed. Standards indicate the minimum recommended for fencing erected is to be at least 2.3m in height, comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, supporting either herras fencing or chain link in accordance with the plan on page 13 figure 2 of the above British Standard.

#### During Building Works

5. Notwithstanding the provision of any Town and Country Planning General Permitted Development Order 2015 (or any Act revoking or re-enacting this Order) the areas shown on the approved plans for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

6. 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: 2007 - Specification for Topsoil and requirements for use. At the request of the Local Planning Authority, details of the supplier(s) and confirmation on the source(s) of any topsoil material should be supplied within 21 days of any request being received.

7. The permission hereby given does not include the removal of the trees T1 to T6, T8 & T9 that are identified to be retained in the Tree Report by I Tavendale (and 1:250 plan that accompanied that appraisal) received by the Local Planning Authority on 14th September

2016. With the exception of this stipulation, the development hereby permitted shall otherwise be carried out wholly in accordance with the aforementioned appraisal and accompanying plan.

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

9. 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.

10. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

11. The tree planting scheme shall be implemented in accordance with details approved under ref: 2017/18825/CND and shall be retained thereafter.

#### Ongoing Conditions

12. The development shall be constructed in accordance with the approved details under the Discharge of Conditions ref: 2018/19357/CND application and shall be maintained at all times thereafter.

#### Informatives

A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999. Should this planning application be approved, the applicant should contact United Utilities on 03456 723 723 regarding connection to the water mains or public sewers.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offer a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 0370 751 0101 to obtain maps of the site.

Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Any further information regarding Developer Services and Planning please visit our website at <http://www.unitedutilities.com/builders-developers.aspx>

The hours of operation during construction phase of development and delivery of construction materials or equipment to the site and associate with the construction of the dwelling hereby

permitted should be limited to 0730 hours to 1800 hours on Monday to Fridays and 0730 hours to 1300 hours on Saturday. No works should take place on Sundays or Bank/Public Holidays.

You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

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 38 of the National Planning Policy Framework. (\*)

**2018/19234/FUL Construction of detached dwelling and garage, formation of new access and create parking spaces and turning area for existing properties, Mell Brae and 1 Main Street, Rathmell.**

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.

Approved Plans

2. This permission relates to the following plans:

- Drawing no. 02 Rev A - Proposed Site Plan received 19th April 2018.
- Drawing no. 03 Rev A - Detailed Design received 23rd April 2018.
- Drawing no. 04 - Location Plan received 23rd April 2018.

The development shall be completed in accordance with the approved plans except where conditions attached to this permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

Before you Commence Development

3. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

- a. Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- b. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
- c. the final surfacing of any private access within 6 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

During Building Works

4. 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.

5. Notwithstanding any details shown on the approved plan, details of the soft and hard landscaping of the site including wherever possible the retention of existing trees and hedges have been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in the first planting season following completion of the development, or first occupation/use, whichever is the soonest.

6. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, boundary treatments to the site shall be erected in accordance with the details (including their siting, height, materials, finish and design) shown on approved site plan before the development hereby approved is first brought into use, and shall be retained as such thereafter.

7. Notwithstanding the provision of any Town and Country Planning (General Permitted Development) (England) Order 2015 for the time being in force, the areas shown on approved site plan for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

8. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

9. 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.

### Informatives

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.

Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

You are advised that a separate licence will be required from the Local Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

The proposals shall cater for all types of vehicles that will use the site. The parking standards are set out in the North Yorkshire County Council publication 'Transport Issues and Development - A Guide' available at [www.northyorks.gov.uk](http://www.northyorks.gov.uk).

No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development. Applicants are advised to contact the County Council's Access and Public Rights of team at County Hall, Northallerton via [paths@northyorks.gov.uk](mailto:paths@northyorks.gov.uk) to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.

A public sewer crosses the access road to this site and we may not permit building over it. We will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with our Developer Engineer at [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk) as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

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 38 of the National Planning Policy Framework. (\*)

**2018/19492/FUL Change of use of existing stable and extension to form single dwelling, Great Gib Farm, Stockshott Lane, Cononley.**

**Conditions**

**Time Limit for Commencement**

1. The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.

**Approved Plans**

2 This permission relates to the following plans:

- Location Plan - Drawing No. 2018/A+A/1, received 28th June 2018;
- Existing Site Plan - Drawing No. 2018/A+A/11, received 28th June 2018;
- Proposed Floor Plans - Drawing No. 2018/A+A/20, received 28th June 2018;
- Proposed West Elevation - Drawing No. 2018/A+A/21, received 28th June 2018;
- Proposed East Elevation - Drawing No. 2018/A+A/22, received 28th June 2018;
- Proposed North Elevation and Section C-C - Drawing No. 2018/A+A/23, received 28th June 2018;



- Proposed South Elevation and Section B-B - Drawing No. 2018/A+A/24, received 28th June 2018;
- Proposed Roof Plan & Existing Stable Plan - Drawing No. 2018/A+A/30, received 28th June 2018;
- Proposed Owl Nest - Drawing No. 2018/A+A/31, received 28th June 2018;
- Proposed Bat Box & Sparrow Terrace - Drawing No. 2018/A+A/32, received 28th June 2018;
- Proposed Site Plan - Drawing No. 2018/A+A/130, received 28th June 2018;
- Initial Soft Landscape Proposals - Drawing No. GR/05/18/01, received 28th June 2018;
- Existing Stable Elevations - Drawing No. 621/4/101, received 6th July 2018;
- Existing Stable Elevation and Section 2 - Drawing No. 621/4/102, received 5th July 2018;
- Drainage Statement, received 28th June 2018;
- SAP Assessments, received 28th June 2018;
- Structural Details, received 28th June 2018;
- European Protected Species Bat Survey by Lucille Fairbank Wildlife Survey and Consultancy, received 28th June 2018;
- Design and Access Statement, received 28th June 2018;
- Planning Statement, received 28th June 2018;
- Topographical Survey of Land, received 28th 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 except where conditions indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

#### Informatives

1. During construction there is a potential for noise nuisance to nearby residential properties.

Operating times for construction should be limited to:

- 08:00am to 18:00pm Monday to Friday
- 08:00am to 13:00pm Saturday
- No Sunday or Bank Holiday working.

2. No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development. Applicants are advised to contact the County Council's Access and Public Rights of Way team at County Hall, Northallerton via [paths@northyorks.gov.uk](mailto:paths@northyorks.gov.uk) to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.

3. The applicant should identify all areas of the site and the site operations where dust may be generated and ensure that dust is controlled so as not to travel beyond the site boundary.

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 38 of the National Planning Policy Framework. (\*)

**2018/19150/FUL Proposed bungalow at Well Spring Farm, Well Spring Farm, Lothersdale Road, Glusburn.**

#### 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.

#### Approved Plans

2. This permission relates to the following plans:

- P1795.001 - Proposed elevations as received on 29th March 2018
- P1975.002 - Proposed floor and roof plan as received on 29th March 2018
- P1975.003 - Existing/proposed site plan as received on 29th March 2018
- P1975.004 - Existing site plan as received on 29th March 2018
- P1975.005 - Proposed site plan as received on 1st May 2018
- P1975.006 - Site location plan as received on 1st May 2018

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

#### Before you Commence Development

3. No development shall take place on site until full details of both hard and soft landscape works for the whole site together with a programme of implementation have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved prior to the occupation of any part of the development or as may be otherwise agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

4. No above ground works shall take place until a scheme for the disposal of foul and surface water from the site has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- a. separate systems for the disposal of foul and surface water;
- b. details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer, including provisions to ensure that the post-development discharge rate does not exceed the pre-development rate (incorporating an appropriate allowance for climate change);
- c. details of any necessary flow attenuation measures, including the use of SUDS where appropriate; and
- d. details of how the scheme will be maintained and managed after completion.

The scheme shall be implemented in accordance with the duly approved details before the dwelling is first occupied, and shall be maintained and managed as such thereafter.

5. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the submitted details.

#### Ongoing Conditions

6. The development hereby permitted shall be implemented in strict accordance with the [SPECIFY - ecological report details] and any variation thereto shall be agreed in writing by the local planning authority before such change is made.

7 No development [other than that expressly authorised by this permission] consisting of the enlargement, improvement or other alteration of the permitted dwellinghouse and garage, the erection of any ancillary buildings, or the erection of boundary walls or fences shall be carried out within the curtilage of the dwellinghouse hereby permitted.

Informative : All wild birds, nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that persons undertaking site clearance, hedgerow removal, demolition works etc. between March and August may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September-28 February wherever possible. Otherwise, a qualified ecologist should make a careful check before work begins.

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 38 of the National Planning Policy Framework. (\*)

**2018/19314/FUL Demolition of existing agricultural buildings and construction of new dwelling, Old Shippon Site, Park Farm, Park Lane, Cowling.**

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.

Approved Plans

2. This permission relates to the following plans:

- 001 Rev A - Existing buildings as received on 4th July 2018
- 002 Rev B - Amended access details for proposed house as received on 11th September 2018

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

Before you Commence Development

3. The development shall be carried out in full accordance with the advice and recommendations set out in the Bat Scoping Assessment by 'PBA Applied Ecology Ltd' (Section 5 of report dated 13th August 2018). The dusk emergence surveys referred to in Section 5 shall be provided before works commence on Barns 2 and 4.

Note: Should the works not commence within 24 months of the submitted Bat Scoping Assessment, a further Bat Scoping Assessment would be required

4. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 33 metres measured along both channel lines of the major road Park Lane from a point measured 2 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. These visibility areas

shall be maintained, clear of any obstruction and retained for their intended purpose at all times.

5. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

- a. The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- b. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
- c. Any gates or barriers shall be erected a minimum distance of 4.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- d. That part of the access(es) extending 4.5 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 20
- e. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway (or vice-versa) shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
- f. The final surfacing of any private access within 4.5 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

6. No development shall take place on site until full details of both hard and soft landscape works for the whole site together with a programme of implementation have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved prior to the occupation of any part of the development or as may be otherwise agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

#### During Building Works

7. Notwithstanding any description of materials in the application, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the building and construction of the detached garage 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.

8. Should any significant contamination be encountered during development, the local planning authority shall be notified in writing immediately. A Remediation Strategy shall be submitted to, and approved in writing by, the local planning authority. The approved remediation measures shall be implemented in accordance with the timescales in the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy, a Validation Report shall be submitted within agreed timescales to, and approved in writing by, the local planning authority. The site shall not be brought into use until such time as all the validation data has been approved in writing by the local planning authority at the agreed timescales. The Remediation Strategy and Validation Report shall be prepared in accordance with current best practice.

#### Before the Development is Occupied

9. Before the dwelling is first occupied the first floor bedroom window in the northeastern gable shall be installed as a non-opening unit and obscure glazed to at least Code 5 standard. It shall subsequently be maintained in this form unless consent has been obtained in writing for its replacement from the Local Planning Authority.

#### Ongoing Conditions

10. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), unless otherwise agreed in writing with the District Planning Authority, no development [other than that expressly authorised by this permission] consisting of the enlargement, improvement or other alteration of the permitted dwellinghouse and garage, the erection of any ancillary buildings, or the erection of boundary walls or fences shall be carried out within the curtilage of the dwellinghouse hereby permitted.

#### Informatives

1. The granting of planning permission does not absolve the applicants from complying with the relevant law protecting species, including obtaining and complying with the terms of conditions of any licences required, as described in Part IVB of Circular 06/2005. Should any protected species or evidence of protected species be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and be given Natural England's contact details.

2. All wild birds, nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that persons undertaking site clearance, hedgerow removal, demolition works etc. between March and August may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September-28 February wherever possible. Otherwise, a qualified ecologist should make a careful check before work begins.

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 38 of the National Planning Policy Framework. (\*)

#### Delegated Authority

**2018/19386/FUL Proposed erection of 9 no. dwellings (outline consent appeal reference APP/C2708/W/16/3144209, CDC ref 26/2015/16037) (re-submission of withdrawn application reference 2018/19116/FUL), land to the east of Laurel Croft, Embsay – the Planning Manager was authorised to approve this application subject to the conditions listed below, and to the prior completion of a deed of variation to the existing Section 106 Agreement so as to relate that agreement to this application, and subject also to the proposed conditions being appropriately amended so as to:-**

- a. Require submission for approval of details of porches to be provided for the affordable housing units.
- b. Remove permitted development rights from both the front and rear gardens of the proposed properties.
- c. Delete reference to the payment of a commuted sum in lieu of on-site affordable housing provision (condition 3).
- d. Require details of how the surface water drainage system will be maintained and managed after installation.
- e. Embody a requirement that the materials used on the parking area will allow surface water to drain away.

#### 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.

##### Approved Plans

- 2. This permission relates to the following plans:

Drawing no. 351.03 Location Plan  
Design and Access Statement  
Drawing no. 351.09 Window/Door Details  
Drawing no. 351.14 Proposed Floor Plans  
Drawing no. 351.15 Proposed Street Scene Elevations  
Drawing no. 351.16 Proposed 3D Visuals  
Drawing no. 351.17 Proposed Elevations

Received by the Local Planning Authority 1st June 2018

Drawing no. 351.13 revision D Proposed Site Plan  
Drawing no. 351.18 Bin Store Detail

Received by the local planning authority 5th September 2018

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

##### Before Development Commences

- 3. No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2: Glossary of the National Planning Policy Framework (2018) and any future guidance that replaces it. The scheme shall include:

- a. the numbers, type, tenure and location on the site of the affordable housing provision to be made as agreed with the District Council.

- b. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing.
- c. the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no affordable housing provider is involved.
- d. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing.
- e. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

The affordable housing shall be retained in accordance with the approved scheme.

4. No development shall commence until a programme of archaeological work for the northern part of the site has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.

5. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:

- a. hours of work for site preparation, delivery of materials and construction;
- b. arrangements for the parking of vehicles for site operatives and visitors clear of the public highway;
- c. details of areas designated for the loading, unloading and storage of plant and materials;
- d. details of the siting, height and maintenance of security hoarding;
- e. arrangements for the provision of wheel washing facilities or other measures to be taken to prevent the deposit of mud, grit and dirt on the public highway by construction vehicles travelling to and from the site;
- f. measures to control the emission of dust and dirt during construction;
- g. a scheme for the recycling/disposing of waste resulting from demolition and construction works;
- h. details for the routing of HGVs to the site.

The duly approved CMS shall be implemented and adhered to throughout the entirety of the construction period.

6. No development shall take place until a scheme for tree protection measures to be implemented during the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a. Details of a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837: 2012) to be formed around the root protection areas of those trees within and/or overhanging the site to be retained.
- b. Details of any excavation to take place within the root protection areas of those trees within and/or overhanging the site to be retained.
- c. Details of the foundations of any building, hardstandings and/or boundary treatments to be constructed within the root protection areas of those trees within and/or overhanging the site to be retained.

The development shall thereafter be carried out in strict accordance with the protection measures contained in the duly approved scheme throughout the entirety of the construction period.

### During Building Works

7. Prior to their first use on site samples of the materials to be used in the construction of the external surfaces of the dwellings hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall subsequently be carried out in accordance with the approved details.

8. No dwelling shall be occupied until the parking and turning areas shown on the approved plans have been constructed and laid out in accordance with the approved plans. These areas shall thereafter be kept available at all times for the parking/manoeuvring of vehicles.

### Before the Development is Occupied

9. No above ground works shall take place until a scheme for the disposal of foul and surface water from the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SUDS Design Guidance (or any subsequent update or replacement for that document) and shall include:

- a. Separate systems for the disposal of foul and surface water.
- b. Details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer which shall ensure that the post-development surface water runoff rate generated during rainfall events up to and including the 1 in 100 year event does not exceed the pre-development runoff rate for the corresponding rainfall event, including appropriate allowances for climate change and urban creep and details of any necessary flow attenuation measures to achieve this.
- c. Details of ground exceedance and/or flood pathways to deal with exceedance flows in excess of the 1 in 100 year rainfall event and to ensure that runoff for all events up to the 1 in 30 year event are completely contained within the drainage system (including through the use of areas to hold or convey water).
- d. Details of how the system will be maintained and managed after completion.

The scheme shall be implemented in accordance with the duly approved details before any of the dwellings are first occupied, or within any other timescale which has first been approved in writing by the Local Planning Authority, and shall be maintained/managed as such thereafter.

### Ongoing Conditions

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

11. The garage provided to Plot 9 shall be kept available at all times for the parking of motor vehicles by the occupants of the dwelling and their visitors and for no other purpose.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure shall be erected within the curtilage of any of the dwellinghouses hereby permitted unless otherwise approved in writing by the local planning authority

### Informatives



1. In order to safeguard the living conditions of nearby residents particularly with regard to the effects of noise operating times for construction should be limited to:
  - 8:00am to 6:00pm Monday to Friday
  - 8:00am to 1:00pm Saturday
  - No Sunday or Bank Holiday working.
2. 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.
3. In order to safeguard the living conditions of nearby residents the applicant should identify all areas of the site and the site operations where dust may be generated and ensure that dust is controlled so as not to travel beyond the site boundary.
4. In order to ensure that no contaminated materials are brought onto the site 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. At the request of the Local Planning Authority, details of the supplier(s) and confirmation of the source(s) of any topsoil material should be supplied within 21 days of any request being received.
5. With regards to condition no. 3 above the developer should note that the existing Sn106 Agreement between the applicant and the Council refers to the extant planning permission ref: 26/2015/16037 and is only applicable if that permission is implemented. In order to discharge condition 3 of this permission the applicant is advised to instruct their solicitor to request a deed of variation to the existing Sn 106 Agreement to relate that Agreement to the current planning decision.

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 38 of the National Planning Policy Framework. (\*)

**62/2017/18064 Outline application with some matters reserved for an employment led mixed-use development, comprising the construction of a new Business Park incorporating B1 Business Units, B2 General Industrial units, a car dealership and residential development, Anley Crag Business Park, land to the west of the B6480 (Skipton Road), Settle – the Planning Manager was authorised to approve this application subject to the conditions listed below, and subject also to the applicant signing a prior Section 106 Agreement in respect of**

- a. A programme for the phasing and delivery of the employment land, and
- b. Off-site commuted payments for open space provision to meet the quality deficiency in the Settle area.

#### Conditions

##### Time Limit for Commencement

1. No development shall commence on either the 'employment area' or the 'residential area' until approval of the details of the layout, scale, external appearance, and the landscaping/boundary treatments (hereinafter called "the reserved matters") for the respective area has 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 development hereby 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.

#### Approved Plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Site plan 488/02(01)005 G (as far as it relates to matters that are not reserved), Framework Travel Plan produced by Fore Consulting, Access Design drawing 3546 SK001 01, and Draft Flood Risk Assessment 1.1 prepared by JBA Consulting.

#### Before you Commence Development

3. No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2: Glossary of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- a. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of units;
- b. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- c. the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no affordable housing provider is involved;
- d. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- e. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

or:

- f. details of an equivalent affordable housing contribution to be provided in lieu of affordable housing on site and the means by which such a contribution shall be provided.
- The affordable housing shall be retained in accordance with the approved scheme.

4. The development shall not begin until a scheme detailing the phasing of the construction of the development including the means of access, construction of buildings, the provision of car parking and servicing arrangements, and the landscaping of the site, has been submitted to and approved in writing by the Local Planning Authority. The development must thereafter be carried out in accordance with the details approved.

5. Any application for approval of reserved matters on the 'residential area' submitted pursuant to this permission shall include a scheme for the provision and future maintenance of public open space. The scheme shall include details of the size, siting, layout, design, a schedule of works and future maintenance arrangements for all elements of the public open space, and a timetable for its provision. The public open space shall be provided in accordance with the details and timetable contained within the duly approved scheme, and shall be maintained as such thereafter for use as public open space.

6. No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage design should demonstrate that the surface water runoff generated

during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change and urban creep, will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The approved drainage system shall be implemented in accordance with the approved detailed design prior to completion of the development. The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document).

7. The details to be submitted to and approved in writing by the local planning authority as part of the reserved matters shall include full details of both hard and soft landscape works and these works shall be carried out as approved. The details shall include a detailed scheme for the planting of trees and shrubs specifying types and species, a programme of planting and the timing of implementation of the scheme, including any earthworks required; details of hard landscaping materials, including the surfacing materials of any hard-standing, drives, footways, screen walls, fences and other means of enclosure. Development shall be carried out in accordance with the approved details.

8. No development shall take place on either the 'employment area' or the 'residential area' until details of the site access for the respective area has been submitted to and approved in writing by the local planning authority. These details shall include: the highway verge/footway crossing; the visibility splays, any gates or barriers; the gradient of that part of the accesses extending 20 metres into the site from the carriageway of the existing highway, the finished surface; measures to prevent surface water run-off onto the highway; the provision of tactile paving, and a timetable for the implementation and completion of the works. The development shall be carried out in accordance with the approved details.

9. No development shall commence on either the 'employment area' or the 'residential area' until detailed drawings showing the proposed highway layout for the respective area have been submitted and approved in writing by the local planning authority. The detailed drawings shall include dimensions of any carriageway, cycleway, footway and verges and visibility splays, existing and proposed site levels, accesses and driveways, street lighting, surface water disposal, traffic calming measures, all types of surfacing provision of any site compound, on-site parking and materials storage and details of the programme of works including any phasing of construction. Development shall be in accordance with the approved details.

10. No development on either the 'employment area' or the 'residential area' shall take place until a Construction Method Statement for the respective area has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period. The statement shall provide for the following:

- a. the parking of vehicles of site operatives and visitors
- b. loading and unloading of plant and materials
- c. storage of plant and materials used in constructing the development
- e. wheel washing facilities
- f. measures to control the emission of dust and dirt during construction
- g. a scheme for recycling/disposing of waste resulting from demolition and construction works
- h. HGV routing to avoid the Settle Town Centre

Before the Development is Occupied

11. Prior to the occupation of any individual business unit, a scheme detailing the provisions to be made for the safe storage of waste must be submitted to and approved in writing by the local planning authority and shall be maintained for the life of the approved development.

Ongoing Conditions

12. 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. At the request of the Local Planning Authority, details of the supplier(s) and confirmation on the source(s) of any topsoil material should be supplied within 21 days of any request being received.

13. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Draft Flood Risk Assessment dated 27 April 2017 version 1.1 proposing surface water discharging into watercourse which was prepared by JBA Consulting. No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

14. In relation to the proposed residential properties, unless otherwise approved in writing by the Local Planning Authority the development should ensure compliance with BS8233:2014 Guidance on 'Sound Insulation and Noise Reduction for Buildings'.

15. The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed background sound levels by more than 3dB(A) between the hours of 0700-2300 (taken as a 15 minute LA90 at the nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest/any sound sensitive premises). All measurements shall be made in accordance with the methodology of BS4142 (2014) (Methods for rating and assessing industrial and commercial sound). Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property. Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the local planning authority.

16. No deliveries or despatches shall be made to or from the commercial units, and no delivery or despatch vehicles shall enter or leave the site (whether laden or unladen) before the hours of 07:00 nor after 22:00.

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 38 of the National Planning Policy Framework. (SV) (\*)

(Councillor Rose asked that her abstention in voting on the above application be recorded.)

### **Permission Refused**

**2018/19269/FUL Proposed single dwelling (previously approved application no. 21/2007/7561), Copper Coin, Nethergill Lane, Cononley** – the Planning Manager to formulate appropriate reasons for refusal based on grounds of overdevelopment and amenity arising from the proposed development's impact on neighbouring property, including overshadowing of the neighbouring garden.

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 paragraph 38 of the National Planning Policy Framework. (SV) (\*)

**2018/19428/ADV Advertisement consent to fix 3 no. individual composite boards (non-illuminated) underneath existing signage, Falconry Centre, Crow Nest Road, Austwick.**

Reasons for Refusal

The proposed signage will result in a significant detrimental impact to visual amenity and the quality and character of the surrounding area. On balance, it is considered that the adverse impacts arising from the proposed development would be contrary to paragraph 132 of the National Planning Policy Framework (NPPF). Additionally, the proposed advertisements do not conserve or enhance the landscape and scenic beauty present in the surrounding Area of Outstanding Natural Beauty and is therefore contrary to paragraph 172 of the NPPF. On this basis, the proposal is unacceptable and should be refused.

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 paragraph 38 of the National Planning Policy Framework.

Note : In refusing the above application the Committee indicated that it was supportive of appropriate advanced signage for the site.

### **Consideration Deferred**

**2018/19508/FUL Extension of existing caravan site for a further 38 static caravans, 10 camping pods and a multiuse sports court area, formation of new road layout and associated works, Tarn Caravan Park, Stirton** – to enable clarification of the position with regard to the Highway Authority recommendation and visibility splays, levels of illumination, facilities for use in connection with the proposed camping pods and investigation of the substance, if any, of concerns regarding the sewage system. (\*)

**2018/19509/OUT Outline application with some matters reserved for two pairs of semi-detached dwellings, land adjacent to Back Church Street, Church Street, Settle** – deferred pending a site visit. (\*)

(\*Representations received were reported within the case officer's report / were reported at the meeting.)

(SV Indicates site visit held on the morning of the meeting.)

PL.885

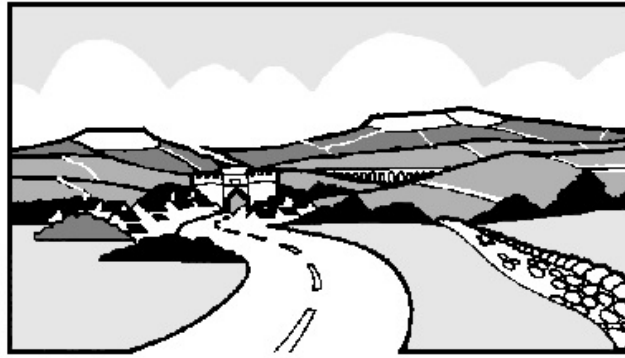
### **PLANNING ENFORCEMENT**

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period 15<sup>th</sup> August to 10<sup>th</sup> September 2018.

### **Minutes for Decision**

- None -

Chairman.



# **CRAVEN**

IN · THE · YORKSHIRE · DALES

## **D I S T R I C T**

### **PLANNING COMMITTEE AGENDA**

**DATE: 22nd October 2018**

#### **INDEX OF PLANNING APPLICATIONS**

<b>Item No.</b>	<b>Application Reference No.</b>	<b>Name of Applicant</b>	<b>Site Address</b>	<b>Page No's</b>
1.	2018/19146/FUL	Persimmon Homes West Yorkshire	Aldersley Avenue, Skipton, BD23 2LH.	2 – 24
2.	2017/18875/OUT	Mr John Judson	Croft Head Farm, Ryecroft Road, Glusburn.	25 – 38
3.	2018/19715/HH	Miss Katie Williams	86 Otley Road, Skipton, BD23 1HG.	39 – 45
4.	2017/18633/FUL	Rosemary & Co	Carr Head Hall , Carr Head Lane, Cowling.	46 – 63
5.	2018/19695/FUL	Mr & Mrs L Fell	Land South Of Station Road, Giggleswick.	64 – 79
6.	2018/19505/FUL	Mr John Wilson	Agricultural Building, Land At Runley Mill Lane, Settle.	80 – 86
7.	2018/19509/OUT	Mr & Mrs Lord	Land Adjacent To Back Church Street, Church Street, Settle.	87 – 90
8.	2018/19635/FUL	Mr Mark Brennand	Nutstile House Farm, Langber End Lane, Ingletton.	91 – 94
9.	2018/19359/MMA	Craven District Council	Land Adjacent To 13 Harper Grove, Sutton-in-Craven.	95 – 100
10.	2018/19587/HH	The Occupier	4 Greta Heath, Burton In Lonsdale.	101-104

## **REPORT TO PLANNING COMMITTEE ON 22nd October 2018**

**Application Number:** 2018/19146/FUL

**Proposal:** Erection of 98 No. dwellings (resubmission of previous application 63/2016/17313 - amended scheme).

**Site Address:** Aldersley Avenue Skipton BD23 2LH

**On behalf of:** Persimmon Homes West Yorkshire

**Date Registered:** 29th March 2018

**Expiry Date:** 28th June 2018

**Case Officer:** Mr Mark Moore

---

### **UPDATE TO MEMBERS:**

Members of the Planning Committee considered this application previously under application no. 63/2016/17313. Following deferral for a site visit the Committee at its meeting of 12<sup>th</sup> February 2018 resolved to refuse planning permission for the reason set out in this report.

A revised scheme was submitted and referred to the July Committee meeting whereupon Members resolved to defer the application in order to allow the applicant's further time in which to address the Members concerns regarding the impact of the development on existing properties located at Moorview Way.

This is a revised submission in which the applicants have made further changes to the scheme in order to address the original reason for refusal.

Although submitted as a full application the scheme is only changed in part from the previously refused application. The policy considerations and many of the planning issues with the exception of the impact on the amenity of the occupiers of neighbouring properties have not changed since the original application was considered. For this reason this report assesses the amended scheme only and does not cover the planning issues addressed in the previous case officers' report.

The application has been referred to the Planning Committee as it represents a departure from the provisions of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the officer recommendation is for approval.

### **1. Site Description**

- 1.1 The application relates to an irregularly shaped parcel of land to the south-eastern periphery of Skipton extending to approximately 5.7 hectares between Aldersley Avenue and Moorview Way. The site currently comprises open farmland with small pockets of scattered outbuildings and piecemeal enclosures. The watercourse of Jenny Beck (part of which is culverted) follows a narrow valley to the western end. Ground level falls steeply in a north-westerly direction across the site down to Moorview Way.

- 1.2 The site falls outside the Development Limits identified on the Craven District (Outside the Yorkshire Dales National Park) Local Plan (CDLP) Proposals Map and is therefore located within open countryside. The land is, however, allocated as a housing site with associated green infrastructure provision (site reference SK013) in the Publication Draft Craven Local Plan dated 19th December 2017 (referred to hereafter as the Emerging Local Plan or 'ELP').
- 1.3 An existing road with a priority (give way) junction onto Aldersley Avenue provides access to a group of garages located at the western end of the site. The site boundary includes these garages and the access road onto Aldersley Avenue which runs between no. 1 Hillside Crescent and no. 47 The Oval.
- 1.4 The northern boundary of the site is flanked by dwellings (a mix of bungalows and two storey houses) on the cul-de-sacs of Moorview Way to the north and two storey houses on The Oval, Hillside Crescent and Lytham Gardens to the west/southwest. Playgrounds off Shortbank Close and Lytham Gardens are located to the northwest and southwest corners of the site and clusters of trees at the edges of these roads (but outside the site) are protected by Tree Preservation Orders (TPO). The site adjoins areas of open farmland to the east and south which are separated by dry stone walls and landscaped buffers. Ground level continues to rise in a southerly direction away from the site up to Skipton Moor where views are available from elevated vantage points on the Dales High Way Public Right of Way (PROW).

## 2. **Proposal.**

- 2.2 Following consideration of the previous planning application Members resolved to refuse planning permission for the following reason:

*'The site borders a group of bungalows set on lower lying land to the northeast. The bungalows at nos. 282-294 Moorview Way are orientated with their principal garden areas and rearward habitable room windows facing in a southerly direction towards the site. The dwellings proposed on plots 27-36, by virtue of their greater height and scale (ranging from two to three storeys), elevated siting (up to 2.5 metres above the level of the adjacent bungalows), close proximity and southerly aspect in relation to neighbouring dwellings, would result in an oppressive outlook, increased overshadowing and overlooking, and a substantial sense of enclosure to the rear-facing windows and garden areas of the bungalows at nos. 282-294 Moorview Way. Accordingly, the proposed development would have an unacceptable impact on the privacy and amenity of adjoining occupiers and would fail to provide a good standard of amenity for existing residents bordering the site in conflict with the requirements of paragraph 17 of the National Planning Policy Framework'.*

- 2.3 This application is a revised re-submission in which the applicants seek to address the above reason for refusal. For this reason the proposals remain largely unchanged from the previous application other than in the north-east corner of the site where it was considered that the relationship of the proposed new housing to the existing bungalows at 282-294 Moorview Way was unsatisfactory.

- 2.4 In summary, the changes that have been made comprise the following:

Re-orientation of the properties at plots 28-35 – previously a row of semi-detached bungalows with rear elevations facing the bungalows on Moorview Way – bungalows now lie facing east-west and have gable ends facing existing properties across a widened planted landscape buffer. This change results in the rear gardens and boundary fencing being at same ground level as the dwellings to which they relate.



Removal of split-level house types on plots 24-27 and 34-35 now amended to dormer bungalows – this results in the rear elevations of 282-296 Moorview Way facing the side elevations of dormer bungalows beyond the landscaping buffer.

Widening of the buffer planting area along the northern boundary along with 1.8m high close boarded fencing to mark the new property boundaries.

Maintenance and management of the buffer planting to be subject to a management plan as agreed in the Sn106 Planning Agreement.

Additional landscaping across the south-eastern site boundary to provide an extension of the existing tree planting to the south of the site.

This is an addition to the landscaping that has been incorporated at the request of the Councils Tree Officer.

- 2.5 The application has been accompanied by plans showing both streetscapes and cross sections of the proposed development, the latter illustrating the relationship of the proposed new housing to the existing houses located at Moorview Way.

- 2.6 In addition to the plans the applicants have submitted a supporting letter from a Civil and Structural Engineering Consultant regarding the site levels and gradients. The letter states:

*'The site is irregularly shaped, and located on the edge of a residential area with vehicle access direct from Aldersley Avenue on the western boundary. The vast majority of the site is grassed for grazing livestock and separated into numerous fields by timber and post and wire fences, whilst an informal access track separates the site into northern and southern halves. The site generally falls to the north and towards the watercourse in the western corner of the site at gradients of approximately 1 in 7, getting steeper immediately adjacent the watercourse.'*

*There are a number of constraints which directly influence the proposed engineering designs. First and foremost, due to the existing site gradients exceeding allowable adoptable highway gradients, it would not be possible to maintain existing site levels to develop the site. Additionally, a key zone of sensitivity has been specified to the south of the developed area, beyond which no re-grading works are permitted so as not to negatively affect the landscape. Therefore, a cut and fill exercise will be required throughout the development.*

*The current engineering design for the proposed development has aimed to best maintain existing site levels on the northern edge of the development whilst keeping adoptable highway gradients to a maximum of 1 in 12 as stipulated by North Yorkshire County Council.*

*The main access road through the site will be constructed in line with existing ground levels where possible. By keeping to the maximum allowable highway gradients, and the requirements of Building Regs Part M for access to individual properties, plot levels have been kept as close to existing ground levels on the northern edge as practicable. This has resulted in the properties and highways to the south of the access road cutting in to the existing slope by approximately 3-4m in places.*

*The majority of the proposed dwellings along the northern boundary are orientated in such a way which removes the requirements for retaining walls along the northern edge of the development. Instead the ground will be graded to a maximum of 1 in 3 and proposed dwellings will be sufficiently separated from the site boundary by a buffer zone'.*

### 3. **Planning History**

- 3.1 63/2016/17356: Application for a screening opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 for a proposed residential development relating to planning application 63/2016/17313.
- 3.2 63/2016/17313: residential development of Full application for the erection of 98 dwellings. Refused February 2018.

### 4. **Planning Policy**

- 4.1 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for Craven comprises the saved policies of the Craven District (Outside the Yorkshire Dales National Park) Local Plan 1999 (the 'CDLP').
- 4.2 Craven District Council is in the process of preparing a new Local Plan to cover the period up to 2032. The Emerging Local Plan (ELP) is at the draft submission stage and has just commenced the process of independent examination. Notwithstanding, the ELP is not the adopted development plan for the district and in accordance with paragraph 48 of the NPPF its draft policies can carry only limited weight in the decision making process.

#### 4.3 **National Policy:**

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)

#### 4.4 **CDLP:**

ENV1 – Development in the Open Countryside  
ENV2 – Requirements for Development in Open Countryside  
ENV10 – Protection of Trees and Woodlands  
SRC2 – Provision of Recreation Space in New Housing Developments  
T2 – Road Hierarchy

#### 4.5 **ELP:**

SP1 – Meeting Housing Need  
SP3 - Housing Mix and Density  
SP4 - Spatial Strategy and Housing Growth  
SP5 – Strategy for Skipton – Tier 1  
ENV1 – Countryside and Landscape  
ENV3 – Good Design  
ENV4 - Biodiversity  
ENV5 - Green Infrastructure  
H2 – Affordable Housing  
INF1 - Planning Obligations  
INF3 - Sport, Open Space and Recreation Facilities  
INF4 - Parking Provision  
INF6 - Education Provision

## 5. **Parish Council Comments**

### **Skipton Town Council:**

- 5.1 The Town Council have reiterated comments that were made in response to the previous (original ) planning application as follows:

*'The Town Council would like to state its OBJECTION to the proposed development and would ask that the Planning Authority take into account the following matters in considering the application:*

#### *Housing Numbers:*

*The Town Council notes the recent variation in proposed housing numbers as part of the emerging Craven Local Plan and questions the need for a development of this size, given the number of proposed developments already being considered. The Town Council assumes that due weight will be given to this consideration and would ask that careful evaluation is undertaken to ascertain whether the level of housing required under the revised terms of the Plan can already be achieved through existing approved development.*

#### *Highways Infrastructure:*

*The Town Council and local residents are extremely concerned at the impact the proposed development would have on an already stretched highways infrastructure. The impact of the development already under way at Elsey Croft has not yet been ascertained and, given that the proposed new development has a single access which will, ultimately, feed onto Shortbank Road, the Council must raise a serious concern as to whether the infrastructure could cope. The current pinch-point, with single file traffic under the railway bridge on Shortbank Road, is of particular concern. Many local residents already view this point as dangerous with poor lines of sight for traffic heading down towards town. It is felt that the additional traffic generated by the development will increase the risk of accidents and will increase congestion. Should the development be approved, the Town Council would urge that a requirement of the approval should include significant improvements to the highways infrastructure. In terms of traffic volume, residents are also concerned at the level of congestion already experienced on a daily basis along Newmarket Street. Residents feel this will be substantially worse should the development go ahead.*

#### *Flood Risk, Water and Sewerage Systems:*

*The Town Council has concerns that the new development will both remove existing provision for surface water drainage and will itself add to the risk of flooding in the area. The Council would ask that a detailed view is obtained from the Environment Agency, given that the current investment in flood prevention schemes is focussed further 'up stream' than the proposed development. Can the existing beck which runs alongside Shortbank Road cope with any increased water run-off from the proposed development? One local resident raised a concern about the capacity of existing sewerage systems and with the current water pressure levels in this part of town. The resident stated that he believed that water pressure levels were already at the minimum of what was allowed and that a new development would reduce the pressure to an unacceptable level. The Town Council would urge that the Planning Authority explores this angle carefully with Yorkshire Water.*

#### *School & Health Infrastructure:*

*The Council is extremely concerned at the impact the proposed development would have on already badly over-stretched school and health provision. Local schools are already operating at maximum capacity and the Town Council cannot see how these schools can take the additional pupil numbers which would be generated by the proposed development alongside those other developments already underway or with planning consent already granted. The Council would urge that detailed discussions take place with North Yorkshire County Council regarding potential pupil numbers and how these could be handled. The Council and local residents cannot see how the likely addition numbers could be accommodated without either substantial proper expansion of existing schools – or the provision of an additional school(s). The Town Council has similar concerns relating to local health provision. It is well documented that the two local doctors' surgeries operate at or near capacity and there is plenty of anecdotal evidence as to how difficult it is to obtain appointments at either surgery, despite the best efforts of the surgeries concerned.*

*Play Provision:*

*The Town Council notes that there is no planned play provision on site and that the application proposes improved links to existing play areas at Shortbank and at Lytham Gardens. The Council is content with the provision of the link to Shortbank and has already had detailed discussion with the District Council's Sports Development Officer to look at the level of improvements needed at the existing Shortbank Recreation Ground to provide both adequate and effective access from the new development both for residents using the facilities and for Town Council Grounds Maintenance staff – and the provision of additional equipment. The Town Council does question the proposed footpath to the existing play area at Lytham Gardens and does not believe that the topography of the land surrounding the play area (nor, indeed, the ownership of the land between the proposed development site and the play area) would, in fact, allow such a footpath to be created. The existing play area at Lytham Gardens is small and there is little or no capacity for any additional equipment. The play area is already very well utilised'.*

- 5.2 In addition to the above the Town Council have commented:

*'The proposed pedestrian, vehicular and cycle access routes remain unsuitable as these are via Shortbank Road. Councillors remind the planning authority that road safety needs to be of paramount importance and improvements to sustainable transport provision is needed'.*

- 5.3 Further to notification on the amended plans the Town Council have commented:

*'With regard to the above Planning Application Town Council Members wish to reiterate their previous comments that they feel not enough consideration has been given to the dangers posed by vehicles coming down Shortbank Road'.*

6. **Consultations**

6.1 **CDC Environmental Health:**

No objections. Comments as follows:

The intrusive ground investigation submitted with the application has identified that an area of the site was previously used for landfill purposes. An intrusive ground investigation was carried out to determine the level of type of any land contamination associated with the activity. The results of the intrusive ground investigation show elevated levels of metals, petroleum hydrocarbons and polycyclic aromatic hydrocarbons (PAHs) in soil. The report states the former

landfill site falls outside the area of the proposed housing units, however the extent of the landfill area has not yet been determined and roads and services are potentially going to pass through the former landfill area. Monitoring of ground gas is still ongoing and early indication state that ground gas should not be a problem but confirmation is awaited when the monitoring has been concluded.

CDC EH agree with the conclusions/recommendations in section 10 of the report and consider that the suggested further works detailed in section 11 of the report be undertaken prior to development commencing. This can be secured through condition.

Conditions should be attached to any permission: (i) limiting operating hours for construction to between 8am and 6pm Monday to Friday, and between 8am and 1pm on Saturdays only; and (ii) requiring a dust management plan.

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 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.

## 6.2 **CDC Local Plans:**

The Draft Craven Local Plan was submitted to the Secretary of State on the 27th March 2018. The submission Draft Craven Local Plan identifies this site (site reference SK013: Land east of Aldersley Avenue and south of Moorview Way) as an allocation under policy SP5: Spatial Strategy and Housing Growth for residential development (C3 use).

This policy allocates a 5.746 ha area of land, with a net developable area 3.112 ha. An area of 2.634ha has been identified as green infrastructure within the site. The policy estimates a yield of 100 dwellings and sets out a number of development principles to guide development of the site.

When considering this proposal, submission draft Craven Local Plan policy SP4 and specifically the development principles set out for site SK013 should be taken into account.

## 6.3 **CDC Strategic Housing:**

The applicants have submitted a planning application for the development of 98 homes of which 20 are proposed as affordable.

In December 2017 a report on the revised affordable housing policy H2 local plan alongside a Viability Assessment evidence base report was considered by Policy Committee. The Viability Assessment recommends that 30% affordable housing is comfortably viable on all types of greenfield sites that are likely to come forward in the plan area.

The 20 units proposed on this scheme are acceptable, even though they provide less than the required 30% affordable housing. A viability appraisal has been submitted by the District Valuer providing evidence that 30% is not viable however 20 units was deemed to be feasible.

The mix provided and the distribution of the homes is acceptable to Strategic Housing and therefore Strategic Housing has no objections to the proposed scheme.

## 6.4 **CDC Tree Officer:**

*'The only trees on site of high value are T2-T5 in the submitted survey which are on the edge of a small woodland to the south of the site (Tree Preservation Order 233 2016). Trees within 'The Gully' to the north west of the site are also protected (Tree Preservation Order 176 2009). The development doesn't look like it poses any threat to these but they should have protective fencing installed to BS 5837. There are some trees running along the pathway of the Moorview Way*

boundary. These trees aren't of any particular individual quality but it would be preferable for this to be improved as a green corridor for residents to be able to walk/cycle into town through other green corridors such as 'the gully' and 'the Wilderness'.

The Tree and plant species on the Landscaping plan look to be appropriate however this doesn't show detailed specifications or numbers of trees. Please can this be requested before determination or conditioned if permission is to be granted. The site is very exposed and highly visible from the surrounding landscape and therefore I would like to see more tree planting. A strip of woodland planting along the southern edge of the site (see separate diagram) would be highly beneficial in helping to soften the site when viewed from various areas across the town and the surrounding moorland and hills. A mix of bare root native trees (Oak, Birch, Wild Cherry etc) would provide valuable Green Infrastructure, linking the copse of woodland to the south closer to the new plantations to the north east. This would also be beneficial for natural flood management as a stream runs from east to west along the southern site boundary'.

**Officer Note:** Following submission of revised landscaping plans the Tree Officer commented further as follows:

*'The applicant has amended the Landscape plan to include a native Woodland buffer at the top of the site as requested. This will be highly beneficial in screening the site from the Roman road and moorland footpaths. There will also be ecological and flood management benefits to this as a stream runs along this boundary. To summarise my comments, the development shouldn't be of detriment to any high quality trees within the area and the Landscape scheme is comprehensive'.*

#### 6.5 **NYCC Highways:**

The Highways Officer has noted the following:

*'See 63/2016/17313 for the principle and detail of this development. TA addendum included in this new application, but only housing layout has been amended. With regard to the layout, one of the 3 pedestrian links to Moorview Way will be a 4m wide shared footway / cycleway / emergency access with bollard. However, as the 3 cul de sacs do not have turning heads, only footways would be adopted in these cul de sacs'.*

**Officer note:** The Highways Officer has recommended that a number of highways conditions are imposed in the event that planning permission is to be granted. These do not vary from the previous recommendations and the following in the case officers' summary of the NYCC Highways response taken from the report on the previous planning application.

The principle and detail of this development has been subject to considerable discussion since 2016, including Newmarket St/Otley Rd junction. The principle of the Transport Assessment has been accepted. With regard to the layout, one of the 3 pedestrian links to Moorview Way will be a 4m wide shared footway / cycleway / emergency access with bollard. However, as the 3 cul de sacs to the north of the site do not have turning heads, only footways would be adopted in these cul de sacs.

Conditions are recommended with respect to:

- (i) detailed plans for the road and footway layout;
- (ii) the construction of roads and footways prior to first occupation;
- (iii) the construction of the site access;
- (iv) visibility splays for pedestrian and vehicle traffic;
- (v) off-site highway works;
- (vi) provision of access, turning and parking areas;
- (vii) restricting the conversion of garages to living accommodation;

- (viii) a Travel Plan;
- (ix) a construction management plan.

6.6 **NYCC Education:**

Request a financial contribution of £333,102.00 for primary education facilities as a result of the proposed development. No contribution is sought for secondary school facilities.

6.7 **NYCC Heritage Services:**

Advise that they are unable to comment on application.

**Officer note:** The County Archaeologist did comment on the previous application and made recommendations that mitigation and archaeological evaluation work be completed on the site either before and/or during the development as appropriate, this to be secured by condition.

6.8 **Sport England:**

Sport England has advised that they have no comment to make as the proposed development does not fall within their statutory or non-statutory remit.

6.9 **Natural England:**

NE Advised that they have no comment to make on the application as the development is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

6.10 **North Yorkshire Police:**

Advises that the site is located within an area with moderate crime and disorder levels and that any new development has the potential to increase these levels if the designing out of crime is not considered and implemented. It is recommended that a condition be attached to any planning permission that requires prior approval of crime prevention measures and their subsequent implementation.

6.11 **Yorkshire Water:**

No objections. Comments as follows:

The Flood Risk Assessment (prepared by Haigh Huddleston Associates – Report E15/6358/FR01A dated July 2016) confirms: (i) Sub-soil conditions do not support the use of soakaways; (ii) therefore, surface water will discharge to a watercourse (Jenny Beck) which exists near to the site - connection subject to Environment Agency / Local Land Drainage Authority / Internal Drainage Board requirements.

The public sewer network is for domestic sewage purposes. Land and highway drainage have no right of connection to the public sewer network. An existing 6" diameter live water main is currently laid in a footpath of Aldersley Ave which may be affected by the site access improvements.

Recommend that a condition should be attached to any permission granted requiring: No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority (reference Flood Risk Assessment (prepared by Haigh Huddleston Associates - Report E15/6358/FR01A dated July 2016). This is to ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.

7. **Representations**

- 7.1 Neighbouring properties were notified of the application by letter dated 16<sup>th</sup> April 2018. Neighbours were subsequently notified of additional information (streetscape plans/ cross sections and amended landscaping plans) on 29<sup>th</sup> June 2018.

- 7.2 The application was also advertised by way of site notices and a press notice that were displayed on 20<sup>th</sup> April 2018.
- 7.3 Following submission of further revised plans on 10<sup>th</sup> September 2018 additional consultation letters were issued and a revised press notice posted (14<sup>th</sup> September 2018).
- 7.4 Following notification on the most recent submissions 5 responses from the occupiers of 3 of the neighbouring properties have been received (3 of the responses were from the occupier of one property). Those comments are summarised as follows:

The resubmitted plan still shows buildings to be over towering the existing properties.  
Solar panels on property at 274 Moorview Way will be restricted by height of adjacent proposed 3 storey house.  
Ground level adjacent 274 Moorview Way would be raised about 1.5m above the existing bungalow ground level.  
Bungalow and solar panels were in existence long before the land was included in the Local Plan.  
Not all the proposed new houses adjacent the Moorview Way bungalows have been re-orientated - one 2 storey house remains and will be overlooking the privacy of the adjacent bungalow (294 Moorview Way).  
Separation distances between existing Moorview Way bungalows and new housing have been reduced since last plan.  
Proposed ground levels have been reduced between only 1.5m to 2m and not to same ground level as Moorview Way.  
Raised ground level (approx. 1.5m higher) will cause overshadowing and loss of privacy.  
Increased size of the buffer zone will encourage people to use the uncontrolled space for recreational use causing nuisance to existing residents.  
Council should insist full compliance to the planning committee proposals and not allow developer to pick what they want to do.  
Developer has not described how the management of the buffer zone will take place.

## 8. **Main Issues**

- 8.1 Whether or not the most recent amendments to the previously refused scheme are sufficient to overcome the Councils reason for refusal.

## 9. **Analysis**

- 9.1 Prior to forming an assessment of this application it is necessary to consider the relevance of the application that was refused planning permission in February of this year (Ref: 63/2016/17313). The previous, now refused, application was for the same development site and was refused for a very specific reason (set out in full at 2.2 above) which was the impact upon the existing bungalows at 282-294 Moorview Way, those being the neighbouring properties located immediately adjacent to the north-east corner of the application site.
- 9.2 The decision that was made by the Council is very significant and is a material consideration in the determination of the application that Members are now being asked to consider. In particular the Council has set out precise reasons for refusing the first application and have therefore clearly indicated that in all other respects, for example, the principle of development, highway safety, flooding, impact on ecology etc. the development of the application site is acceptable. For this reason, and in consideration of the fact that the proposed development has only been changed in part in order to address the specific reason for



refusal, it is no longer possible for the Council to consider any other issues in relation to this application other than the acceptability, or not, of those changes.

**Officer note:** A number of comments have been raised by Skipton Town Council and by other consultees in addition to previous third party representations which, for the reason set out above, comment on matters that can no longer be considered by the Council and are not therefore relevant to the determination of this application. The following analysis will not cover matters other than whether or not the amendments that have been made are sufficient to overcome the Councils previous reason for refusal.

- 9.3 As set out in the Committee report for the original planning application *'the overwhelming majority of the proposed houses bordering Moorview Way would be two-storeys in height. The exception to this is four split level 2/3 storey plots orientated at right angles to detached bungalows at the eastern end'*. It is this that represents the principle change in the revised plans, specifically substitution of the larger house types originally proposed for 1.5 storey bungalows and, further to the previous revised proposals, a change to the orientation of the 1.5 storey bungalows to set them with their gable ends facing the existing properties on Moorview Way as opposed to 'back to back'.
- 9.4 The principal difference to the previous scheme is that the new (Buckden) semi-detached bungalows would have their gable ends facing towards the rear elevations of nos. 282 – 296 Moorview Way located with the following separation distances:
- No. 282 – 30m
  - No. 284 – 27m
  - No. 286 – 22m
  - No. 288 – 20m
  - No. 290 – 18m
  - No. 294 – 17m

The interface distances have been reduced comparative to the previous scheme but are considered to be acceptable given the re-orientation of the houses which presents a much reduced profile to the existing housing in comparison to the previous scheme. In addition the widened landscape buffer (increased to 6m) would provide a more effective screen between the existing and proposed houses.

- 9.5 In terms of the height variations between the old and the new houses revised cross sections show the new housing set across a range of levels from 0.5m to 2m. The applicants have improved the contours of the site and the height variations but given the significant change in levels across the site and the need to meet engineering requirements for the proposed new road layout it would be unreasonable to insist on the nearest of the new housing being on the same level as the existing. In any case it is not uncommon for new development to sit at a higher level than existing housing and there is precedent for such a relationship between old and new development elsewhere throughout the district.
- 9.6 Although not referred to in the Councils reason for refusal changes to the properties adjacent to 272 - 274 Moorview Way are also proposed comprised of a change in the house types, increased interface and widened landscaping buffer.
- 9.7 In officers opinion, and notwithstanding the change in the ground levels between the application site and the neighbouring properties on Moorview Way, it is considered that the revised design, the reduction in the height and now the massing of the proposed bungalows, the interface distances and the 6m landscaped buffer are such that the impact upon the existing bungalows would not be significant enough to justify a refusal of planning permission. In coming to this view it is noted that objectors still consider the design unacceptable and object to the reduced interface distances, change in levels and widened

landscape buffer. However, the relationship is considered to be within acceptable parameters and would not give rise to a substantial loss of amenity or an unacceptably impaired outlook. Equally, the levels of the houses and relative position and orientation of windows are such that there would be no overlooking resulting in loss of privacy.

- 9.8 It is considered that the revised design and other proposed changes to the house types in the north-eastern corner of the application site are minor re-configurations of the development that would have no material effect in terms of the overall visual impact of the development or in terms of the impact on neighbouring properties. Similarly, the other changes outlined above do not result in any significant departure from the overall design of the development and are improvements to the previous scheme.
- 9.9 The key question here is whether or not the revised proposals have overcome the Council's previous reasons for refusal. In Officers' opinion the changes are a significant improvement on the previous scheme and there can be no grounds upon which the Council can now refuse planning permission.
- 9.10 Another aspect of the application is the additional landscaping that is proposed across the southern edge of the site. This has no relevance to the reason for refusal but it should be noted that the enhanced landscaping is an improvement over the previous application and will be a substantially better scheme.

#### Conclusion:

- 9.11 The revised proposals are considered to be sufficient to overcome the reasons for refusal set out in the previous decision on application ref: 63/2016/17313. In all other respects the application is considered to represent sustainable development that would be in accordance with the requirements of paragraph 11 of the NPPF and therefore should be granted planning permission.

#### 10. Recommendation

- 10.1 Approve with 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. AAS-2015-001A - Scale 1:1250 location plan.  
Drawing no. AAS-2015-002M - Proposed planning layout.  
Drawing no. YOR.2422-009 G -Landscape Masterplan  
Drawing no. AAS-2018-004A and 004C - Proposed street scenes.  
Drawing no. AAS-2015-004B - Proposed street scenes.  
Drawing no. AAS-2015-003E,005D and 006 - Proposed site sections.  
Drawing no. E15/6358/01/01L – Feasibility Plan

Drawing no. 423-BOUN-01 - Boundary Treatments  
 Drawing no. AAS-AN-WD16 - The Alnwick.  
 Drawing no. AAS-BK-WD16 - Bickleigh.  
 Drawing no. AAS-BR-WD16 - The Brampton.  
 Drawing no. AAS-BU-WD01 - The Buckden  
 Drawing no. AAS-CD-WD10 - Chedworth.  
 Drawing no. AAS-CCA-WD16 - Clayton corner.  
 Drawing no. AAS-CR-WD16 - Craggside.  
 Drawing no. AAS-HB-WD16 - Hanbury.  
 Drawing no. AAS-HHSL-WD16 - Hanbury split level.  
 Drawing no. AAS-HB (sp)- WD16- Hanbury split level  
 Drawing no. AAS-HT-WD16 - Hatfield.  
 Drawing no. AAS-RS-WD16 - Roseberry.  
 Drawing no. AAS-RS(sp)-WD16 - Roseberry split level.  
 Drawing no. AAS-RF-WD16 - Rufford.  
 Drawing no. AAS-RF(sp)-WD16 - Rufford split level.  
 Drawing no. AAS-SU-WD16 - Souter.  
 Drawing no. AAS-WS-WD16 - Winster.  
 Drawing no. AAS-WY-WD16 - Wycliff split level.  
 Drawing no. SGD-01 - Single/double garage.  
 Drawing no. SGD-02 - Single/double garage.

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 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 Details of finished floor levels and external ground levels for each plot shall be submitted to and approved in writing by the Local Planning Authority before any development at that plot takes place. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure a satisfactory relationship between the new dwellings and between the development and surrounding buildings before any ground works take place to establish site levels in the interests of residential and visual amenity in accordance with the requirements of the National Planning Policy Framework.

- 4 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 dwellings 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 surrounding area 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.

- 5 No development (including any works of site preparation) shall take place until a Written Scheme of Investigation (WSI) outlining a programme and timetable of archaeological investigation has been submitted to and approved in writing by the local planning authority. The WSI shall include:
- (i) A phased programme and methodology of site investigation and recording to include:
    - The proper identification and evaluation of the extent, character and significance of archaeological remains within the application area through a targeted archaeological evaluation and area excavation.
    - An assessment of the impact of the proposed development on the archaeological significance of any remains.
  - (ii) A programme for post investigation assessment to include:
    - Analysis of the site investigation records and finds.
    - Production of a final report on the significance of the archaeological interest represented.
  - (iii) provision for publication and dissemination of the analysis and report on the site investigation.
  - (iv) provision for archive deposition of the report, finds and records of the site investigation.
  - (v) nomination of a competent person(s) or organisation to undertake the work set out in the approved WSI.

The development shall thereafter be carried out in full accordance with the approved WSI and the timetable contained therein.

Reason: To ensure that a suitable programme of archaeological investigation is implemented prior to the commencement of construction works in order to record and advance the understanding of the archaeological and historical significance of the site for archival and research purposes in accordance with the requirements of the National Planning Policy Framework.

- 6 Notwithstanding any details submitted with the application, no development shall take place until a report containing details of an investigation and risk assessment to determine the nature and extent of any contamination on the site (including whether it originates on the site) has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:
- (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to:
    - human health;
    - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
    - adjoining land;
    - groundwaters and surface waters;
    - ecological systems; and
    - archaeological sites and ancient monuments.
  - (iii) an appraisal of any remedial options required and a proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the dwellings hereby approved are first occupied.

Reason: To prevent pollution of the surrounding environment and to ensure the safe development of the site before any groundworks take place in the interests of the amenity of future occupiers and other sensitive receptors in accordance with the requirements of the National Planning Policy Framework.

- 7 No above ground works shall take place until details of all crime prevention measures to be incorporated into the development have been submitted to and approved in writing by the Local Planning Authority. The crime prevention measures should set out how the comments made by North Yorkshire Police in their letter dated 21st September 2016 have been addressed and/or mitigated. The development shall thereafter be carried out in full accordance with the duly approved details.

Reason: In order to limit opportunities for crime and disorder in accordance with the requirements of paragraphs 58 and 69 of the National Planning Policy Framework and Section 17 of the Crime & Disorder Act 1998.

- 8 No above ground works shall take place until a scheme for the layout, design and construction of all roads and footways for the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

- a) Detailed engineering drawings to a scale of not less than 1:250 based upon an accurate survey showing:
  - the proposed highway layout, including the highway boundary;
  - dimensions of any carriageway, cycleway, footway, and verges;
  - visibility splays;
  - the proposed buildings and site layout, including levels;
  - accesses and driveways;
  - drainage and sewerage system;
  - lining and signing;
  - traffic calming measures;
  - all types of surfacing (including tactiles), kerbing and edging.
- b) Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:
  - the existing ground level;
  - the proposed road channel and centre line levels;
  - full details of surface water drainage proposals.
- c) Full highway construction details including:
  - typical highway cross-sections to scale of not less than 1:50 showing a specification for all types of construction proposed for carriageways, cycleways and footways/footpaths;
  - cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels;
  - kerb and edging construction details;
  - typical drainage construction details.
- d) Details of the method and means of surface water disposal.
- e) Details of all proposed street lighting.
- f) Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.
- g) Full working drawings for any structures which affect or form part of the highway network.
- h) A timetable for completion of the works detailed in a) to g).

All roads and footways shall be provided in full accordance with the duly approved scheme and the timetable contained therein, and shall be made available for use before any of the dwellings to be served by that road and/or footway are first occupied.

Reason: To ensure a satisfactory standard of engineering works for the construction of roads and footways to serve the development and to provide satisfactory facilities for vehicle access, circulation and manoeuvring in the interests of highway safety in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

- 9 No development shall take place until a scheme for the layout, design and construction of the site access at the crossroad junction with Aldersley Avenue/The Oval/Hillside Crescent (the indicative layout of which is shown on drawing no. 14096/GA/01 forming Appendix D of the Transport Assessment) has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include provision for:

- (i) Priority amendments to the crossroad junction and the provision of suitable visibility splays with eye and object heights of 1.05 metres.
- (ii) The crossing of the highway verge and/or footway to be constructed in accordance with North Yorkshire County Council's Standard Detail E6 or another specification which has first been submitted to and approved in writing by the Local Planning Authority.
- (iii) The first 5 metres of the access road extending into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 12 and its final surfacing shall not contain any loose material that is capable of being drawn onto the highway.
- (iv) The prevention of surface water from the site discharging onto the existing or proposed highway.
- (v) Tactile paving in accordance with current Government guidance.

The site access shall be constructed in accordance with the duly approved scheme before any of the dwellings are first occupied, and the visibility splays shall be maintained clear of any obstructions above the relevant heights referred to in (i) thereafter.

Reason: In order to provide a safe and suitable means of access to the site and to ensure a satisfactory standard of engineering works in the interests of highway safety in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

- 10 Except for the purposes of constructing the site access, there shall be no access by vehicle traffic between the existing and proposed highway until splays providing clear visibility of 2 metres x 2 metres measured down each side of the access and the back edge of the footway of the existing highway have been provided. The eye height shall be 1.05 metres and the object height shall be 0.6 metres. Once created, the visibility splays shall be maintained clear of any obstructions thereafter.

Reason: In order to provide a safe and suitable means of access to the site for pedestrians in the interests of highway safety in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

- 11 No development shall take place until a scheme for the siting, layout, construction, design and phasing of the following off-site highway improvement works has been submitted to and approved in writing by the Local Planning Authority:

- (i) The provision of tactile paving.
- (ii) Unless otherwise agreed in writing with the Local Planning Authority, the provision of three footway connections to Moorview Way in the positions shown on drawing no. ASS-2015-002J. One of these

connections shall be 4 metres wide to provide a shared footway, cycleway and emergency access with lockable bollard.

The duly approved off-site highway works shall be implemented and made available for use: in the case of (i), before any of the dwellings to be served by the relevant area of tactile paving are first occupied; and in the case of (ii) before 25% of the dwellings are first occupied.

Reason: To secure improvements to the highway network in order to ensure safe and convenient access for pedestrian and vehicle traffic in the interests of road safety and to promote modal shift and increased use of sustainable methods of travel in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

- 12 No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:

- (a) hours of work for site preparation, delivery of materials and construction;
- (b) arrangements for the parking of vehicles for site operatives and visitors clear of the public highway;
- (c) details of areas designated for the loading, unloading and storage of plant and materials;
- (d) details of the siting, height and maintenance of security hoarding;
- (e) arrangements for the provision of wheel washing facilities or other measures to be taken to prevent the deposit of mud, grit and dirt on the public highway by construction vehicles travelling to and from the site;
- (f) measures to control the emission of dust and dirt during construction;
- (g) a scheme for the recycling/disposing of waste resulting from demolition and construction works;
- (h) details for the routing of HGVs to the site to avoid Skipton town centre.

The duly approved CMS shall be implemented and adhered to throughout the entirety of the construction period.

Reason: In order to ensure that appropriate measures are put in place before any development commences to limit the potential for noise, nuisance and disturbance to the occupiers of neighbouring properties during the construction of the development in accordance with the requirements of the National Planning Policy Framework.

- 13 No development shall take place until a scheme for tree protection measures to be implemented during the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) Details of a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837: 2012) to be formed around the root protection areas of those trees within and/or overhanging the site to be retained.
- (ii) Details of any excavation to take place within the root protection areas of those trees within and/or overhanging the site to be retained.
- (iii) Details of the foundations of any building, hardstandings and/or boundary treatments to be constructed within the root protection areas of those trees within and/or overhanging the site to be retained.

The development shall thereafter be carried out in strict accordance with the protection measures contained in the duly approved scheme throughout the entirety of the construction period.

Reason: To ensure that adequate measures are put in place to safeguard existing trees on/surrounding the site which are protected by Tree Preservation Order before any construction works commence in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy ENV10.

- 14 No above ground works shall take place until a scheme for the disposal of foul and surface water from the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document) and shall follow the principles set out in the Flood Risk Assessment by Haigh Huddleston & Associates dated July 2016 (report reference E15/6358/FR01A Rev A). Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- (i) Separate systems for the disposal of foul and surface water.
- (ii) Measures to ensure that no surface water is discharged to the public sewer network.
- (iii) Details of all attenuation and flow/volume control measures (including the use of SUDS where appropriate) to be implemented to ensure that the post development rate of surface water discharge from the site to any soakaway or watercourse generated during rainfall events up to and including the 1 in 100 year event does not exceed 14.5 litres/second for the whole site.
- (iv) Details of ground exceedance and/or flood pathways to deal with exceedance flows in excess of the 1 in 100 year rainfall event and to ensure that runoff for all events up to the 1 in 30 year event are completely contained within the drainage system (including the use of areas to hold or convey water).
- (v) Details of how the system will be maintained and managed after completion.

The scheme shall be implemented in accordance with the duly approved details before any of the dwellings are first occupied, or within any other timescale which has first been approved in writing by the Local Planning Authority, and shall be maintained/managed as such thereafter.

Reason: To ensure that the development is not at an unacceptable risk of flooding and does not increase flood risk elsewhere (including an appropriate allowance for climate change and urban creep) in accordance with the requirements of the National Planning Policy Framework.

- 15 No above ground works shall take place until a scheme for the provision and future maintenance of the areas of Public Open Space shown on drawing no. AAS-2015-002J has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, layout, design, a schedule of works and future maintenance arrangements for the Public Open Space, and a timetable for its provision. The Public Open Space shall be provided in accordance with the details and timetable contained within the duly approved scheme, and shall be maintained as such thereafter for use as Public Open Space.

Reason: To ensure that the development contributes towards the provision and future maintenance of recreational open space in the vicinity of the site in order to avoid a deficiency in the quantity and quality of recreational open space in the locality and to ensure that the impact of the development on the character of the surrounding landscape is adequately mitigated in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy SRC2, policy SP5 of the Publication Draft Craven Local Plan and the National Planning Policy Framework.



- 16 No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include:
- a) Details of the role, responsibilities and operations to be overseen by an Ecological Clerk of Works.
  - b) A description and evaluation of features to be managed.
  - c) Ecological trends and constraints on site that might influence management.
  - d) Aims and objectives of management.
  - e) Appropriate management options for achieving aims and objectives.
  - f) Prescriptions for management actions.
  - g) Preparation of a work schedule, including an annual work plan capable of being rolled forward over a five-year period.
  - h) Details of the body or organisation responsible for implementation of the plan including details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured with the management body(ies) responsible for its delivery.
  - i) Ongoing monitoring and remedial measures including, where the results from monitoring show that conservation aims and objectives of the LEMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development continues to deliver the fully functioning biodiversity objectives of the LEMP.

The LEMP shall be implemented, and subsequently monitored, reviewed, managed and maintained, in accordance with the duly approved details and the timetable contained therein.

Reason: In order to ensure adequate protection of existing landscape features of ecological value and to achieve appropriate landscape and biodiversity enhancements as part of the development in accordance with the requirements of the National Planning Policy Framework.

- 17 No development shall take place until a Construction Environment Management Plan (CEMP) setting out details of measures to protect watercourses within the site during construction has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of:
- a) The extent of open watercourse(s) within the site to be retained and the parts to be culverted.
  - b) The siting, height and design of any protective barrier to provide a construction exclusion zone around the watercourse(s).
  - c) Measures to prevent the release of silt and pollution from the site into the watercourse both during and after construction.
  - d) A drainage plan showing the interception, storage and settlement of surface water.
  - e) A timetable for implementation

Development shall thereafter be carried out in strict accordance with the details and timetable contained within the duly approved CEMP.

Reason: To ensure that appropriate mitigation measures are put in place to safeguard the nature conservation interest and habitat value of the watercourse before any development takes place in accordance with the requirements of the National Planning Policy Framework.

### **During Building Works**

- 18 No clearance of any un-grazed grassland, trees, scrub or dense tall herbs in preparation for or during the course of development shall take place during the bird nesting season (March to August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey

reveal the presence of any nesting species, then no clearance of any vegetation shall take place during the bird nesting season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

- 19 Notwithstanding any details shown on the approved plans, within three months of development first taking place a soft landscaping scheme for the site shall be submitted for the written approval of the Local Planning Authority. The scheme shall demonstrate compliance with the Landscape Masterplan forming Figure 1 of the Landscape and Visual Assessment by Pegasus Group dated August 2016 (report reference YOR.2422\_007A) and shall include details of:

- (i) all trees, hedgerows and any other vegetation on/overhanging the site to be retained;
- (ii) compensatory planting to replace any trees or hedgerows to be removed as part of the development;
- (iii) the introduction of native planting buffers to the northern, eastern and southern edges of the development, and within the areas of open space to the south and west of the site;
- (iv) the introduction of additional planting within the site which forms part of the internal development layout and does not fall within (i), (ii) or (iii); and
- (v) the type, size, species, siting, planting distances and the programme of planting of hedges, trees and shrubs.

The duly approved soft landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate strengthening of existing landscaping on the site, to provide adequate screening for parts of the development and to provide biodiversity enhancements in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policies ENV2 and ENV10 and the National Planning Policy Framework.

- 20 Notwithstanding any details shown on the approved plans, within three months of development first taking place details of the siting, height, design, materials and finish of boundary treatments (including any retaining walls) for each plot shall be submitted for the written approval of the Local Planning Authority. The boundary treatments for each plot shall be constructed in accordance with the duly approved details before the dwelling on each associated plot is first occupied, and shall be retained as such thereafter.

Reason: To achieve a satisfactory relationship between existing and proposed dwellings in the interests of privacy, to ensure that appropriate measures are put in place to secure the gardens of individual plots and to ensure the use of appropriate materials which are sympathetic to the character and appearance of the site and its surroundings in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy ENV2 and the National Planning Policy Framework.

### **Before the Development is Occupied**

- 21 Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), no windows other than those expressly authorised by

this permission shall be inserted in the north facing elevations of the dwellings on plots 4, 13, 14, 21, 22, 28 and 37 (as identified on drawing no. AAS-2015-002J); and all windows permitted in the north facing elevations of those plots pursuant to this permission shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) before each associated dwelling is first occupied, and shall be retained as such thereafter.

Reason: In order to safeguard the privacy of adjoining residents by minimising the potential for overlooking of neighbouring dwellings and their garden areas in accordance with the requirements of the National Planning Policy Framework.

- 22 The vehicle access, parking, manoeuvring and turning areas for each dwelling shall be constructed and made available for use in full accordance with the details shown on drawing no. ASS-2015-002J before each associated dwelling is first occupied.

Reason: To ensure that suitable provision is made for vehicle access, parking and manoeuvring concurrently with the occupation of the dwellings in the interests of highway safety in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

- 23 Notwithstanding any details submitted as part of the application, none of the dwellings hereby approved shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall demonstrate compliance with the principles of the Travel Plan by 'Optima' dated 25th August 2016 (report reference 14096) and shall contain:

- a) details of the appointment of a Travel Plan co-ordinator;
- b) a partnership approach to influence travel behaviour;
- c) measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site;
- d) provision of up-to-date details of public transport services;
- e) continual appraisal of travel patterns and measures provided through the travel plan;
- f) improved safety for vulnerable road users;
- g) a reduction in all vehicle trips and mileage;
- h) a programme and timetable for the implementation of such measures and any proposed physical works;
- i) procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

The travel plan shall thereafter be implemented in accordance with the duly approved details and the timetable contained therein.

Reason: In order to promote modal shift and increased use of sustainable methods of travel in accordance with the objectives of the National Planning Policy Framework.

### Informatives

#### 1. Statement of Positive Engagement

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in

accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

2. Highways:

You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification.

There must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and the Highway Authority. It is recommended that before a detailed condition discharge submission is made a draft road and footway layout is prepared for discussion between the applicant, the Local Planning Authority and the Highway Authority in order to avoid abortive work.

3. Yorkshire water:

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact their Developer Services Team (tel 0345 1208 482, email: [Technical.Sewerage@yorkshirewater.co.uk](mailto:Technical.Sewerage@yorkshirewater.co.uk)) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.

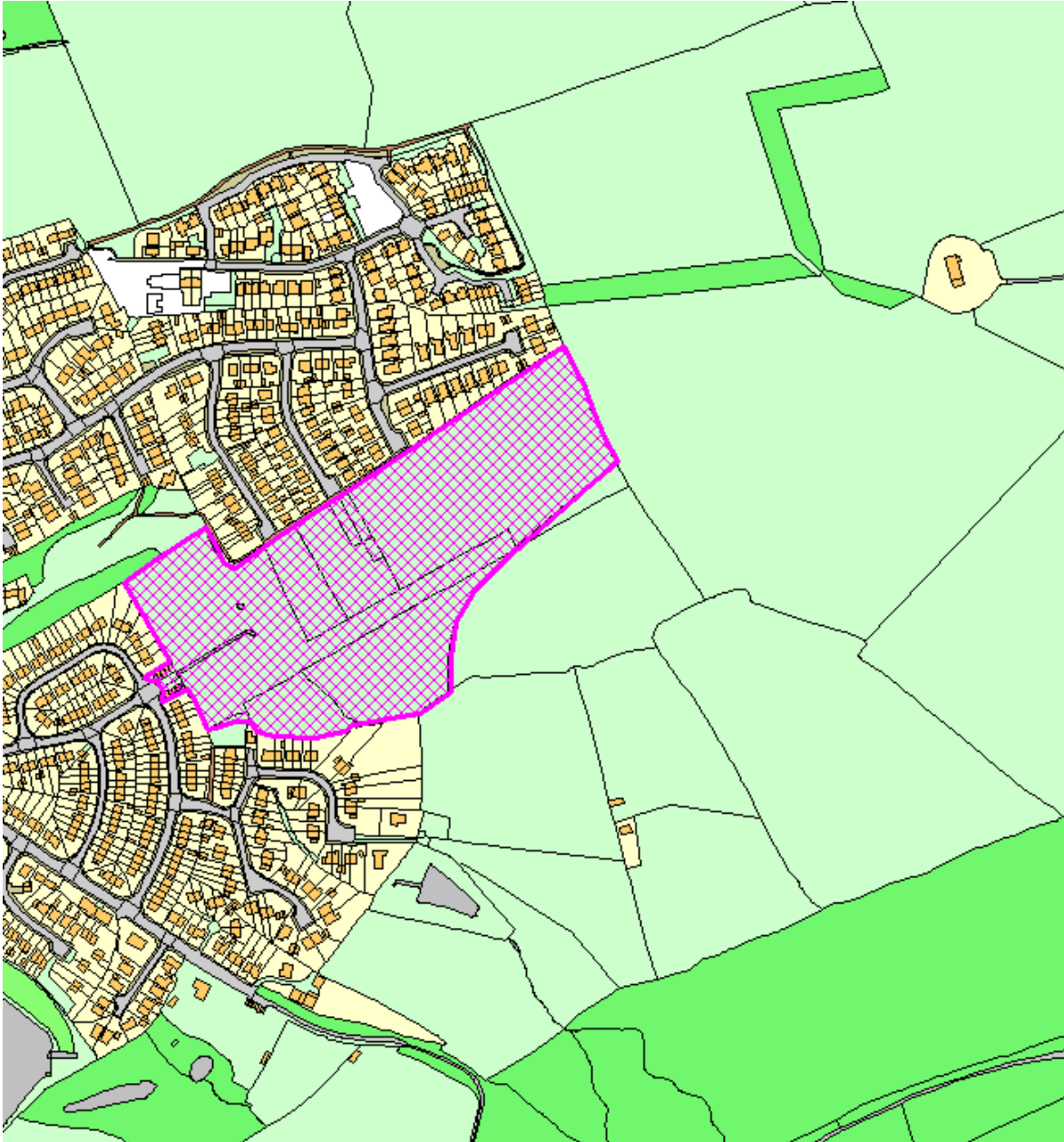
The public sewer network is for domestic sewage purposes. Land and highway drainage have no right of connection to the public sewer network. An existing 6" diameter live water main is currently laid in a footpath of Aldersley Ave which may be affected by the site access improvements.

4. Environmental Health:

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 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.

5. Unsuspected contamination:

In the event that contamination is found at any time when carrying out the development that was not previously identified as part of the site investigations undertaken pursuant to the conditions of this permission, it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared and submitted for the written approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared and submitted for the written approval of the Local Planning Authority.



**Application Number:** 2018/19146/FUL

**Proposal:** Erection of 98 No. dwellings (resubmission of previous application 63/2016/17313 - amended scheme).

**Site Address:** Aldersley Avenue Skipton BD23 2LH

**On behalf of:** Persimmon Homes West Yorkshire

## REPORT TO PLANNING COMMITTEE ON 22nd October 2018

**Application Number:** 2017/18875/OUT

**Proposal:** Outline application with some matters reserved (landscaping, appearance) for construction of 4 no. detached houses and garages

**Site Address:** Croft Head Farm Ryecroft Road Glusburn BD20 8RT

**On behalf of:** Mr John Judson

**Date Registered:** 20th December 2017

**Expiry Date:** 14th February 2018

**Case Officer:** Mr Mark Moore

---

**The application has been referred to Planning Committee as the proposal has been advertised as a departure from the development plan under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.**

1. Site Description

- 1.1 The application site comprises a 0.37ha area of undeveloped grassland located to the south of Ryecroft Road in Glusburn.
- 1.2 The site lies outside of development limits and slopes upwards relative to Ryecroft Road and then falls in level towards the south-east where it borders the rear gardens of semi-detached houses fronting onto Black Abbey Lane. To the west the site is bounded by a residential development site that is currently under construction and would lie adjacent to a linear row of three detached and a pair of semi-detached, two-storey properties (Plots 39 -43). There is a small cluster of properties located on the opposite side of Ryecroft Road to the north of the application site one of which, Ryecroft Farm, is Grade II listed.
- 1.3 To the east the site borders the residential curtilage of the applicants' property at Croft Head Farm which is part of what was originally a farmstead but is now residential. The property is traditional and is stone built and incorporates converted outbuildings including a large barn.
- 1.4 Ryecroft Road is connected to Green Lane to the west and terminates in a narrow footpath connected to Black Abbey Lane to the south-east of the application site. The site is only currently accessible by vehicle from Croft Head Farm via Ryecroft Road. There is access via the footpath link to Black Abbey Lane.
- 1.5 Where it borders the residential properties on Blackmoss Lane the site is bounded by timber fencing and a tall Leylandii hedge but is otherwise enclosed by dry-stone walling and is relatively featureless other than for the boundary planting and a mix of well-established trees located along the Ryecroft Road frontage.
- 1.6 The site includes a 'spur' of land that projects into the adjacent site where it is proposed to provide access to the application site through the ongoing development via Green Lane.
- 1.7 Other than being outside of development limits the site has no designation in planning policy terms.

- 1.8 The land is Grade 3 under the Agricultural Land Classification and is identified as 'Pasture with Wooded Gills and Woodland' in the Craven District Council Landscape Appraisal 2002.
2. Proposal
- 2.1 This application seeks outline planning permission for construction of 4 detached houses and garages with the principle of development, access, layout and scale applied for. Appearance and landscaping would be reserved matters.
- 2.2 The proposal would comprise a small cluster of detached two-storey stone-built houses that would be served by a shared private access located between plots 41 – 42 on the residential development on the adjacent land.
- Officer note:** The application includes provision of 2m x 45m visibility splays to the site access onto the estate road within the adjacent development site.
- 2.3 Each of the properties would have a garage and a hardstanding/turning area and would have both front and rear gardens enclosed by a mix of dry stone walling and timber fencing.
- 2.4 The proposed layout would have the four houses facing towards the centre of the site set around the shared private drive and orientated roughly east-west. The housing would lie towards the western side of the site. Interface distances would be 24m (Plot 3) and 28m (Plot 4) to the west of the existing housing on Black Moss Lane (back to back) and between 13m to 17m to the new housing being constructed to the west (offset gable to rear).
- 2.5 The proposed new housing would be elevated relative to the existing properties on Black Moss Lane with the eaves of the new properties lying parallel to the ridges of the existing houses. The overall height difference would be 2m – 2.5m between the new and existing housing. The ground levels between the application site and the adjacent site (with the new housing under construction) is more level with the proposed new dwellings sited to the north and east and set gable end on facing towards the rear of the houses currently under construction.
- 2.6 It is proposed to retain the existing tree and hedgerow planting to the north and eastern site boundaries.
3. Planning History
- 3.1 There is no relevant planning history associated with the application site itself. However, of relevance is permission for a development of 49 dwellings on the adjacent site to the west which is currently under construction (ref: 32/2011/11429).
4. Planning Policy Background
- 4.1 **Saved Policies in the Craven District (outside the Yorkshire Dales National Park) Local Plan:**
- ENV1: Development in the Open Countryside
- ENV2: Requirements for Development in Open Countryside
- ENV10: Protection of Trees and Woodlands
- T2: Road Hierarchy
- 4.2 **Submission Draft Craven Local Plan**
- SP1: Meeting Housing Need
- SP3: Housing Mix and Density
- SP4: Spatial Strategy and Housing Growth
- ENV1: Countryside and Landscape

ENV3: Good Design

INF4: Parking Provision

- 4.3 In terms of the status of the Submission Draft Craven Local Plan, this document was submitted to the Secretary of State on 27th March 2018. The submission of the Local Plan is at an advanced stage and therefore some weight can be given to it. However, the NPPF (2018) at paragraph 48 sets out that the weight that should be given to draft policies will depend upon *'the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given)'* and *'the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).'*

**Officer note:** Under paragraph 214 of the NPPF the policies in the previous Framework (2012) will apply to the consideration of the emerging plan policies as the LPA has now submitted its draft Local Plan for examination but the weight to be attached to the policies in the emerging plan remains the same under both the old and new Frameworks. The policies in the 2018 National Planning Policy Framework are material considerations which should be taken into account in dealing with applications from the day of publication.

- 4.4 The draft Local Plan policies set out above are considered to be applicable to this planning application although there are unresolved objections to some policies and an assessment of the significance of those objections has not yet been made. For this reason it is considered beneficial to adopt a precautionary approach and consider that whilst some weight can be given to those policies, in particular those that have no outstanding objections, the greater weight should remain with the Saved Local Plan Policies and the NPPF. Consequently, for the purposes of this report only the relevant saved Local Plan policies and the policies set out in the NPPF will be considered.

#### 4.6 **National Planning Policy Framework (2018)**

#### 4.7 **National Planning Practice Guidance**

#### 5. Parish/Town Council Comments

##### 5.1 **Glusburn and Cross Hills Parish Council:**

*'The Parish Council objects very strongly to this attempt to piggy-back on to the Green Lane development. This is an opportunistic proposal, which would depend on the Green Lane development for access, drainage etc., and this development, effectively an extension of the approved Green Lane development, should be considered alongside that development.'*

*In the wider setting of Glusburn, it's described in the application as being seen as a 'rounding off' between the Green Lane development and Black Abbey Lane buildings. It appears to be an obvious attempt to squeeze in more market dwellings into the development of the overall area bounded by Ryecroft Road, Green Lane and neighbouring established housing of Glusburn village.*

*Access: Would be off a turning head on the Green Lane development, leading to and from Green Lane. The last Appeal Inspector on Green Lane in making his decision, took into consideration the traffic flows from 49 dwellings in the Green Lane proposal, not 53 dwellings. There was a lot of discussion over several Green Lane applications and appeals about the access to the site and traffic. It is not acceptable to add to traffic flow on to Green Lane through the already approved development, nor would the extra disruption brought by further construction work be acceptable.*

*Foul drainage: The application says that the site has a natural fall to the south east, yet the plan shows a foul waste gravity system running to the south-south west, and joining into the drainage system of the Green Lane development. The Appeal Inspector took into consideration the*



*consequences of the proposed Green Lane development on flooding and drainage, noting that surface water run off should be controlled – by use of a planning condition. His decision related to 49 houses, not 53. The drainage of the Green Lane development has been the subject of a lot of debate and controversy over the years. A system of attenuation was approved in order for the already challenged 300mm combined drain down Green Lane to be able to cope with the extra flows from the Green Lane development. There would be no control over the flow of foul drainage from this scheme. Under no circumstances should extra load be put on the drainage system to Green Lane by adding the output of the Croft Head Farm proposal. Parishioners are not confident that the existing drainage on Green Lane can handle the output of the Green Lane development. Unacceptable overloading of the system due to this proposal is a strong possibility.*

*Surface water drainage: The proposal is for an 'on plot' surface water storage, discharging in a controlled way into a trench and soakaway and then into an 'overflow' drain into an existing drain in Ryecroft Road. This will overflow. The drains on Black Abbey Lane are already often unable to take the flows in wet*

*weather, with surface standing water often building up at the junction of Black Abbey Lane with Ryecroft Road. The proposed extra surface water load is unacceptable. The old track down Ryecroft Road and on into Glusburn village was in the past known to locals as 'Washer Lane.' Previous generations knew why. Drainage here has always been an issue.*

*Ryecroft Road is an ancient track, and the views on it and from it, to the south and west, are some of the most picturesque in Glusburn. It is one of a very few places which fully reflects the character of old Glusburn. Croft Head Farm is shown on maps dating back to the 1770's and contributes today to this reflection, especially when seen along with the mown grassland abutting the Farm buildings. The proposed new housing on this grassland would be detrimental to this pleasant character.*

*The residents of Bungalow Road are already having problems with the water run-off from the Green Lane site now that work has started on the development. The work was halted last week whilst attempts were made to pump the run-off water away from Bungalow Road area. The above application will only add to these issues'.*

## 6. Consultations

### 6.1 **NYCC Highways:**

No objection has been raised. NYCC Highways recommend planning conditions to ensure that accesses/verges etc. are constructed to an adoptable standard, that visibility splays are provided and that parking spaces/garages are retained.

### 6.2 **Yorkshire Water:**

Yorkshire Water has raised no objections and has commented that they have no observations regarding sewerage. Yorkshire Water has advised that a water main crosses the red line site boundary and therefore has requested a planning condition to ensure that no development takes place within 3m of either side of the centre line of the water main.

**Officer note:** No part of the proposed development would encroach onto the water main easement.

## 7. Representations

7.1 The application has been advertised as a departure from the Local Plan by press notice on 18<sup>th</sup> May 2018 and by site notices posted 24<sup>th</sup> May 2018.

7.2 Neighbour notification letters were posted on 10<sup>th</sup> January 2018.

7.3 Comments have been received from the occupiers of 5 neighbouring properties and are summarised as follows:

- Close to adjoining properties
- Conflict with local plan
- Development too high
- General dislike of proposal
- Increase in traffic
- More open space needed on development
- Out of keeping with character of area
- Over development
- Residential Amenity
- Strain on existing community facilities
- Traffic and Highways
- There is no demand for the type of housing proposed – particularly given Malsis and Green Lane
- Development would unacceptably break up green space
- Site has not been included in emerging Local Plan
- Proposal would increase vehicles and congestion on Green Lane
- Additional loading on sewerage system is unacceptable.
- Development would lead to additional flooding
- Development would result in overlooking and loss of privacy to existing housing adjacent to the site
- Existing conifer hedgerow would be at risk if development allowed
- Rural character and setting of the area would be unacceptably lost
- There are insufficient utilities/ amenities in the local area to accommodate further development
- Development would lead to increased pollution
- There are existing empty properties in the area which should be occupied first
- Proposal would be contrary to strategic housing proposals in the emerging Local Plan
- Development would result in increased noise and disturbance to local residents
- Development would adversely impact on nearby listed buildings

## 8. Summary of Principal Planning Issues

8.3 Having regard to the relevant national and local planning policies, the designation of the site within the Local Plan, the representations received and the nature of the development applied for, it is considered that the main issues in this case are:

- The principle of residential development on the site, design and visual impact.
- The impact on the countryside.
- The impact on the amenity of surrounding occupiers.
- The impact on highway safety.
- Other issues.

## 9. Analysis

### The principle of residential development on the site, design and visual impact:

9.1 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development and states that, for decision taking, this means:

*'Approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless;*

*the application of policies in this [the] Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or;*

*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this [the] Framework taken as a whole’.*

- 9.2 Notwithstanding the above the NPPF at paragraph 12 emphasises that the development plan remains the starting point for decision making although it remains necessary for the development plan and its policies to be up to date if they are to be afforded any significant weight. In this case saved policy ENV1 is prohibitive of residential development outside of development limits unless some exceptional need can be demonstrated. It is the case therefore that the proposal would not fall within a category of development which ENV1 would support as no exceptional circumstances have been put forward to justify approval. Therefore the application could not be recommended for approval under the terms of the most relevant of the saved development plan policies, ENV1. Notwithstanding, there is no direct correlation between policy ENV1 and the NPPF which is supportive in principle of all forms of sustainable development and does not specifically limit development in the countryside other than ‘isolated’ homes which are still allowed in some exceptional circumstances. On this basis therefore policy ENV1 cannot be grounds to refuse planning permission.
- 9.3 In summary the NPPF stipulates that planning decisions should avoid the development of isolated homes in the countryside unless exceptional circumstances apply. However, the NPPF does not otherwise preclude development outside of development limits unless it would give rise to adverse impacts or dis-benefits that would outweigh the benefits of allowing development to take place.
- 9.4 In this case the proposals would provide some benefits by way of the provision of new housing although this can only be afforded limited weight given the present housing position across the district and it should also be noted that the development falls under the threshold for affordable housing. Nonetheless, the site is unobtrusive and can be developed without representing a loss of a significant area of open countryside and moreover can be developed without giving rise to any significantly adverse impacts. Overall, it is not considered that there are any significant dis-benefits that would arise should development of the site be allowed.
- 9.5 The proposal is in outline form only with the appearance and landscaping of the site being reserved matters. Whilst the specific design and materials of the proposed housing are not therefore indicated it is evident that it would be possible to construct housing on the site to a standard that would be complimentary to the wider location, existing development and moreover that the layout, which is a matter that can be considered, would allow development that would be appropriate to the site area and the general form of development surrounding the site.
- 9.6 In terms of visual impact the application site lies adjacent to a much larger development site and would be bounded on three sides by residential properties and therefore the proposed development of 4 houses would not appear incongruous or out of character with the general character of the area or the immediate site surroundings. Moreover, the site lies on the periphery of the existing village envelope and therefore cannot be considered to be ‘isolated’ but rather would constitute ‘rounding off’ of an enclosed site that would have no significant long range impacts or appear visually intrusive.
- 9.7 The conclusion drawn from the above is that the proposals are supported by NPPF policy and are therefore acceptable in principle. Although a reserved matter there is no reason to consider that the appearance of the proposed development would not be satisfactory and moreover, the site is relatively unobtrusive and has no significant wider landscape benefits that would be lost. In terms of the principle of development, the design and the visual impact it is considered there would be no grounds to refuse planning permission.

- 9.8 In coming to the above view it is accepted that the character of Ryecroft Road would inevitably be changed but the proposed development, whilst visible, would be set back from the Ryecroft Road frontage and would be screened by retained boundary planting. It is therefore considered that the general street scene would not change to any significant extent and there would be no grounds to refuse planning permission for the development as proposed.

Impact on heritage assets:

- 9.9 There is a grade II listed building, Ryecroft Farm Farmhouse located to the north of the application site. There are no relevant Local Plan policies that would apply to listed buildings and therefore policy in the NNPF must be considered.
- 9.10 In this case there are no direct impacts on the listed building which is a designated heritage asset. However, the NNPF requires that impacts be considered irrespective of whether or not works are proposed directly to a heritage asset and specifically require that regard be had for the setting of the asset which is considered to be equally important to its overall significance. Specifically, the NNPF requires that new development within the setting of heritage assets should *'enhance or better reveal their significance'* and states that *'proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably'*.
- 9.11 The impact on the setting of the grade II listed farmhouse is considered to be neutral given that the character of the surroundings of the heritage asset is that of a rural lane interspersed with a number of residential conversions of traditional properties and is very much transitional from the more urbanised development located further to the south-east. With this in mind it is considered that it would be difficult to undertake development that would enhance or better reveal the significance of the grade II listed building although there would be no adverse impacts that would arise. In coming to this view it is noted that the proposed new housing would be set well into the site and would be screened to a large extent by the boundary planting and the existing buildings at Croft Head Farm. Consequently it is considered that the setting of the listed building would not be adversely impacted upon and the proposal is therefore acceptable in this respect.

The impact on the amenity of surrounding occupiers:

- 9.12 The NNPF policy requirements are for good design which, amongst other criteria, should embody a satisfactory relationship with neighbouring residential properties that would not adversely impact upon the amenity of the occupiers of those properties to an unacceptable degree.
- 9.13 The proposed new houses would be located facing towards the centre of the site onto a shared driveway and would be orientated with either the gable ends (plots 1 and 4) or the rear elevations (plots 3 and 4) facing the rear elevations of the neighbouring houses, either the semi-detached houses on Black Abbey Lane or the new properties located to the west. In all cases the relationships are such that there would be sufficient interface distances (14m gable to rear or 21m rear to rear) to overcome any concerns that loss of privacy would arise to an unacceptable degree. It is also noted that the existing conifer hedging on the boundary with the housing on Black Abbey Lane which is to be retained would provide a screen that would largely obscure the proposed development from the view of the existing residents. Similarly, the position of the site, which is to the north and east of the existing and recently approved houses, is such that overshadowing of the neighbouring properties would not take place.
- 9.14 It is noted that the application site is set on a higher level than the surrounding development to the south-east and north-east boundaries. However, the overall design, height variations and separation

distances between the existing, approved and proposed development is considered to be such that there would be no overbearing impact and therefore this aspect of the proposal is considered to be acceptable.

- 9.15 Some concerns have been raised over the potential for noise and disturbance arising from the new development. Impacts from the construction phase of development are short-term only and would not constitute grounds to refuse planning permission. As far as day to day occupation of the houses is concerned given the normal relationship of the new to existing housing it is not considered that there would be sufficiently adverse impacts to warrant refusal of planning permission on amenity grounds.

The impact on highway safety:

- 9.13 Saved Local Plan policy T2 is permissive of development proposals that are appropriate to the highway network where, amongst other things, they do not generate traffic in excess of the highway network; any new or greater use of an access onto a primary, district or local distributor road is acceptable in terms of design and road safety; and, regard is paid to the highway impact and potential for improvement to the surrounding landscape.
- 9.16 Section 9 of the NPPF contains guidance on transport and land use planning, including the promotion of sustainable transport choices and reducing travel by car.
- 9.17 Paragraph 109 of the NPPF states that:
- 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.*
- 9.18 Vehicle access to the site is to be gained directly off the ongoing development to the west of the site which would provide access onto the northern end of Green Lane via a newly constructed estate access road.
- 9.19 The Local Highway Authority has raised no objections to the proposed means of access to the site subject to conditions summarised at 6.1 above.
- 9.20 It is considered that the proposed arrangements would provide a safe and suitable means of access to the site for vehicles and, if approved, appropriate conditions can be attached to any planning permission.
- 9.21 A total of 10 off-street car parking spaces (including garages) would be provided as part of the development. The Local Highway Authority considers the level of parking provision to be sufficient. A condition has been imposed requiring the parking/garaging spaces for each dwelling to be retained for their intended use.
- 9.22 In conclusion, the proposal would not create conditions contrary to highway safety. The proposal therefore, accords with the requirements of Saved Policy T2 of the Local Plan and guidance contained within the NPPF.

Other issues:

- 9.23 There are a number of issues that have been raised by third parties and have not been addressed in this report thus far. Of relevance to planning are the following:
- Overdevelopment of site:  
It is considered that the proposals represent an efficient and effective use of land that is appropriate in terms of density comparative to the site surroundings.

- **Strain on existing community facilities:**  
At the time of compiling this report there are no policy requirements for developer contributions towards community facilities and this would not therefore constitute grounds to refuse planning permission.
- **There is no demand for type of housing proposed:**  
Whilst current national planning policy requires LPA's to demonstrate housing supply against established need there is no such specific requirement in relation to individual planning applications, particularly for small-scale development as is the case here. Notwithstanding the application is for outline consent and the specific details of house types have therefore yet to be submitted – it would therefore be difficult to justify refusal on the basis of concerns over the type of housing.
- **Development would unacceptably break up green space:**  
It is true that the development would be undertaken on an area of land that forms a greenfield space that separates the new residential development currently underway from the northern (rear) elevation of the housing on Black Abbey Lane. However, the land has no intrinsic landscape value and the proposal represents a 'rounding off' of development that would not have any significant detrimental visual impact or result in a loss of land which might potentially be designated as an important area of green space. (n.b. no designations are proposed as part of the emerging Local plan).
- **Site has not been included in the emerging Local Plan:**  
It is not necessary for a site to be designated in the Local Plan to be considered as suitable for development, in fact until the plan has reached an advanced stage even those sites that are under consideration would not have a preferential status should they be subject to an application. Nonetheless the application falls to be considered on its own merits having regard to the most relevant policies and other material considerations.
- **Additional impact on sewerage system:**  
Yorkshire Water have been consulted on the application and have raised no objections regarding the proposed new development.
- **Flooding:**  
The site is not identified as one in which flooding is an issue and there are no specific policy constraints that would indicate that development should not be approved. Any flooding issues can be dealt with by appropriate planning conditions and therefore this concern would not constitute grounds for refusal.
- **Existing conifer hedge would be at risk:**  
The plans specifically show retention of the 3m high leylandii hedge located on the boundary with Black Abbey Lane. Notwithstanding that this is shown on plan it is proposed to attach a condition to ensure retention of the hedge should planning permission be approved.

#### Conclusion:

- 9.24 The application seeks outline permission (with access, layout and scale) for a residential development of 4 dwellings. The site occupies an edge of settlement location within close proximity to local services and public transport. Notwithstanding that the Council is able to demonstrate a 5 year supply of

housing land the proposal would constitute sustainable development that would be consistent with the NPPF and would present benefits that would not be outweighed by dis-benefits sufficient to warrant refusal of planning permission.

- 9.25 In terms of siting, scale and appearance the proposed development would not result in an unacceptable erosion of the transient semi-rural character of the area. The spacing and relationship of the proposed dwellings to neighbouring properties would ensure that the development has no undue impact on the privacy and amenity of adjoining occupiers through a significant loss of outlook, overshadowing or overlooking. The development would also incorporate a safe and suitable means of access and would not give rise to any severe residual cumulative transport impacts that would adversely affect highway safety.

10. Recommendation

10.1 Approve with Conditions

Conditions

- 1 Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than:  
(i) the expiration of three years from the date of this permission; or  
(ii) two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 This permission relates to the following plans:

- Drawing no. 2750 Rev A - received by the local planning authority on 11th October 2018.

Any application for approval of reserved matter submitted pursuant to this permission shall accord with the outline permission insofar as it relates to the means of access to the site, the scale and layout of the development, the maximum number of dwellings and the site area.

Reason: The application is granted in outline only in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015. Any application for reserved matters must be in accordance with and/or not exceed the parameters established as part of this permission.

- 3 The approval of the Local Planning Authority shall be sought in respect of the following matters before the development is commenced:

- i) landscaping of the site.
- ii) the appearance of the development

Reason: The application is granted in outline only under the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

- 4 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site, until the following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

Detailed engineering drawings to a scale of not less than 1:250 and based upon an accurate survey showing:

- (i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (ii) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
- (iii) Any gates or barriers shall be erected a minimum distance of 4.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- (iv) That part of the access(es) extending 4.5 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10.
- (v) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
- (vi) The final surfacing of any private access within 4.5 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
- (vii) Provision of tactile paving in accordance with the current Government guidance. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

- 5 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 45 metres measured along both channel lines of the major road new estate road from a point measured 2 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In order to provide a safe and suitable means of access to the site and to ensure a satisfactory standard of engineering works in the interests of highway safety in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

- 6 Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on the approved plan for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

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

- 7 Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.



The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

- 8 Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

- 9 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 conservation 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.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, 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.

- 11 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.

- 12 The existing leylandii hedge located on the south-east site boundary (bordering the existing houses located on Black Abbey Road) shall be retained as shown on the approved plan.

Reason: In order to maintain the boundary screen and retain the visual amenity of the existing planting.

- 13 Prior to the commencement of the development hereby approved protective fencing shall be erected as shown on the approved plan in compliance with BS5837 (2012) Trees in Relation to Construction - Recommendations.

Within the fenced areas there shall be no development, vehicle manoeuvring, storage of materials or plant or the removal or addition of soil. The fencing shall remain until completion of all development works and removal of site vehicles, machinery and materials has taken place.

Reason: In order to safeguard the trees during construction.

Informatives

1. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
2. 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.
3. 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.
4. 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.
5. The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.
6. The applicant is advised to undertake early engagement with telecommunication providers to ensure the development benefits from the highest quality broadband connectivity available. Lead times for the provision of broadband services can be in excess of 9 months prior to occupation of the first dwelling.

The District Council has produced a document, "Broadband Connectivity for New Developments in Craven - A Briefing Note for Developers" which provides a general introduction to broadband connectivity in the District. The briefing note is available by emailing [edu@cravenc.gov.uk](mailto:edu@cravenc.gov.uk) or can be downloaded from the District Council website.

1. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.



## REPORT TO PLANNING COMMITTEE ON 22nd October 2018

**Application Number:** 2018/19715/HH

**Proposal:** New outbuilding (storage and garden room) within the curtilage of the site (Resubmission of 2017/18804/HH)

**Site Address:** 86 Otley Road Skipton BD23 1HG

**On behalf of:** Miss Katie Williams

**Date Registered:** 14th September 2018

**Expiry Date:** 9th November 2018

**Case Officer:** Mrs Gemma Kennedy

---

**The application has been referred to Planning Committee as a previous application was refused by Planning Committee.**

1. Site Description

- 1.1 The application site lies within the curtilage of No. 86 Otley Road, Skipton. The land was previously set out for the purposes of an amenity area in association with the nearby properties, and at one stage had play equipment sited upon it. The play equipment was later removed and the land was left as unused. In 2014 planning permission was granted for the change of use of the land to form part of the curtilage with the closest residential property, 86 Otley Road. The land is separated from 86 Otley Road by Waller Hill Beck (a main river), and the site is accessed via a footbridge across the stream.
- 1.2 Whilst the piece of land has a large frontage (126 metres from the boundary with No. 86 to the tip of the narrowest point) which runs parallel with Otley road the land itself is not considered to be excessive in size. The land is within the development limits of Skipton as identified by the Council's Adopted Local Plan.

2. Proposal

- 2.1 An application for the construction of a 54 square metre domestic detached outbuilding to provide a workshop/storage area, garden room and shower room, with a 14 square metre mezzanine in the roof space was refused at Planning Committee on 29<sup>th</sup> August 2018.
- 2.2 The applicants have submitted an amended scheme for a single storey outbuilding to provide storage space and a garden room. The building, which would measure 31 square metres, would have a pitched slate roof, with rendered walls along with two sets of UPVC windows and UPVC doors to the garden room. Solid doors are proposed to serve the storage area.
- 2.3 The submitted plans indicate a 1m high timber fence to be installed along the road side boundary of the site. The fence does not form part of the current application, having being approved under previous planning approval 63/2014/14222.

### 3. Planning History

- 3.1 63/2006/6424 – Erection of 4 No. dwellings (terrace) and 1 No. dwelling (detached) and associated car parking. Withdraw 18/07/2006.
- 3.2 63/2006/6603 – Erection of 4 No. dwellings (terrace) and 1 No. dwelling (detached) and associated car parking, using two existing vehicular accesses (resubmission of 63/2006/6424). Approved 13/09/2006.
- 3.3 63/2007/7302 – Erection of 9 no. Dwellings and associated off road parking. Refused 02/05/2007.
- 3.4 63/2007/7518 – Erection of nine dwellings and associated off road parking (resubmission of refused application 63/2007/7302). Approved 17/07/2007.
- 3.5 63/2010/10810 – Application for a new planning permission to replace an extant planning permission, in order to extend the time for implementation. Approved 17/08/2010.
- 3.6 63/2011/11298 – Non material amendment to planning permission 63/2007/7518. Withdrawn 16/02/2011.
- 3.7 63/2011/11299 – Discharge of Condition 2 of planning permission 63/2007/7518 for erection of nine dwellings and associated off road parking. Approved 19/01/2011.
- 3.8 63/2011/11391 – Minor amendments to planning permission 63/2010/10810. Approved 03/05/2011.
- 3.9 63/2012/12454 – Proposed projecting timber decking to rear of 84 Otley Road. Withdrawn 04/04/2012.
- 3.10 Enforcement Investigation 1617/2003 – alleged breach of condition 13 on previously approved application 11391. Application (63/2014/14222) was submitted following negotiations between planning enforcement and the applicant's agent in order to try to regularise the situation.
- 3.11 63/2014/14222 – Change of use of plan area to domestic curtilage, and construction of boundary fence. Approved 26/02/2014.

### 4. Planning Policy Background

- 4.1 Saved Policies H20 and Appendix F of the Craven District (Outside the Yorkshire Dales National Park) Local Plan.
- 4.2 The National Planning Policy Framework (NPPF)

### 5. Parish/Town Council Comments

- 5.1 Skipton Town Council: *"No concerns or objections."* Received 10/10/18

### 6. Consultations

- 6.1 The Environment Agency: "Our previous response for this site is still appropriate." Received 18/09/2018.
- 6.2 Previous response: "We have no objection to the proposal. Flood Risk: Our detailed advice is as follows. Waller Hill Beck runs through the site which is classified as a main river. Our maps show the application site is located in Flood Zone 2 and 3, although the outbuilding if located wholly within flood zone 2, the medium probability zone. We have not reviewed this application in respect of flood risk. You should refer to our Flood Risk Standing Advice on reviewing flood risk assessments for development in Flood Zone 2. Informative – Permit: This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, or within eight metres of the top of the bank of the Waller Hill Beck, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded and exempt. A permit is separate to and in addition to any planning

permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>."

- 6.3 CDC Environmental Health (Contaminated Land): "In respect to the above mentioned application, there are no known contaminated land implications regarding the proposed development." Received 24/09/2018
- 6.4 CDC Environmental Protection: "Having considered this application, I have not identified any potential Environmental Protection issues that would give cause for concern." Received 20/09/2018.
7. Representations
- 7.1 None received at time of writing this report. Consultation period expires on 12<sup>th</sup> October 2018. Any responses received prior to the Planning Committee meeting will be provided at the meeting.
8. Summary of Principal Planning Issues
- 8.1 The principal of development; the impact upon the character and appearance of the area, neighbouring privacy and amenity, highway safety and flood risk.
9. Analysis
- 9.1 **Policy background and Principle of development;**
- 9.2 Section 12 of the NPPF details the great importance the Government attaches to the design of the built environment. Good design is a key aspect of sustainable development, creating better places in which to live and work, and helping to make development acceptable to communities.
- 9.3 Saved Local Plan Policy H20 relates to extensions to existing dwellings, and whilst the building would be detached in this case, the aims and objectives of the policy are considered to be applicable. Saved Policy H20 sets out that the scale, design, proportions and materials of a proposed extension should respect the original property, street scene or wider surrounding area. Furthermore extensions should not result in unacceptable harm to the privacy or amenity of neighbouring residents.
- 9.4 The proposal is for a building for ancillary domestic purposes in relation to existing property 86 Otley Road. The building would be located within the curtilage of the dwellinghouse, and as such the principle of an ancillary domestic building in this location is acceptable.
- 9.5 **Visual impact;**
- 9.6 With a footprint of 31 square metres, the application building would have a smaller footprint than the existing dwellinghouse, which is 38 square metres. The building would be of a conventional design, with pitched roof and regular window and door openings. The roof would be covered with slate, and the walls rendered – further details of the materials may be required via a planning condition if considered necessary. Whilst the application property is faced in stone, there are a number of rendered properties in the locality (including buildings directly opposite the site) and so render is considered to be an acceptable material in this location, subject to the colour being acceptable. Similarly, there are a mixture of roofing materials in the area (blue slate, and concrete tile), and so slate would be acceptable.
- 9.7 The previous proposal on the site was for a substantially larger building, which was considered to be out of keeping with the host property and street scene. The building was proposed as a 1 ½ storey structure, and had a commercial appearance, unsuited to its residential setting. The amended design is smaller in scale and of a more conventional design than the previously refused application. The reduced scale of the building, along with the amended design, would result in a domestic style building that is in keeping with its surroundings. The proposed building is therefore considered to comply with Section 12 of the NPPF.

- 9.8 **Neighbouring amenity;**
- 9.9 The building would be 26 metres from the closest neighbouring property, No. 84 Otley Road, and in this location, and given the domestic use of the building, would not result in any harm to neighbouring amenity by way of loss of daylight, sunlight or privacy.
- 9.10 **Highway safety;**
- 9.11 The proposed building would be accessed via a pedestrian footpath across the river that separates the two areas of residential curtilage serving No. 86 Otley Road. No vehicular access is required to the building, and no vehicular access to the site is to be provided. As such, the proposed development would be acceptable on highway safety grounds.
- 9.12 **Flood risk;**
- 9.13 The application site is adjacent to Waller Hill Beck which is a main river, and falls within flood zone 2. The submitted plans indicate a proposal to discharge surface water to a soakaway system. A planning condition would be necessary to seek further details of the soakaway system to ensure that it will be provided in a form that does not result in any increased risk of flood risk in the area. In terms of any flood risk to the building itself, the application has been submitted with a flood risk matrix which states that the floor levels within the building would be set no lower than existing levels, and that floor proofing is to be incorporated where appropriate.
- 9.14 **Conclusion;**
- 9.15 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. The NPPF makes clear that, for decision taking, this means:
- 9.16 Approving development proposals that accord with an up-to-date development plan without delay; and where there are no relevant development plan policies or the policies which are most important for determining the application are out of date, granting permission unless;
- 9.17 i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- 9.18 ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'
- 9.19 In this instance the proposal is considered to accord with an up-to-date Saved Local Plan Policy (H20) and with the aims and objectives of the NPPF. As such, in accordance with paragraph 11 of the NPPF, planning permission is recommended to be granted.
10. Recommendation
- 10.1 Approve with Conditions
- Conditions

### **Time Limit for Commencement**

- 1 The development hereby permitted shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990.

## Approved Plans

- 2 This permission relates to the following plans and documents;

-044/002/02;  
-044/002/03;  
-044/002/04;  
-044/002/05; all of which were received by Craven District Council on 6th September 2018.

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

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 development hereby permitted shall be carried out in full accordance with the details confirmed in the completed Flood Risk Matrix (Environment Agency 'Householder and other minor extensions in Flood Zones 2 and 3) received by Craven District Council on 14th September 2018. The building shall thereafter be maintained in accordance with the confirmed details.

Reason: To reduce the risk of the development being flooded, and to accord with the NPPF.

- 4 Prior to the first use of external materials full details of all materials to be used on the external surfaces of the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of materials. The development shall thereafter be implemented in accordance with the duly 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 and in accordance with the requirements of Saved Policy H20 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the NPPF.

- 5 No above ground works shall take place until a scheme for the disposal of surface water from the site has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include;

- Details of the rate of surface water drainage from the site to any soakaway, watercourse or sewer, including provisions to ensure that the post-development discharge rate does not exceed the pre-development rate (incorporating an appropriate allowance for climate change);
- Details of any necessary flow attenuation measures, including the use of SUDS where appropriate; and
- Details of how the scheme will be maintained and managed after completion.

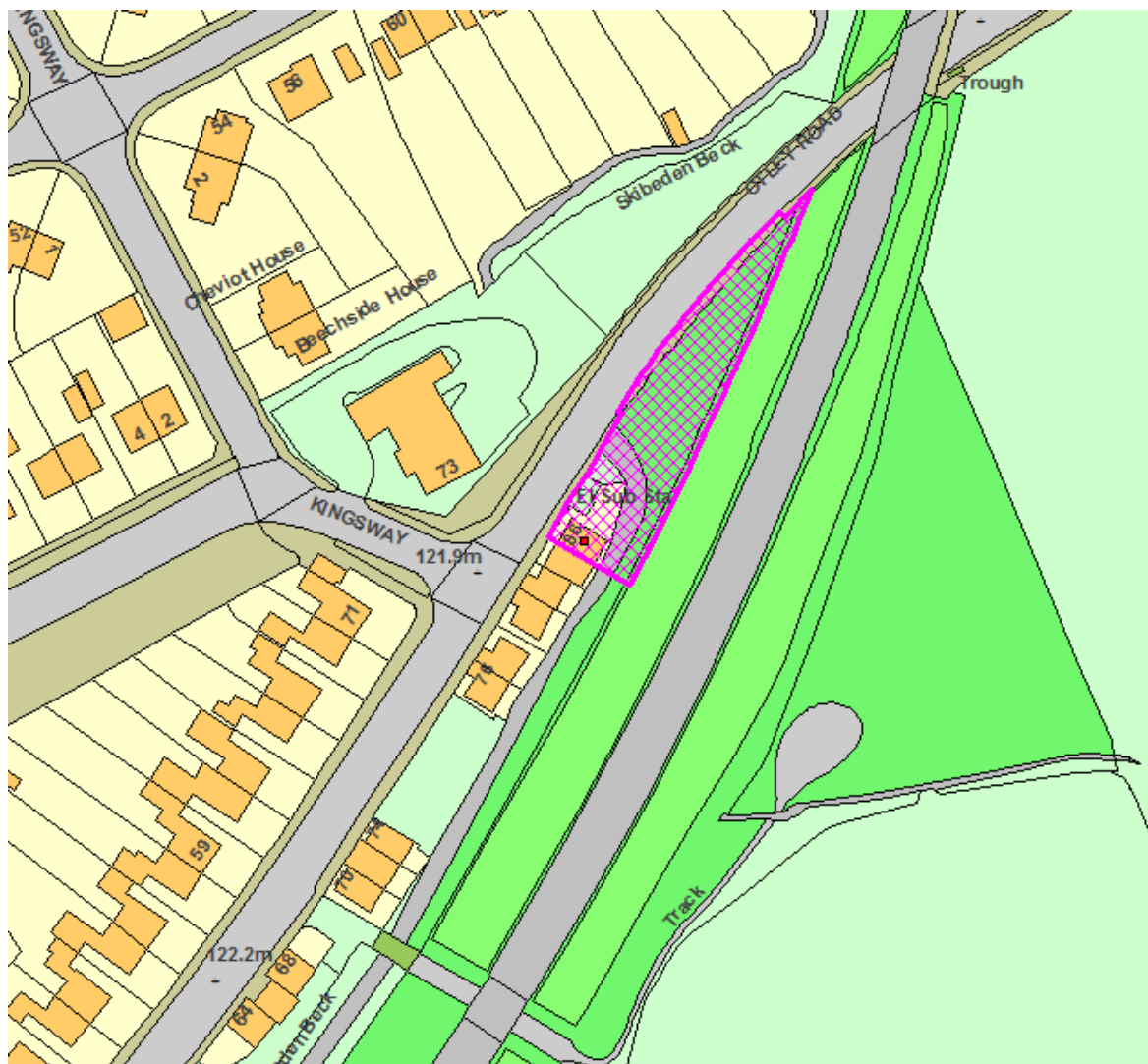
The scheme shall be implemented in accordance with the duly approved details before the development is first brought into use, and shall be maintained and managed as such thereafter.



Reason: To ensure that the development does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of surface water in accordance with the requirements of the NPPF.

#### Informatives

1. Informative  
This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the Waller Hill Beck, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website:  
<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.
2. 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.
3. The developer should note that Condition No's 4 and 5 above will require a further application to be submitted to enable the District Council to formally discharge the conditions. In order to avoid unnecessary delays it is advisable for the developer to discuss the details required to discharge the conditions with any relevant statutory Authorities' (other than the Local Planning Authority) e.g. NYCC Highways, the Environment Agency etc. for comment and/or recommendations prior to their formal submission to the District Council for approval.



**Application Number:** 2018/19715/HH

**Proposal:** New outbuilding (storage and garden room) within the curtilage of the site (Resubmission of 2017/18804/HH)

**Site Address:** 86 Otley Road Skipton BD23 1HG

**On behalf of:** Miss Katie Williams

## REPORT TO PLANNING COMMITTEE ON 22nd October 2018

**Application Number:** 2017/18633/FUL

**Proposal:** Construction Studio Workshop for business use.

**Site Address:** Carr Head Hall Carr Head Lane Cowling BD22 0LD

**On behalf of:** Rosemary & Co

**Date Registered:** 30th November 2017

**Expiry Date:** 25th January 2018

**Case Officer:** Andrea Muscroft

---

**The application has been referred to Planning Committee by the request of Ward Representative Councillor Mercer.**

1. Site Description
- 1.1 The application relates to two separate parcels of land located within the grounds of Carr Head Hall a Grade II\* Listed building located to the north of the village of Cowling. The building has been identified as having aesthetic value both externally and internally as well as having historical and evidential value.
- 1.2 The building was previously divided into apartments; however, the building is now in the sole ownership of the applicant. Whilst the building is partially used for residential use it would appear following a site visit that the majority of the building has been given over to business use.
- 1.3 Carr Head Hall has been extended with the construction of an orangery under planning approval 22/2016/17296 & 17295. In addition, a greenhouse was approved under planning approval 2017/18256/HH. The existing garage was also granted approval for conversion to games room with associated external alterations under planning approval 22/2015/10501.
- 1.4 The building is set in attractive, well tended landscaped grounds with long distance views of Wainwright Pinnacle and Lund's Tower both located to the southeast of the site across the valley.
- 1.5 Situated close to the application site is a Grade II Summerhouse dating from the late C18 or early C19 and The Coach House also a Grade II listed building.
- 1.6 Located directly behind Carr Head Hall is a vacant residential dwelling known as The Malting with associated residential gardens backing onto Carr Head Lane to the north. This property is now in the ownership of the applicant. The building is currently empty but has been used to accommodate visiting artists during workshops being held at Carr Head Hall.
- 1.7 Further isolated residential dwellings are located to the southwest, east and North West of the application site.
- 1.8 The property was listed in 1954 and is as follows;
- 1.9 *Mansion, probably mid C18 enlarged later C18, then refurbished 1851 and slightly altered early C20. Hammer-dressed stone and hipped slate roof, with some ashlar work. Two storeys. The oldest part*

*appears to be the south front, now the garden front, of 5 bays. This has a plinth and plat band, cornice and rusticated quoins. The tall windows have architraves and are sashed with all glazing bars. The central doorway has a Doric doorcase with pilasters, pediment and rosettes between triglyphs. The east front is of 5 bays and is similarly detailed except that the windows have plain stone surrounds, and the central 3 bays are canted out. The north front, probably early C20, has blocked surrounds to the windows and a Doric porch, distyle in antis.*

- 1.10 *Inside 3 periods may be distinguished. To the later C18 probably belong the former hall, with doors in the style of Adam, and the central staircase, which has a small domed skylight decorated with husks. The cantilevered stone stair has an ornamental iron balustrade. The remaining rooms of the ground floor have a simple classical decoration probably dating from 1851. On the first floor all 3 rooms of the south front lavish decoration from the first build. The central lobby has a small but rich plaster ceiling in the style of the 1730s above an Ionic modillion cornice. This has an eagle in central roundel and a cove decorated with Roman busts, cherubs, trumpets and palm leaves. The south east bedroom has a cornice supported by 2 Corinthian pilasters either side of the chimneypiece, which is scrolled and eared overmantel with an overhanging garland. The south west bedroom has a similar arrangement, but the detail is Doric, with bucrania in the frieze. The overmantel is shouldered, flanked by husks and surmounted by a shell, which harbours another ox skull.*
- 1.11 *The house thus preserves in part a small mansion of mid C18 of considerable interest.*
- 1.12 Access to the site is directly off Carr Head Lane via a tree lined drive that leads to an area of hardstanding located to the north of the main building.
- 1.13 The application site is located outside of the development limits for Cowling and therefore lies in open countryside as defined by the 1999 Local Plan.
- 1.14 The site is also the subject of Tree Preservation Order (ref: 267/2017) and lies within a SSSI Impact Risk Zone.
2. Proposal
- 2.1 The proposal is seeking approval for the construction of a studio workshop (Use Class B1) for business use. The proposal also includes car parking/manoeuvring area, compound/track and associated landscaping.
- 2.2 **Officer's note:** Following concerns over the acceptability of the building and associated parking/compound and track revised drawings have been received by the Council. The revised drawings show the omission of the wings and also a reduction in the overall height and bulk of the proposed building.
- 2.3 **Officer's note:** No amendments have been received with regards to the proposed parking/compound and track.
- 2.4 The proposal has been assessed based on the revised plans and details received on the 13<sup>th</sup> March 2018.
- 2.5 The proposal would see the construction of a 234 sq m building to the northeast of Carr Head Hall and this would be served by 15 parking spaces which would be accessed via an unauthorised track.
- 2.6 The proposed building would be constructed in local stone with smooth face Ashlar and sawn stone string courses under a Bradstone old quarried replica stone slate roof with lead valleys and flashings. Rooflights would be Lomen insulated metal framed. Windows would be vertical 6 over 6 sliding sash painted windows. Doors would be glazed painted hardwood timber. Rainwater goods would be cast metal.
- 2.7 Vehicular access to the proposed building would be directly off Carr Head Lane via the existing drive to Carr Head Hall.

- 2.8 The unauthorised track which leads to the unauthorised parking compound is located to the southwest of Carr Head Hall.
- 2.9 **Officers Note:** During a further site visit conducted on the 21st February 2018 the full extent of the unauthorised works ref the track, the creation of builder's compound and the parking area was inspected and photographed.
- 2.10 Details submitted indicate that there would be:
- 30 full time employees
  - 10 part time employees
- 2.11 Details submitted indicate that the hours of opening would be:
- Monday – Friday 08.00 – 18.00
  - Saturday 09.00 – 12.00
  - Sunday and Bank Holidays Closed.
3. Planning History
- 3.1 None of relevance.
- 3.2 ENF/02808/2018 Enforcement Investigation for the unauthorised track and parking area – On going.
4. Planning Policy Background
- 4.1 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for Craven comprises the saved policies of the Craven District (Outside the Yorkshire Dales National Park) Local Plan 1999 (the 'CDLP').
- 4.2 Under paragraph 214 of the NPPF the policies in the previous Framework (2012) will apply to the consideration of the emerging plan policies as the LPA has now submitted its draft Local Plan for examination. However, the weight to be attached to the policies in the emerging plan remains the same under both the old and new Frameworks. The policies in the 2018 Framework are material considerations which should be taken into account in dealing with applications from the day of publication (July 2018).
- 4.3 Saved Policies in The Craven District (Outside the Yorkshire Dales National Park) Local Plan (1999)
- ENV1- Development in the Open Countryside.
  - ENV2 – Requirements for Development in Open Countryside.
  - H8 – Rural Buildings for Residential Use.
  - T2 - Road Hierarchy.
  - SCR2 – Provision of Recreation Space in New Housing Developments.
- 4.4 Submission Draft Local Plan (2018)
- ENV1- Countryside and Landscape
  - ENV2 - Heritage
  - ENV3 – Good Design
  - SP2 – Economic Activity and Business Growth
  - INF4 – Parking Provision

- 4.5 National
- National Planning Policy Framework - 2018
  - Planning Practice Guidance - PPG
- 4.6 Other documents of relevance
- 4.7 Historic England Guidance
- Historic Environment Good Practice Advice 1 – The Historic Environment in Local Plans.
  - Historic Environment Good Practice Advice 2 – Managing Significance in Decision Taking in the Historic Environment.
  - Historic Environment Good Practice Advice 3 – The Setting of Heritage Assets.
5. Parish/Town Council Comments
- 5.1 **Cowling Parish Council:** No comments received within the statutory consultation period.
6. Consultations
- 6.1 **CDC Conservation and Listed Building Consultant:** Carr Head Hall is one of the finest gentry houses of the 18th C in Craven. The significance of the hall itself, is enhanced by its setting and group value with: the listed coach house and summer house; an extraordinarily large walled garden with heated stone walls (now in separate ownership), The Maltings (not inspected); a partial stone boundary wall with a pair of 18th C stone piers and; extensive landscaped grounds, including a ha-ha and woodlands - all in the open countryside on a S-facing hillside.
- 6.2 The principle of constructing a large building as proposed in the proposed location, between the road and the hall and in front of the hall, creates strong concern about the potential impact on the setting of Carr Head Hall. The site is well-wooded and this will help to reduce the visual impact.
- 6.3 *Further comments received on the 20<sup>th</sup> March 2018 following receipt of revised plans and information:*
- 6.4 Based on the information provided the proposal fails to comply with the requirements of paragraph 128 of the NPPF. In addition, the proposed workshop, access track and car park would cause substantial harm to the setting of the highly graded Carr Head Hall and no corresponding heritage benefits will be delivered to outweigh the harm and thus fails to meet paragraph 133 of the NPPF and as such the proposal should be refused.
- 6.5 *Further comments received on the 30<sup>th</sup> April 2018 following receipt of revised plans and information:*
- 6.6 It is noted that the proposed building has been reduced and therefore, the proposed development would therefore have a somewhat reduced impact on the setting of the highly graded listed building.
- 6.7 Whilst the side wings have been omitted, the other details remain unchanged and therefore fail to demonstrate that the detailed design would be suitably in keeping. There remains a grave danger that it would appear as a poor pastiche.
- 6.8 The site plan also still indicates that the “coach house” would only be served by footpaths and steps and I consider that this makes a nonsense of creating a pseudo-coach house. As stated previously, there is already an original coach house at the site (albeit converted and in separate ownership, and so the construction of another coach house would be confusing and hard to justify.
- 6.9 The revised plans seem to indicate that the building would have minimal direct impact upon the trees but, as the building would be occupied by artists, who presumably need good light to be able to work, there would be pressure further down the line for thinning of trees.

- 6.10 At present, a glimpse of the hall is possible from the road (Plate 1) in a woodland setting. I am concerned that the proposed building would be unduly prominent in this view and would harm its wooded setting in this view and the view of it from the driveway, especially as the level of the proposed building (177.1m) would be 2m higher than the level of the listed building (175.09). In the absence of a section through the site, showing the hall and the proposal, the exact relationship/relative heights of the existing and proposed buildings cannot be known for sure but I am concerned that the proposed building would be higher than the existing, would be over-dominant in some views and would harm its setting.
- 6.11 The proposal still includes a new driveway which cuts across the meadow to a new car park in an isolated rural location and that these too would still harm the setting of the hall.
- 6.12 In conclusion, the revised plans do not overcome the previously stated concerns about the impact of the proposals on the setting of a highly graded listed building. As such, the application ***should be refused***, in accordance with S.133 of the NPPF and with Policy ENV2 of the emerging local plan as:
- the proposal fails to comply with the requirements of S.128 of the NPPF
  - the proposed workshop, access track and car park would cause substantial harm to the setting of the highly graded Carr Head Hall and no corresponding heritage benefits will be delivered to outweigh the harm and none of the criteria set out in S.133 are met.
- Officer note** The advice was received before the publication of the revised NPPF and the paragraphs referred to relate to the 2012 NPPF. Nevertheless the advice remains entirely consistent with the 2018 NPPF.
- 6.13 **CDC Economic Development:** The development would help support the rural economy a theme within the Council's (draft) Cultural Strategy 2017 – 2022. However, at the present time, there is not the evidence available to provide a more informed comment on the contribution that the proposed development would have on supporting the growth of the District's rural economy.
- 6.14 **CDC Environmental Health Officer:** Property is likely to be served by an existing private water supply. Classification of supply will remain the same.
- 6.15 **CDC Tree Officer:** Following concerns over the potential impact of the development on existing trees within the application site a Tree Preservation Order was served.
- 6.16 *Further comments received on the 6<sup>th</sup> June 2018 following receipt of revised plans and information:*
- 6.17 No objection subject to the use of conditions to control the potential impact of the development on the protected trees. It is also recommended that conditions are imposed requiring a Landscape scheme and a Method Statement.
- 6.18 *Further comments received on the 2<sup>nd</sup> August 2018 following a further assessment of the authorised track and parking compound on protected trees.*
- 6.19 It would appear that the excavation works to create the track and compound is close to protected trees, although it appears that these works occurred before the Tree Preservation Order was served. Damage may have been caused during the excavation works being carried out, although this may be minor. However, it appears that some drainage pipes have been installed and the full extent of the excavations undertaken with regards to the installation of the drainage pipes is unclear. Limited information has been provided with regards to the track and car park other than crushed gravel will be used as the surface. The use of this material is considered acceptable due to its permeability. No further excavation works should take place without the Council being consulted. The excavation works poses the risk of ground levels being raised around the trees which is not permitted.
- 6.20 **Historic England:** The proposed new building is of a very considerable size, having three storeys with symmetrical wings, which result in the building having a façade which is wider than either the

north-east front of the house or the main part of the south-west facing façade. Also using the existing trees as a reference point the proposed building would be as tall as the main house. Therefore, there are concerns that a substantial building in this location could visually compete with the main house, harming its setting.

- 6.21 We question whether the substantial additional accommodation now proposed is appropriate for this site and whether some of the functions to be included in the proposed building could be accommodated either in existing buildings or elsewhere. For example, would not the showroom be well suited to a room in the main house? It is also unclear how the Maltings currently is used - could this accommodate some of the functions required? We suggest a space audit of existing capacity is carried out to establish what capacity the existing buildings have to accommodate the functions now proposed. We have concerns about the capacity of the Carr Head Hall site to accommodate any additional building and we draw attention to the cumulative impact of the proposed new building in combination with other recent developments on the wider Cowling Hall site (i.e. beyond the ownership of the applicant).
- 6.22 With regard to parking and access we note reference in the Design and Access Statement to 'an informal access track [which] leads to staff parking in a secluded and enclosed space to the south of the house at a suitable distance away from it'. We presume this is the 'unmetalled track' and 'builders compound' referred to on the site location plan labelled 'Arboricultural Impact Assessment'. We are very concerned indeed at the presence of this track, which we understand does not enjoy any consent and which is clearly a recent addition to the site. Had we been consulted on an application for this track and associated parking area (which we consider we should have been given that it affects the setting of the Grade II\* listed building) we would have recommended refusal. The track cuts right in front of the main aspects of the hall to its the east, north-east and south-east. However such a track is treated in visual terms, it is an intrusion into the structure of the landscape in a very prominent position within the main views of and from the Hall. The landscaped grounds are contemporary with the house and relatively little altered since the Ordnance Survey Map of 1894, especially to the east and south of the house, notwithstanding the presence of new buildings to the west of it. We consider the new track and compound/car park harms the parkland setting of this Grade II\* listed hall which is an important aspect of its significance, contributing greatly to its aesthetic value. The track and car park/compound therefore fails to sustain and enhance the significance of the hall as required by para 131 of the National Planning Policy Framework. Para 132 states that any harm or loss should require clear and convincing justification and Para 134 states that the harm should be weighed against the public benefits of the proposal. We do not see the public benefits of harming the landscape in this way, which we consider to be avoidable and therefore unjustifiable.
- 6.23 In conclusion, Historic England have concerns regarding the application on heritage grounds and consider that the issues and safeguards outlined need to be addressed in order for the application to meet the requirements of paragraphs 131, 132 & 134 of the NPPF.
- 6.24 *Further comments received on the 2<sup>nd</sup> May 2018 following receipt of revised plans and information:*
- 6.25 Although, the proposal has been revised with the omission of the wings and a reduction in the bulk and height of the proposed building it still remains a considerable size. Therefore, the concerns that a substantial building such as this, in this location, could visually compete with the main house, harming its setting remain.
- 6.26 A site visit undertaken on the 21<sup>st</sup> February 2018 showed that the Hall and its landscape setting can be seen from the public road to the east, and also from its own driveway. It is therefore considered that the proposed building would be excessively prominent in these views and would compete visually with the main Hall. Thus the building would present an inappropriate and harmful intrusion into the setting of the Hall.



- 6.27 There are also grave concerns about the additional parking now proposed and which has already been constructed on site along with the associated gravel track. This track does not enjoy any consent and is clearly a recent addition to the site and if Historic England had been consulted would have recommended refusal. The track is considered to be an intrusion into the structure of the landscape in a very prominent position within the main views of and from the Hall. It is therefore considered that the new track and compound/car park aspect of its significance, contributing greatly to its aesthetic value. The track and car park/compound therefore fails to sustain and enhance the significance of the Hall as required by paragraph 131 of the NPPF.
- 6.28 In conclusion, it is considered that any potential benefits from the proposal would not outweigh the harm to the landscape. It is considered that the proposed harm is avoidable and therefore unjustifiable and as such the proposal is **not supported**.
- 6.29 **Natural England:** The proposal would not affect any statutorily protected sites or landscapes. With regards to protected species no assessment has been undertaken with regards to potential impact on protected species.
- 6.30 The Council is advised to apply our Standing Advice when assessing this proposal. However, the Standing Advice should not be treated as giving any indication or providing any assurances in respect of European Protected Species (EPS) that the development is unlikely to affect the EPS present on the site, nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developers responsibility) or may be granted.
- 6.31 The consultation documents also indicate that this development includes an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. The National Planning Policy Framework states that 'when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'
- 6.32 **NYCC Highways:** No objection subject to the use of a condition requiring no access via The Maltings.
- 6.33 *Further comments received on the 16<sup>th</sup> July 2018 following information concerning additional parking on site.*
- 6.34 Notwithstanding the additional parking for 15 vehicles our previous comments still stand. The visibility from The Maltings access is unacceptable and should not be used for this development. Consequently the Local Highway Authority recommends a condition stipulating that egress from the site must be via "The Drive" and not via The Maltings access.
7. Representations
- 7.1 The proposal was advertised on the 8<sup>th</sup> December 2017 in the Craven Herald and a Site Notice displayed adjacent to the site on the 8<sup>th</sup> December 2017. In addition, notification letters were circulated to neighbouring properties.
- 7.2 As consequence of the publicity the Council did not receive any third party representations within the statutory consultation period.
8. Summary of Principal Planning Issues
- 8.1 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. The NPPF makes clear that, for decision taking, this means:
- 8.2 Approving development proposals that accord with an up-to-date the development plan without delay; or where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless;

- The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole;

8.3 Having regard to the relevant national and local planning policies, the site's designation within the CDLP, the representations received and the nature of the development applied for, it is considered that the main issues in this case are:

- The principle of residential development on the site.
- The development's effects on the surrounding designated Grade II\* listed building.
- The development's impact on the amenity of surrounding occupiers.
- The development's impact on trees
- The scheme's effects on highway safety.
- The development's impact on biodiversity.

## 9. Analysis

### 9.1 **Policy context**

9.2 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2 of the NPPF make clear that development proposals are to be determined in accordance with the development plan unless material considerations indicate otherwise. At the present time, the statutory development plan for Craven comprises the saved policies of the Craven District (Outside the Yorkshire Dales National Park) Local Plan 1999 (the 'CDLP'). It is this plan, along with the NPPF, that provide the prevailing policy context under which the application is to be assessed.

### 9.3 **Principle of development.**

9.4 The application site lies outside of the recognised development limits for the village of Cowling as defined by the 1999 Local Plan, and therefore, saved Policy ENV1 is of relevance. Saved Policy ENV1 seeks to protect the character and quality of the open countryside and prevent this from being spoilt by sporadic development. However, the policy is supportive of small scale development which meets a set criteria, such as;

- The development should be small scale and where it clearly benefits the rural economy;
- Helps to maintain or enhance landscape character;
- Is essential for the efficient operation of agriculture or forestry;
- Or is essential to the needs of the rural community.

9.5 These objectives are broadly compliant with the NPPF which seeks to ensure that development contributes to and enhances the natural and local environment.

9.6 Saved Policy EMP5 is also of relevance. The policy seeks to direct industrial and business uses to within industrial areas and/or settlements. However, in exceptional circumstances, where such a location is unsuitable and that it can be demonstrated to be essential to the social and/or economic needs of the community then such developments may be considered acceptable, provided that it does not detract from the quality of the environment. This policy is broadly consistent with the aspirations of the NPPF.

9.7 Paragraph 213 of the NPPF states that decision takers may give weight to relevant policies in adopted development plan documents according to their degree of consistency with the Framework. As the

CDLP was adopted in 1999, in instances where conflicts between the Local Plan and the NPPF arise, paragraph 213 of the NPPF makes clear the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

- 9.8 However, the NPPF also makes allowances for other types of development in rural locations, which do not strictly fall within the categories outlined above in paragraph 9.4. In particular, paragraph 83 of the NPPF is supportive of sustainable growth and expansion of all types of business in rural areas subject to the development being sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.
- 9.9 In this instance, the proposal is seeking full planning approval for the construction of a studio with associated vehicle track and associated parking area. In addition, a pedestrian footpath is proposed from the parking area to the main house.
- 9.10 The Council has no record of planning approval being granted for a business to operate from Carr Head Hall.
- 9.11 Notwithstanding this, the proposal if granted would enable the existing business to exit Carr Head Hall and move to the new premises which would meet one of the criteria's of ENV1 in that the proposal would continue to benefit the local economy.  
However, the proposal fails to meet the three remaining criteria of Saved Policy ENV1 in that the proposal does not maintain or enhance landscape character, is essential for the efficient operation of agriculture or forestry or is essential for the needs of the rural community. As such, the proposal fails to accord with saved Policy ENV1.
- 9.12 With regards to Policy EMP5. The policy is not supportive of the construction of buildings for industrial and business uses outside of development limits and established industrial areas, unless there are exceptional circumstances where it is demonstrated to be essential to the social and/or economic needs of the community where there are no suitable alternative sites either within any of the nearby settlements or within an established industrial area. No evidence has been submitted to indicate that there are no suitable alternative sites available. Furthermore, the Council's Economic Development Department have indicated that there are sites available within Crosshills. Therefore, in the absence of any evidence to the contrary the proposal is considered contrary to the requirements of Policy EMP5.
- 9.13 Notwithstanding this, Section 6 of the NPPF is supportive of building a strong, competitive economy. Paragraph 83 of the NPPF outlines four criteria's for ensuring that developments are able to support a prosperous rural economy, a key objectives of the Government. Therefore decision makers should enable:
- The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
  - The development and diversification of agricultural and other land-based rural business;
  - Sustainable rural tourism and leisure developments which respect the character of the countryside; and
  - The retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of workshop.
- 9.14 Paragraph 84 of the NPPF also recognises that "*sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport*". Although the document does state that "*in such circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more*

*sustainable*". Paragraph 84 also states that the "*use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist*".

- 9.15 The application site is located approximately 2.15km from the edge of Sutton and would consist of the construction of a two storey detached building, footpaths, vehicle track and parking area. When assessing the proposal against paragraph 83 the proposal fails to meet the criteria as outlined above. As the proposal would not enable the sustainable growth and expansion of an authorised business on this site.
- 9.16 At paragraph 11 of the NPPF it states that at its heart there is a presumption in favour of sustainable development. At paragraph 8 it outlines that to achieve sustainable development the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These three overarching objectives consist of economic, social and environmental role which when involved are not always positive and therefore it is necessary to weigh relevant attributes against one another to arrive at a balanced position.
- 9.17 *Economic role*
- 9.18 Economic growth contributes to the building of a strong and competitive economy which then leads to prosperity. The proposal would provide benefits to the local economy during the construction stage and through the continued employment. As such, these economic benefits of the development weigh in favour of the proposal in the sustainable balance.
- 9.19 *Social role*
- 9.20 The proposal with regards to social sustainability would not provide any social benefits to weigh in favour of the sustainable balance.
- 9.21 *Environmental role*
- 9.22 The importance of protecting and enhancing the natural, built and historic environment, including making effective use of land is a key objective of the NPPF with the protection of the historic environment being one of the three objectives of sustainability. Section 16 of the NPPF is of key importance as it highlights the importance of ensuring that developments do not result in unacceptable harm to the historic environment. Paragraphs 117 & 118 of the NPPF are also of relevance as they deal with the importance of making effective use of previously developed or '*brownfield land*'.
- 9.23 The proposal would see the construction of a substantial two storey detached building with associated paving and footpaths. In addition, the proposal has created without approval a vehicle track which lies to the east and continues to an area of parking located to the south of the Carr Head Hall. Also included would be a pedestrian footpath from the track connecting to the paved area to the south of the building. Carr Head Hall is a Grade II\* listed building which was originally set in park land, although a timber fence has been erected dividing the former park land from the house.
- 9.24 It is considered due to the erection of a fence along the eastern boundary that any harm to the openness of the countryside as a result of the proposal would be limited. However, Carr Head Hall is a Grade II\* listed building which is experienced in the context of open land of which contributes to the setting and significance of this heritage asset. It is considered that the proposed building would result in a form of development that would disrupt the relationship between the building and its immediate setting. In addition, the unauthorised track and parking area has resulted in harm to the setting and significance of the listed building. Therefore, with regards to environmental sustainability, the proposal would not meet the environmental dimension of sustainable development.
- 9.25 Whilst the proposal would provide economic benefits the NPPF makes it clear that economic, social and environmental objectives which are interdependent need to be pursued in mutually supportive

ways. However, it is accepted that in most instances that it is very rare that any development would not have some adverse impacts and therefore the competing considerations need to be assessed together and an overall balanced conclusion reached.

- 9.26 Located to the rear of Carr Head Hall is a substantial residential dwelling and grounds which is currently empty and in the ownership of the applicant. It is considered that the reuse of this building or the redevelopment of this site would be preferable given its location to the rear of the building and due to changes in topography is well screened from public views. Therefore, in the absence of any evidence to demonstrate why this area could not be reused or redeveloped it is considered that the proposal has failed to take the opportunity to provide environmental benefits.
- 9.27 In conclusion, the proposal would provide economic benefits. However, the proposal would not provide any social benefits. Furthermore, the proposal would result in environmental harm to the both the natural and historic environment. As such, it is considered on balance that the adverse impacts would significantly and demonstrably outweigh the economic benefits and thus the proposal would not deliver sustainable development within the meaning of the NPPF.
- 9.28 **Impact of the development on the rural countryside.**
- 9.29 CDLP policy ENV2 sets out four criteria for developments in the open countryside. While the opening text to the policy indicates that policy ENV2 is most directly applicable to development deemed acceptable in principle under policy ENV1 (which is not the case with this development), it contains more detailed general design criteria for developments in the open countryside which are considered to be relevant in assessing the scheme's layout. Specifically, criteria (1), (2) and (4) of the policy indicate that development within the open countryside will only be permitted where:
- It is compatible with the character of the surrounding area, does not have an unacceptable impact on the landscape and safeguards landscape features including stone walls and hedgerows, worthy of protection.
  - The design of buildings and structures and the materials proposed relate to the setting, taking account of the immediate impact and public views of the development.
  - Services and infrastructure can be provided without causing a serious harmful change to the rural character and appearance of the locality.
- 9.30 Saved Policy EMP5 also requires developments that are considered acceptable do not have an unacceptable effect on the character and appearance of the countryside; and that the buildings which are of a good standard design and satisfactorily blend into the landscape in terms of their design, siting and materials; and that the developments incorporate high quality and appropriate landscaping.
- 9.31 In addition, paragraph 127 of the NPPF sets out six principles that developments should follow in order to achieve good design and paragraph 130 of the Framework indicates that permission should be refused for development of a poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 9.32 The site for the detached building comprises of elevated garden area surrounding to the east, north and south with trees protected by a tree preservation order. To the south the site is clearly visible from the driveway with further views along Carr Head Lane.
- 9.33 The proposed building would be of two storey height and would cover approximately 145sqm with additional paved areas around the building resulting in a total area of approximately 212sqm. Steps would lead up from the driveway to the main entrance.
- 9.34 The track and car parking area have required land to be excavated then compacted with gravel placed on top.

- 9.35 With regards to the visual impact of the development it is considered that due to the scale, design and appearance of the proposed building it would appear as a prominent feature that would fail to relate to the setting of the listed building and thus would result in a form of development that would appear as a poor pastiche. In addition, a major issue of the design is that it has been designed with no access for coaches/carriages which further damages the design approach in this location considering that there is an existing Coach House already on the site. As such, this element of the proposal is considered contrary to saved Policies ENV1 & EMP5 of the Local Plan.
- 9.36 The track and car parking due to the level of excavation have also resulted in visual harm to the character of the open countryside as this element of the proposal fails to satisfactorily blend into the landscape in terms of its siting and materials.
- 9.37 In conclusion, the proposal by virtue of its design, appearance and scale would result in visual harm that is considered contrary to saved Policies ENV2 & EMP5 of the Local Plan and guidance contained within the NPPF.
- 9.38 **Impact of development on a designated heritage asset.**
- 9.39 The proposal is seeking to construct a studio work shop with associated access road and parking within the grounds of a Grade II\* Listed Building.
- 9.40 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty as respects listed buildings in exercise of planning functions. Subsection (1) states:  
*"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".*
- 9.41 The English Heritage (EH) guidance on 'The Setting of Heritage Assets' states that setting embraces all of the surroundings (land, sea, structures, features and skyline) from which the asset and that setting does not have a fixed boundary and cannot be definitively and permanently described as a spatially bounded area or as lying within a set distance of a heritage asset. As such, the setting is not fixed and will usually be more extensive than the curtilage of an asset. Furthermore, the contribution that a setting makes to significance does not depend on there being public rights of way or an ability for the general public to access or experience the setting.
- 9.42 Section 16 of the National Planning Policy Framework provides guidance relating to the conservation and enhancement of the historic environment. Paragraph 190 of the NPPF requires local planning authorities to identify and assess the significance of heritage assets affected by a proposal. This assessment should be taken 'into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.' Paragraph 192 states that local planning authorities are required to consider the desirability of new development making a positive contribution to local character and distinctiveness.
- 9.43 Paragraph 193 of the NPPF also states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- 9.44 Paragraph 195 of the NPPF also states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

- 9.45 The proposal is seeking approval for the construction of a substantial detached building with paved steps and paved walkway around the building and a further foot path from the unauthorised car parking area to the Grade II\* Listed building. In addition, the proposal also includes the unauthorised vehicle track.
- 9.46 Historic England have been consulted throughout the proposal and have also visited site to review the potential impact of the development on the Grade II\* listed building. Notwithstanding the reduction in the scale of the proposed building Historic England have raised some significant concerns with regards to the acceptability of this element of the proposal. These concerns relate to how the proposed substantial building would visually compete with the main house, thus harming its setting as the Hall in its landscape setting can be seen from the public road to the east, and also from its own driveway as well as long distance views from across the valley. Thus the proposed building would be excessively prominent in these views. Furthermore, even if the building was detailed accurately and executed in fine materials it would still present an inappropriate and harmful intrusion in to the setting of the Hall.
- 9.47 Historic England have also been consulted with regards to the track and parking arrangements and consider that the track and car parking area with the associated works has had a detrimental impact on the setting of the Grade II\* Listed Building as the track has been constructed to the front of the main aspects of the Hall to its east, north east and south east. The visual intrusion into the structure of the landscape within a very prominent position harms the parkland setting of the Grade II\* listed hall which is considered an important aspect of its significance, contributing greatly to its aesthetic value. Therefore the proposal fails to sustain and enhance the significance of the hall as required by paragraph 192 of the NPPF.
- 9.48 These concerns are also expressed by the Council's Conservation and Listed Building Consultant who acknowledges the reduction in the scale of the building. However, the Council's consultant remains unconvinced that the detailed design of the building which is purporting to be a "Georgian" coach house would appear as a poor pastiche. The site already benefits from an original coach house (separate ownership) on the site and therefore the construction of another would be confusing and hard to justify. Furthermore, it is considered that the proposed building would be unduly prominent when viewed from the road, thus harming its wooded setting including when viewed from the driveway. Similarly, the track and car parking area which has cut across the meadow has resulted in substantial harm the setting of the hall.
- 9.49 In instances where a development main result in harm to, or loss of, the significance of a designated heritage asset (e.g. from development within its setting), should require clear and convincing justification. Paragraph 195 states that LPA's should refuse consent, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm. None of the criteria outlined in paragraph 195 apply in this instance.
- 9.50 In conclusion, it is acknowledged that the proposal has been amended with the aim of addressing concerns raised by both Historic England and the Council's Conservation and Listed Building Consultant. However, notwithstanding these amendments, the proposed building would have an unacceptable impact on the setting of this important listed building. Furthermore the unauthorised track and car parking area has resulted in substantial harm to the setting of Carr Head Hall a Grade II\* Listed Building. Therefore, with no public benefit or clear and convincing justification it is considered that the proposal is contrary to Section 16 of the NPPF.
- 9.51 **Impact of development on the amenity of neighbouring properties.**
- 9.52 There are specific requirements under both saved Local Plan Policies and the NPPF that new development should not adversely impact upon the amenity of any neighbouring property either through a significant loss of outlook, daylight or arising from a loss of privacy.

- 9.53 The nearest dwellings to the proposed development are located at separation distances ranging from 80m > 102m. It is therefore considered that the proposed building would not have an adverse impact on the privacy or amenity of the residents of these dwellings, due to the separation distance and intervening buildings and natural trees/shrubs.
- 9.54 The proposal also includes the provision of parking. This element of the proposal is located at separation distances ranging from 60m > 81m to the nearest dwellings. It is acknowledged, that this element of the proposal would result in an increase in noise above the existing background noise levels. However, this would be limited to early morning and evening as employees access/leave work and is not considered to be sufficient to warrant a refusal.
- 9.55 In conclusion, it is considered that the proposed development would not result in any unacceptable loss of privacy or amenity of existing nearby neighbouring properties. It is therefore considered that the proposal meets the aims and objectives of the NPPF
- 9.56 **Impact of development on protected trees.**
- 9.57 Saved Policy ENV10 seeks to safeguard trees protected by a preservation order from harm or unjustifiable loss.
- 9.58 Details submitted show that no protected trees within the site for the proposed building would be removed as a result of the proposed development.
- 9.59 The Council's Tree Officer visited the site and as a consequence of concerns relating to the potential impact of the development on adjacent trees issued a Tree Preservation Order ref: 267/2017.
- 9.60 A revised scheme was submitted showing a reduction in the footprint, height and bulk of the proposed studio workshop. It is acknowledged that protection of these trees is afforded by the TPO which would enable the Council to control any future tree works and that drawings submitted indicate a separation distance of approximately 2m between the northern elevation and protected trees. However, there remains a level of concern from pressure to fell or prune. Such pressures would likely to occur due to concerns relating to restriction of light and perceived danger from falling limbs. Notwithstanding these concerns, the Council's Tree Officer has reviewed the information and has raised no object to this element of the proposal.
- 9.61 Turning to the unauthorised track and car parking area. The Council's Tree officer has reviewed the development and considers "that it appears that these works were undertaken prior to the TPO being served. Damaged may have occurred during the excavation works being carried out close to the tree trunks, but it is considered that this was probably have been minor. However, the evidence of drainage pipes on the site and the full excavation details are unclear to establish any further damage. Therefore, in the absence of any evidence to the contrary it is considered that this element of the proposal is considered acceptable.
- 9.62 In conclusion, the proposed development would not result in unacceptable loss or harm to the trees protected by a Tree Preservation Order. The proposal is not considered contrary to the requirements of Saved Policy ENV10 of the Local Plan or guidance contained within the NPPF.
- 9.63 **Impact of development on highway safety.**
- 9.64 Section 9 of the NPPF contains guidance on transport and land use planning, including the promotion of sustainable transport choices and reducing travel by car. Paragraph 109 of the NPPF states that:  
*'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.*
- 9.65 Saved Local Plan Policies ENV2 and T2 are permissive of development proposals that are appropriate to the highway network where, amongst other things, they do not generate traffic in excess of the



highway network; any new or greater use of an access onto a primary, district or local distributor road is acceptable in terms of design and road safety; and, regard is paid to the highway impact and potential for improvement to the surrounding landscape.

- 9.66 The proposal is seeking to provide 15 parking spaces with a manoeuvring area that would be served via the creation of an unauthorised track coming directly off the existing drive that serves Carr Head Hall.
- 9.67 NYCC Highways have been consulted and have not objected to the proposal on highway safety grounds subject to conditions restricting the access to and from the site.
- 9.68 In conclusion, it is considered that the proposal would not result in conditions contrary to highway safety and as such meets the requirements of Saved Policy T2 of the Local Plan and guidance contained within the NPPF.
- 9.69 **Impact of development on biodiversity.**
- 9.70 NPPF states that planning decisions should avoid harm to biodiversity and consent should not be granted where there would be significant harm without adequate mitigation strategies in place. If significant harm cannot be prevented or mitigated against then permission should be refused.
- 9.71 No information has been submitted with regards to the potential impact of the development on the local biodiversity. Notwithstanding this, the details of the application have been assessed using Natural England's Standing Advice Species Sheets together with its flow chart. Based on the assessment, it is the officer's opinion that the development does not have a significant impact on species or habitats on the application site or the surrounding area.
- 9.72 In conclusion, there are no grounds to refuse planning permission over concerns in relating to the impact on ecology.
- 9.73 **Conclusion;**
- 9.74 Paragraph 11 of the NPPF advises that LPA's should be 'approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 9.75 The development is seeking full planning permission for the construction of a detached building, foot path, vehicle track and car parking/manoeuvring area with associated works.
- 9.76 Whilst the proposal would provide some economic benefits, it fails to meet the remaining three criteria's of saved Policy ENV1 or the criteria's of saved Policy EMP5. With regards to sustainable development, the proposal would not contribute to the housing supply and thus would not provide any social benefits. Furthermore, the proposal would result in environmental harm to the historic environment. The proposal therefore fails to meet the requirements of sustainable development.
- 9.77 The application site forms an important component to the setting and significance of the Grade II\* listed building, and it is the character of the setting that makes a substantial contribution to the character of the Grade II\* listed building. The proposal by virtue of its design, siting and appearance would result in the substantial harm to the setting of the Grade II\* listed building. The substantial harm that the development would cause in this regard would not outweighed by any public benefits.
- 9.78 It is acknowledged that the proposal would not have an adverse impact on the privacy or amenity of neighbouring properties and would utilise the existing access onto Carr Head Lane. However, the

absence of harm in these regard would not, outweigh the substantial adverse effects the development would have on the setting and significance of the Grade II\* listed building, which would significantly and demonstrably outweigh its benefits (including economic benefits). Accordingly, the proposal does not represent sustainable development and is recommended that permission is refused.

10. Recommendation

10.1 To recommended refusal for the following reasons:

10. Recommendation

10.1 Refuse

Reasons for Refusal

1. The proposed development given its location and lack of justification for this site fails to comply with the criteria of saved Policies ENV1 & EMP5 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan. In addition, the proposal fails to comply with the main aims and objectives of sustainable development, due to the lack of any social benefits and the harm to the environmental objective of sustainable development. It is also considered that the proposal does not meet the requirements for sustainable growth due to fact that the business is not authorised to operate from this site. As such the proposal is contrary to the requirements of Saved Policies ENV1 & EMP5 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the National Planning Policy Framework.
2. The proposed detached building would have an unacceptable effect on the character and appearance of the area due to the design, scale and appearance of the building. The unauthorised track and car park fails to blend into the landscape in terms of its siting and materials. It is therefore considered that the proposal is contrary to the requirements of saved Policies ENV1 & EMP5 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the Section 12 of the National Planning Policy Framework.
3. The application site lies within the grounds of a Grade II\* listed building located outside to development limits of Cowling as defined by the Craven District (Outside the Yorkshire Dales National Park) Local Plan Proposals Map. The land surrounding the hall is a distinctive feature which both enhances its setting but also plays an important role with regards to its significance. The proposed development, by virtue of its design, siting and appearance would result in the substantial harm to the setting of the Grade II\* listed building. Accordingly, the adverse impacts arising from the granting of planning permission would significantly and demonstrably outweigh the benefits and therefore the proposal does not represent sustainable development. The proposed development is therefore contrary to the requirements of Section 16 of the National Planning Policy Framework.

Informatives

1. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.

2. For the avoidance of doubt, this decision relates to the following plans:

Site Location Plan received by Craven District Council on the 17th January 2018  
Site Survey Plan received by Craven District Council on the 11th October 2017.  
10B Tree Protection Plan received by Craven District Council on the 1st December 2017  
11B Ground Floor Plans received by Craven District Council on the 13th March 2018  
12A First Floor Plans received by Craven District Council on the 13th March 2018  
13C Sections received by Craven District Council on the 13th March 2018  
14C Elevations received by Craven District Council on the 13th March 2018  
15C North Elevation received by Craven District Council on the 13th March 2018  
16A Roof Plan received by Craven District Council on the 13th March 2018  
19B Sections received by Craven District Council on the 13th March 2018  
20 Car park received by Craven District Council on the 17th January 2018  
21 A Site Plan received by Craven District Council on the 13th March 2018  
22A Site Section received by Craven District Council on the 13th March 2018



**Application Number:** 2017/18633/FUL

**Proposal:** Construction Studio Workshop for business use.

**Site Address:** Carr Head Hall Carr Head Lane Cowling BD22 0LD

**On behalf of:** Rosemary & Co

## REPORT TO PLANNING COMMITTEE ON 22nd October 2018

**Application Number:** 2018/19695/FUL

**Proposal:** Full application for development of four dwellings (persuant to outline approval reference 2017/18744/OUT)

**Site Address:** Land South Of Station Road Giggleswick BD24 0AB

**On behalf of:** Mr & Mrs L Fell

**Date Registered:** 3rd September 2018

**Expiry Date:** 29th October 2018

**Case Officer:** Andrea Muscroft

---

**The application has been referred to Planning Committee as the previous Outline application was considered by Planning Committee on 09 April 2018.**

1. Site Description

- 1.1 The application relates to a rectangular parcel of land extending to approximately 0.25 hectares in area located to the south of Station Road, Settle. The site has been granted outline consent ref: 2017/18744/OUT by Planning Committee in April 2018 for the construction of four detached dwellings with off street parking, although at this present time this permission has not been implemented.
- 1.2 The site is comprised of open grazing land with the River Ribble to the south of the site.
- 1.3 The site forms a strip of land with residential dwellings to the west of the site and open grazing land to the east and south. Located to the north are further residential dwellings.
- 1.4 The site forms part of an area of open agricultural land, divided into smaller parcels of agricultural land. The site would be bound to the east by the remaining open field and beyond the existing agricultural access residential dwellings to the west. The northern boundary of the site consists of a stone boundary wall fronting onto Station Road.
- 1.5 The application site is located outside of but adjacent to the development limits for Settle as identified on the 1999 Local Plan, and therefore lies in open countryside as defined in the Local Plan. The site has also been identified as being within Flood Zone 2 by the Environment Agency.

2. Proposal

- 2.1 The proposal is seeking full planning approval for the construction of four detached dwellings with off street parking.
- 2.2 The proposal includes a single access point onto Station Road which would be located in the centre of the site. Each of the dwellings would be served by a shared single access.
- 2.3 The proposed dwellings would consist of four detached dwellings with attached garages, the exception to this is plot 1 which would have a detached garage. The proposed dwellings would be two storey and provide four bed accommodation.

- 2.4 The northern stone boundary would be retained with the exception of a section that would be removed to create the proposed vehicle/pedestrian access. The remaining eastern, western and southern boundaries to the site would consist of a drystone wall. The internal boundaries would also consist of drystone walls.
- 2.5 Details submitted indicate that each plot would provide two in-curtilage parking spaces, plus each plot would benefit from a double garage.
- 2.6 The proposed soft landscaping would include turfed areas to the private amenity areas of the dwellings, plus two addition turfed areas behind the northern boundary wall. In addition, these areas would also benefit from additional proposed tree and ornamental shrub planting.
- 2.7 The proposed dwellings would be constructed using natural stone with sawn stone surrounds for the windows and doors under a blue slate roof. Windows would be white PVc with doors also PVc but colours to be confirmed.
3. Planning History
- 3.1 5/31/135 – Residential development of part O.S. Field 3222 – Refused August 1985.
- 3.2 5/31/260 – Residential development of land to the west of Penny Bridge – Refused October 1995.
- 3.3 2017/18744/OUT - Outline application for a residential development of 4 dwellings - access, appearance, layout and scale applied for with all other matters reserved – Approved April 2018.
4. Planning Policy Background
- 4.1 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for Craven comprises the saved policies of the Craven District (Outside the Yorkshire Dales National Park) Local Plan 1999 (the 'CDLP').
- 4.2 The Emerging Local Plan (ELP) that would cover the period up to 2032 has now been submitted for examination. Notwithstanding this, the ELP is not the adopted development plan for the district.
- 4.3 However, the submission draft is considered to be sound and the policies are consistent with the NPPF.
- 4.4 **Saved Policies in the Craven District (Outside the Yorkshire Dales National Park) Local Plan 1999.**
- ENV1 – Development in the Open Countryside
- ENV2 – Requirements for Development in the Open Countryside.
- SRC12 – Protection of Public Rights of Way.
- T2 – Road Hierarchy
- 4.5 **Pre-publication Draft Craven Local Plan December 2017 – Emerging Local Plan (ELP)**
- SD1 – The Presumption in favour of Sustainable Development.
- SD2 – Meeting the challenge of climate change.
- SP1 – Meeting Housing Need.
- SP4 – Spatial Strategy and Housing Growth.
- SP11 – Strategy for Tier 4A & 4B villages with basic services and bisected villages with basic services.
- ENV6 – Flood Risk

ENV12 – Footpaths, Bridleways, Byways and Cycle Routes.

INF4 – Parking Provision.

#### 4.6 **National Policy**

The National Planning Policy Framework – (NPPF)

Planning Practice Guidance (PPG).

#### 5. Parish/Town Council Comments

5.1 Giggleswick Parish Council: No comments received.

#### 6. Consultations

6.1 **CDC Contamination Officer:** Comments from previous approved scheme ref:2017/18744/OUT are still valid subject to a condition being imposed requiring the applicant/developer to inform the Council immediately if contamination is located on the site.

6.2 **CDC Environmental Officer:** No objection but recommend conditions being imposed to control potential noise, flooding, dust nuisances and the transportation of clean topsoil to the site.

6.3 **Environment Agency (EA):** The EA Flood Map shows the site being within FZ2 and as such it is recommended that the applicant's flood risk assessment is in line with the NPPF and associated planning practice guidance.

6.4 **NYCC Highways:** No objection subject to conditions being imposed relating to the construction details of private access/verge crossings, footway/ layout, visibility splays and retention of parking spaces and garage for original use.

6.5 **NYCC Public Right of Ways Officer:** No objection but advises the applicant/developer that the existing Public Right(s) of Way on the site must be protected and kept clear of obstruction. If an alternative route is required the applicant/development will need to contact the County Council's Access and Public Rights team at County Hall with regards to the need for a diversion order.

6.6 **Ramblers Association:** No objection but advise the applicant/developer that should the application be approved then a diversion order will be required.

6.7 **United Utilities:** No objection subject to conditions imposed relating to the disposal of foul and surface water. The applicant/developer is advised that a public sewer crosses the site and building over it may not be permitted. An access strip width of 7 metres, 3.5m either side of the centre line of the sewer is required for the maintenance or replacement. Therefore, a modification of the site layout may be necessary at the applicant's expense.

6.8 Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

#### 7. Representations

7.1 The proposal was advertised on the 20<sup>th</sup> September 2018 in the Craven Herald with a Site Notice displayed within the surrounding area on the 21<sup>st</sup> September 2018. In addition, letters of notification were sent out directly to local residents.

7.2 As a consequence of the publicity 10 letters of objection were received.

7.3 Comments have been summarised below:

7.4 Local and National Policy

- Proposal fails to accord with the local plan.

7.5 Visual impact

- Concern over the visual impact.
- Out of keeping with character of area.
- Development too high.
- Over development.
- Loss of greenfield.

7.6 Amenity

- Close to adjoining properties.
- Loss of privacy.
- Loss of light.
- Noise nuisance.

7.7 Highway issues.

- Inadequate public transport provisions.
- Increase in traffic.

7.8 Biodiversity

- Concern over the potential impact on local wildlife.

Contamination

- Concern over the issue of contamination of the land and that the submitted detail simply that the remediation strategy imposed on the previous approved scheme is no longer necessary.
- ☐ Increase in pollution.

7.9 Flooding

- Proposal would increase the danger of flooding.

7.10 Other

- Inaccuracies in the submission and missing information from plans.
- Question whether there is a need for any more housing in the area.
- General dislike of proposal.
- Strain on existing community facilities.

7.11 Additional comments

- Request that the Council undertakes the following:
- Imposes and monitors the implementation of the Remediation Strategy.
- That local resident's will have the opportunity to comment on the Remediation Strategy.
- Request that developer notifies the Council should contamination be located on the site.
- Request a definition of what is 'significant contamination'.
- That planning controls integrate any requirements for human health protection and those for protection of the water environment.
- That further details are provided regarding the management of dust.



- Views of the local community appear not to have been given any weight in the original outline planning application process.
- Little communication between landowner and local resident's ref concerns over contaminated land.
- Concern over the potential relocation of the footpath.

## 8. Summary of Principal Planning Issues

8.1 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. The NPPF makes clear that, for decision taking, this means:

8.2 Approving development proposals that accord with an up to date development plan without delay; or

8.3 Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless;

the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

8.4 Having regard to the relevant national and local planning policies, the site's designation within the CDLP, the representations received and the nature of the development applied for, it is considered that the main issues in this case are:

- The principle of development on the site.
- The developments effect on the rural countryside.
- The developments impact on the amenity of surrounding occupiers.
- The schemes effect on highway safety.
- The developments impact on flood risk
- Contamination issues.
- The developments impact on local wildlife.
- Other issues.

## 9. Analysis

### 9.1 **Principle of development.**

9.2 The application site has been subject to a previous outline planning application ref: 2017/28744/OUT which was considered and approved by Planning Committee. The approval of this application established the principle of development on this site.

9.3 However, since the grant of outline consent the emerging Local Plan has been submitted for examination with an examination hearing scheduled to commence on 9<sup>th</sup> October 2018. Whilst the plan has progressed to examination stage, there are unresolved objections, and as such only limited weight can be attached to the emerging Local Plan.

9.4 In addition, the Government has issued a revised NPPF which sets out the Governments key objectives, one of which is the provision of new homes.

9.5 Notwithstanding the stage of the emerging Local Plan and the revised NPPF it is considered that the principle of development on this site is still acceptable, although the key tests remain with regards to whether the development would cause harm to the character of the local area, have an adverse

impact on the amenity of neighbouring residents and highway safety, increase the risk of flooding or have an adverse impact on the local wildlife all of which will be considered within the report below.

9.6 **The developments effect on the rural countryside.**

9.7 Developments considered acceptable in principle need to be assessed against saved Policy ENV2.

9.8 CDLP policy ENV2 sets out four criteria for developments in the open countryside. The policy seeks to ensure that development is:

It is compatible with the character of the surrounding area, does not have an unacceptable impact on the landscape and safeguards landscape features including stone walls and hedgerows, worthy of protection.

The design of buildings and structures and the materials proposed relate to the setting, taking account of the immediate impact and public views of the development.

Services and infrastructure can be provided without causing a serious harmful change to the rural character and appearance of the locality.

9.9 Paragraph 124 of the NPPF highlights the importance of good design and that it is a key aspect of sustainable development. Paragraph 127 of the NPPF also sets out the objectives of achieving well designed developments. Although paragraph 130 does state that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Conversely, the NPPF also states that design should not be used by the decision maker as a valid reason to object to development.

9.10 The western boundary of the site would lie within close proximity to 2no. Semi-detached dwellings granted approval under application 5/31/129. These properties are also two storeys, although they have been set down lower than the adjacent public highway. In contrast, the remaining two boundaries of the site are viewed against the backdrop of open fields, separated by dry stone walls. As a result, the site makes a substantial contribution to the character of this landscape on the periphery of the settlement, with its openness being an essential characteristic of this.

9.11 The proposal has retained the previously approved stone boundary treatments to east, south and west of the site as well as the creation of a new opening to the northern boundary. It is acknowledged that the current proposal has resulted in some changes to the internal layout of the site with the repositioning of the plot boundaries, road layout and repositioning of plot 2. However, it is considered that these changes are minor and would not result in any greater visual impact than those previously approved.

9.12 Similarly, the proposed detached dwellings would remain two storey in height to complement the scale of the neighbouring dwellings and would be constructed using reclaimed local stone under blue slate roofs. With regards to the design of the dwellings the proposal has incorporated some of the previously approved detailing with some alterations to the window and door configurations. Notwithstanding these changes, it is considered that the proposed dwellings would not result in any visual harm greater than those previously approved.

9.13 Details submitted also include proposed soft landscaping with the provision of grassed lawns and planting of ornamental shrubs and trees along the northern boundary.

9.14 In conclusion, the proposal by virtue of its layout, scale, materials and design, would be compatible with the character of the surrounding development, and would not have any unacceptable adverse effects on the character and appearance of the existing street scene. The proposal therefore accords with the requirements of Saved Policy ENV2 of the Local plan and the aims and objectives of the NPPF.

- 9.15 **The impact of the development on the amenity of neighbouring properties.**
- 9.16 There are no saved Local Plan policies setting out specific criteria for residential developments outside Development Limits with respect to their effects on the amenity of existing occupiers. Notwithstanding this, guidance contained within the NPPF seeks to ensure that a good standard of amenity for all existing and future occupants of land and buildings.
- 9.17 Concerns have been raised by neighbouring properties with regards to the potential loss of privacy and noise nuisance.
- 9.18 The nearest dwelling to the application site is Kirkdale located to the west of the site at separation distance of approximately 19m from the western gable of Plot 1. This would, as previously considered, result in a side to side relationship with Plot 1. However, whilst the proposal would see the introduction of two windows at ground floor level that would serve the kitchen and lounge areas an increase on the previously approved scheme. It is considered that the separation distance is sufficient to ensure no loss of privacy. Similarly, the proposal would not appear overbearing when viewed from the habitable or private amenity areas associated with this property or result in any unacceptable overshadowing.
- 9.19 The next nearest group of dwellings to the site are located to the north of Station Road at separation distances ranging from 23m > 30m+. It is as previously that the proposed dwellings would front across towards the habitable windows and front amenity areas of these properties. However, it is considered that the separation distance combined with existing boundary treatments is sufficient to ensure that the occupants of these properties would not experience any unacceptable loss of privacy. Similarly, the proposed dwellings would not appear overbearing or dominate when viewed from these properties or result in any unacceptable overshadowing.
- 9.20 With regards to concerns over noise nuisance, there is no evidence to suggest that the level of noise, nuisance and disturbance associated with the proposed dwellings would generate significant noise, nuisance or disturbance over and above that of a normally family home. As such, it is not considered that a refusal of the application on this basis could be justified.
- 9.21 With regards to the amenity and privacy provided to the future occupants of the proposed dwellings it is considered that there is sufficient space between existing dwelling and proposed dwellings to ensure no unacceptable loss of privacy. In addition, the proposed living space and outside amenity area is considered sufficient to meet the needs of any future occupant of the dwellings.
- 9.22 In conclusion, the proposal would not give rise to any unacceptable loss of privacy or amenity of existing or future residential occupants. The proposal therefore, accords with the requirements of the NPPF
- 9.23 **Highways**
- 9.24 Saved T2 are permissive of development proposals that are appropriate to the highway network where, amongst other things, they do not generate traffic in excess of the highway network; any new or greater use of an access onto a primary, district or local distributor road is acceptable in terms of design and road safety; and, regard is paid to the highway impact and potential for improvement to the surrounding landscape.
- 9.25 Paragraph 84 & 102 of the NPPF recognises that development in rural areas may not be well served by public transport and development should seek to promote sustainable transport opportunities to promote walking and cycling.
- 9.26 Notwithstanding this, paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.27 In this instance, the proposal is seeking to utilise the previously approved access onto Station Road, with the provision of 16 off street parking spaces (included garages). The Local Highway Authority

have been consulted and have raised no objections to the proposed means of access to the site subject to the use of a condition requiring adequate visibility splays with the existing highway and retention of off street parking.

- 9.28 Therefore, it is considered that the proposed access arrangements would provide a safe and suitable means of access to the site for vehicles. The proposal therefore, accords with the requirements of saved Policy T2 of the Local Plan and the aims and objectives of the NPPF.
- 9.29 Flooding.
- 9.30 Paragraph 155 of the NPPF states that 'inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk'. To achieve this all plans should apply a sequential, risk based approach to the location of development
- 9.31 The aim of the Sequential Test as set out at paragraph 158 of the Framework is to steer new development to areas with the lowest probability of flooding. Development should not be permitted if there are reasonably available site appropriate for the proposed development in areas with a lower probability of flooding.
- 9.32 The Craven District Council Development and Flood Risk Guidance Note (April 2011) sets out how national policy in respect of the Sequential Test for flood risk should be applied in Craven.
- 9.33 The whole of the site is located within Zone 2 Medium Probability Land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding. (Land shown in light blue on the Flood Map). The appellant has submitted a Scoping Study Flood Risk & Drainage Impact Assessment carried out in 2017.
- 9.34 The submitted FRA considers that whilst the site lies within FZ 3, although the Environment Agency modelling identifies FZ 2< the mitigation measures consisting of:
- The ground floor of the proposed dwellings will be set a min of 700mm above the existing ground levels;
- The ground floor will be insulated and suspended with regular air bricks;
- The sub-floor is designed as a void capable of admitting and draining floor water with no loss of flood storage capacity.
- 9.35 This would ensure that the proposal did not increase the risk of flooding either on or off site and that the site can be adequately drained of both surface and foul water, subject to the implementation of an approved drainage scheme based on the recommendations and design principles set out in the FRA.
- 9.36 The Environment Agency has been consulted and has recommended that the proposal needs to meet the standing advice and guidance contained within the NPPF. Further requests were made to the EA with regards to whether the proposal was acceptable or not. No further comments were received at the time of compiling this report. Notwithstanding this, it is the officer's opinion that the proposal would not result in any unacceptable flooding or exacerbate flood risk elsewhere as the proposal does not differ significantly from the proposal that the EA previously found acceptable.
- 9.37 The overall conclusion in relation to flood risk is that although there are sites in relatively close proximity to the application site that are not in areas at risk of flooding which can potentially be developed for housing. The proposal meets the requirements of paragraph 103 of the NPPF in that the development would not be at an unacceptable risk of flooding or exacerbates flooding elsewhere and is therefore considered acceptable for the development of housing.
- 9.38 **Contamination**

- 9.39 Local residents have raised concerns over the potential contamination on the site. The Council's contamination officer has not identified the site as being potentially contaminated, however, he has recommended that if approved a condition should be imposed requiring the applicant/developer to contact the Council immediately should any contamination be found on the site.
- 9.40 Also of relevant is that during the consideration of this proposal at the April Planning Committee the members recommended approval subject to a condition being imposed requiring the submission of a Remediation Strategy prior to works commencing on site. This approach is also recommended within the submitted Phase 1 & Phase 2 Report generated by Geo-Environmental Ltd, dated January 2018. As such, it is recommended to impose the Remediation Strategy condition.
- 9.41 **Ecology**
- 9.42 Local residents have raised concerns over the potential impact of the development on the local ecology.
- 9.43 The NPPF indicates that the planning system should contribute to and enhance the natural and local environment by:
- 9.44 Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 9.45 It is acknowledged that the development would result in the loss of an area of agricultural land, sited in a rural setting. However, it is considered that it is unlikely to result in any unacceptable or adverse impacts upon the locale ecological habitats.
- 9.46 **Conclusion**
- 9.47 The application seeks full planning permission for a residential development comprising of 4 detached dwellings with off street parking. The site occupies a edge of settlement location within close proximity to local services and public transport. In these instance, paragraph 11 of the NPPF are engaged and it follows that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.
- 9.48 The development in terms of siting, scale and appearance would not result in an unacceptable erosion of its rural character. The spacing and relationship of the proposed dwellings to neighbouring properties would ensure that the development has no undue impact on the privacy and amenity of adjoining occupiers through loss of outlook, overshadowing or overlooking. The development would also incorporate a safe and suitable means of access and would not give rise to any severe residual cumulative transport effects which would adversely affect highway safety.

## 10. Recommendation

- 10.1 Approve with 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. 01 - Ground Floor Layout - Site Plan received by Craven District Council 31st August 2018  
Drawing no. 02 - First Floor Layout - Site Plan received by Craven District Council 31st August 2018  
Drawing no. 03 - Roof Plan received by Craven District Council 31st August 2018.  
Drawing no. 04 - Detail Design Plot 1 Layout - Site Plan received by Craven District Council 31st August 2018  
Drawing no. 05 - Detail Design Plot 2 Layout - Site Plan received by Craven District Council 31st August 2018  
Drawing no. 06 - Detail Design Plot 3 Layout - Site Plan received by Craven District Council 31st August 2018  
Drawing no. 07 - Detail Design Plot 4 Layout - Site Plan received by Craven District Council 31st August 2018  
R/2015/1 Landscape Details received by Craven District Council 31st August 2018  
18001-C-50 External works layout received by Craven District Council 31st August 2018  
18001-C-51 Preliminary Drainage layout received by Craven District Council 31st August 2018  
18001-C-52 Preliminary Catchment Area layout received by Craven District Council 31st August 2018  
18001-C-53 Proposed Section 278 layout received by Craven District Council 31st August 2018

Any application for approval of reserved matter submitted pursuant to this permission shall accord with the outline permission insofar as it relates to the means of access to the site, the scale and layout of the development, the maximum number of dwellings and the site area.

Reason: The application is granted in outline only in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015. Any application for reserved matters must be in accordance with and/or not exceed the parameters established as part of this permission.

## Before you Commence Development

- 3 Should any unexpected significant contamination not identified in the submitted combined Phase I & Phase II generated by PWA Geo-Environmental Ltd dated January 2018 be encountered during development, the local planning authority shall be notified in writing immediately.

Reason: To enable the local planning authority to ensure that unexpected contamination at the site will not present significant environmental risks and that the site will be made 'suitable for use'

- 4 A Remediation Strategy shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of development. The approved remediation measures shall be implemented in accordance with the timescales in the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy, a Validation Report shall be submitted within agreed timescales to, and approved in writing by, the local planning authority. The site shall not be brought into use until such time as all the validation data has been approved in writing by the local planning authority at the agreed timescales. The Remediation Strategy and Validation Report shall be prepared in accordance with current best practice.

Thereafter the scheme shall be monitored and maintained in accordance with the approved details.

Reason: To safeguard the health and future residents or occupiers of the site and to comply with the aims and objectives of the National Planning Policy Framework.

### **During Building Works**

- 5 All soft landscape works shall be carried out in accordance with the approved landscaping plan. The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure suitable retention and strengthening of landscaping on the site in the interests of visual amenity, to provide a buffer with adjoining agricultural fields located within the open countryside and to provide suitable biodiversity enhancements in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policies ENV2 and the National Planning Policy Framework.

- 6 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 60 metres measured along both channel lines of the major road Station Road Giggleswick from a point measured 2 down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety and the amenity and convenience of highway users in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy T2 and the National Planning Policy Framework.

- 7 The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Preliminary Drainage Layout, ref: 18001- C-51 dated 31/8/2018 proposing surface water discharging into watercourse. No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding. This condition is imposed in light of policies within the NPPF and NPPG.

- 8 The soft landscaping shall be implemented in accordance with the approved landscaping plan received on the 31st August 2018. The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure suitable retention and strengthening of landscaping on the site in the interests of visual amenity, to provide a buffer with adjoining agricultural fields located within the open countryside and to provide suitable biodiversity enhancements in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policies ENV2 and ENV10 and the National Planning Policy Framework.

- 9 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 conservation 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.

- 10 The development hereby approved shall be carried out in conformity with the details contained within the Scoping Study Flood Risk & Drainage Impact Assessment and retained thereafter.  
Reason: To ensure that Flood Risk is satisfactorily addressed.

#### **Before the Development is Occupied**

- 11 Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
  - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.
- The development shall subsequently be completed, maintained and managed in accordance with the approved plan.  
Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

#### **Ongoing Conditions**

- 12 Foul and surface water shall be drained on separate systems.  
Reason: To secure proper drainage and to manage the risk of flooding and pollution.
- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, 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.



- 14 Notwithstanding the provision of any Town and Country Planning (General Permitted Development) (England) Order 2015, for the time being in force, the areas shown on approved site layout plan for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

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.

- 15 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.

- 16 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the dwelling hereby approved shall not be altered or extended, and no buildings or structures shall be erected within its curtilage.

Reason: In order to prevent overdevelopment of the site, to ensure that satisfactory provision of outdoor amenity space for the dwellinghouse is maintained and to safeguard the privacy and amenity of the occupiers of adjacent dwellings in accordance with the requirements of the National Planning Policy Framework.

#### Informatives

1. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.

2. The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as any alternative route has been provided and confirmed under an Order made under the Town and Country Planning Act 1990. Applicants are advised to contact the County Council's Access and Public Rights of team at County Hall, Northallerton via [paths@northyorks.gov.uk](mailto:paths@northyorks.gov.uk) to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.
3. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
4. The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided
5. 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.

6. A public sewer crosses this site and we may not permit building over it. We will require an access strip width of 7 metres, 3.5 metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout at the applicant's expense may be necessary. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

The applicant can discuss any of the above with Developer Engineer, Josephine Wong, by email at [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk).

The level of cover to the water mains and sewers must not be compromised either during or after construction.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999

Should this planning application be approved, the applicant should contact United Utilities on 03456 723 723 regarding connection to the water mains or public sewers.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offers a fully supported mapping service and we recommend the applicant contact our Property Searches Team at [Property.Searches@uuplc.co.uk](mailto:Property.Searches@uuplc.co.uk) to obtain maps of the site.

Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

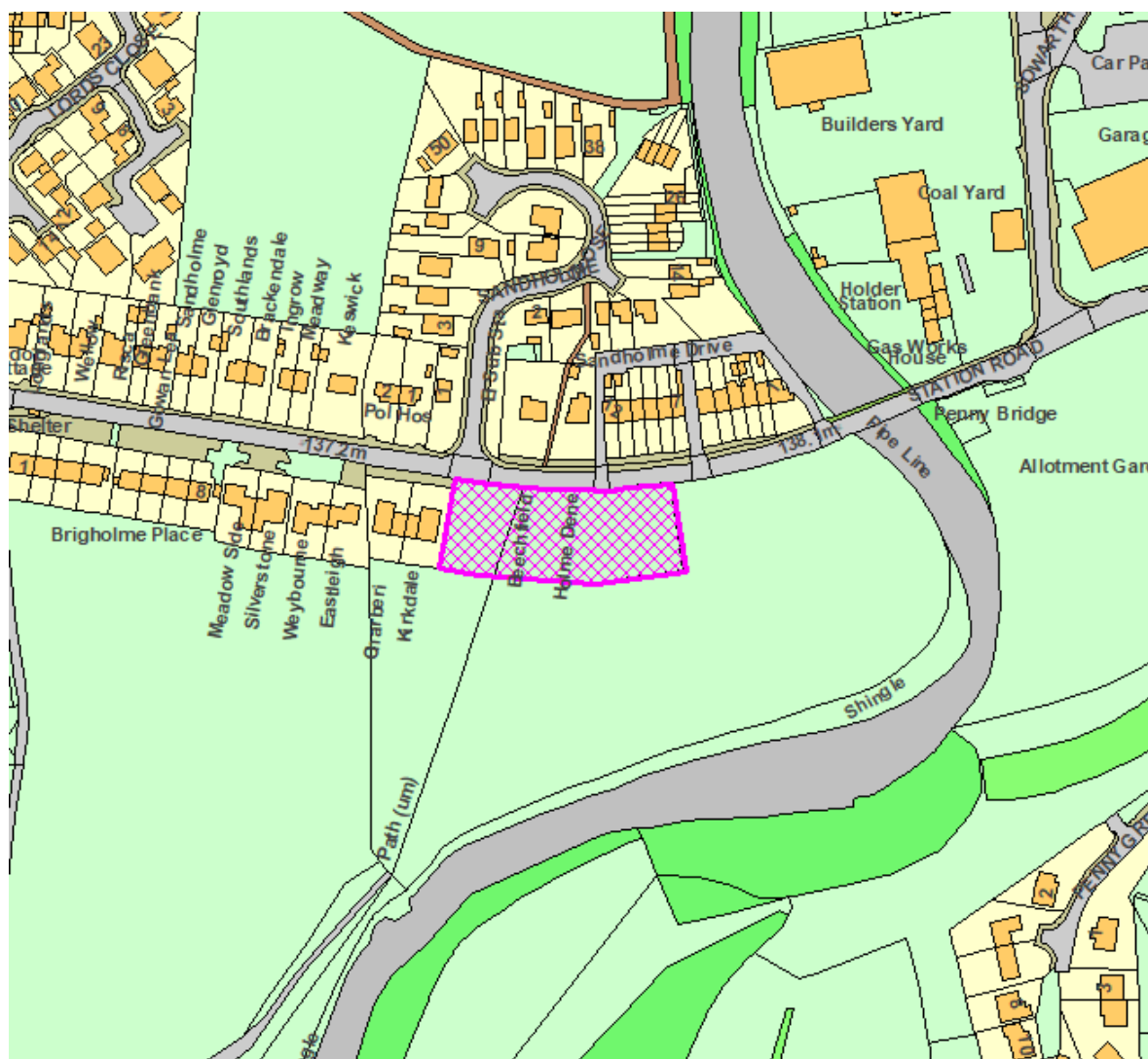
1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

7. 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.



**Application Number:** 2018/19695/FUL

**Proposal:** Full application for development of four dwellings (persuant to outline approval reference 2017/18744/OUT)

**Site Address:** Land South Of Station Road Giggleswick Settle BD24 0AB

**On behalf of:** Mr & Mrs L Fell

## REPORT TO PLANNING COMMITTEE ON 22nd October 2018

**Application Number:** 2018/19505/FUL

**Proposal:** Building for housing machinery and feed storage, and livestock handling cover

**Site Address:** Agricultural Building Land At Runley Mill Lane Settle BD24 9LF

**On behalf of:** Mr John Wilson

**Date Registered:** 18th July 2018

**Expiry Date:** 12th September 2018

**Case Officer:** Mr David Coates

---

**The application has been referred to Planning Committee by the request of Ward Representative Councillor Staveley.**

1. Site Description

1.1 The site comprises two small agricultural type buildings to the south west of Runley Mill Lane to the south west of a development of barn conversions on the south of Settle. It is located on flat land within the river valley flood plain. To the north the land rises up and forms the parkland setting of Anley Hall. To the west is the raised embankment of the A65, and to the south the land is open towards the roundabout junction.

1.2 The two existing joined agricultural buildings measure approximately 15.5m x 10.5m with an additional 1.8m overhang over part of the building. They measure approximately 4.5m to the ridge.

2. Proposal

2.1 The description has changed since the submission from a generic agricultural building to one which more closely describes the proposed intended use. The proposed building would measure 14.66m x 10.64m and 6m to the ridge. It would be constructed of concrete panels and timber boarding under a blue profile sheet roof.

3. Planning History

3.1 5/62/472 Alterations and change of use of existing agricultural buildings to form 8 residential units. Approved 22 July 1994

3.2 2012/12894 Proposed Agricultural Building for the storage of Hay. Approved 11 Oct 2012.

3.3 2012/13056 Discharge of condition 3 attached to 2012/12894 Approved

3.4 2015/15986 Construction of a steel portal frame agricultural building. Approved 4 Sept 2015

#### 4. Planning Policy Background

- 4.1 Saved policies ENV1 and ENV2 permit development in the open countryside subject to criteria including landscape character, proposed uses. Saved policy ENV13 permits agricultural buildings subject to criteria including siting, materials, setting and use.
- 4.2 The NPPF at paragraph 163 seeks to ensure that flood risk is not increased elsewhere.

#### 5. Parish/Town Council Comments

- 5.1 The Parish Council responded on 2 Aug 2018 objecting to the proposal citing reasons including:
- Close to adjoining properties
  - Increase in pollution
  - Loss of privacy
  - Noise nuisance
  - Within 3m of a water course, whereas forms state it is more than 20m away
  - Query lawful use of existing agricultural development

#### 6. Consultations

- 6.1 The Environment Agency responded on 25 July 2018. It highlights the site is located within flood zone 3a but raises no objection given the low sensitive type of development. It indicates there should be no raising of ground levels.
- 6.2 Environmental Health responded on 27 July 2018 raising no concerns.
- 6.3 Environmental Health further responds on 14 August 2018 identifying no known contaminated land implications
- 6.4 The LLFA responded on 9 August 2018. It highlights the site's location within flood zone 3a and identifies that no information is submitted regarding how surface water will be dealt with.

#### 7. Representations

- 7.1 One neighbour was notified by letter and site notice dated 27 July 2018 was placed at the junction with the highway. 6 letters of objection have been received highlighting the following issues:
- Existing planning permission for the barn conversions prevents future agricultural buildings
  - 2 agricultural buildings granted planning permission within 400m of residential properties
  - Buildings within 3m of watercourse contrary to application forms
  - Smell and pollution from the buildings.
  - Restrictive covenants prevent buildings until 2070's

#### 8. Summary of Principal Planning Issues

- 8.1 The main issues are:
- Principle of development including existing restrictions
  - Use of the buildings and Residential Amenity
  - Character and Appearance
  - Drainage and pollution

#### 9. Analysis

## Principle of Development

- 9.1 The land lies within open countryside and agricultural type buildings are an appropriate form of development in those locations.
- 9.2 Reference has been made about the restrictions place by condition attached to the 1994 planning permission (5/62/472) for the residential conversions of the stone barns. At that time, there was a collections of modern farm buildings on the opposite side of Runley Mill Lane directly south of the stone barns and it was these buildings which the planning permission sought to remove. When planning permission was granted in 1994, condition 13 stated:
- The dwellings hereby permitted shall not be occupied until such time all existing agricultural development immediately to the south (including building, yard and silage clamp) has been dismantled and removed from the site and the land covered with top soil, levelled and seeded with grass.*
- Reason: To avoid an undesirable conflict between the proposed residential use and the possible agricultural use of the adjacent buildings.*
- 9.3 There has been a generalised innocent mis-interpretation of this particular condition. Whereas the condition does, and quite rightly, seek the removal of the existing 'anti social' type buildings (silage clamp etc), it does not prevent future agricultural development per se, which is subject to planning control in any event. On investigation, it is clear that the condition to remove the existing farm buildings has been complied with. Furthermore, even if the condition did intend to prevent future agricultural development this could only relate to the area from where buildings were removed rather than any other area of land.
- 9.4 Residents refer to restrictive covenants at the time of the buildings being sold for development whereby no agricultural buildings could be erected without consent of residents (of Runley Mill). Whether or not such covenants exist, this is a civil law matter and wholly outside planning control and as such, restrictive covenants cannot be used by the Council.
- 9.5 The difference between hobby farming and commercial farming has been raised, but in land use planning terms there is no distinction between both, because in planning law terms, both are simply agriculture. Similarly the Development Plan also makes no distinction.
- Use of Buildings and Residential Amenity
- 9.6 The existing planning permissions sought planning permission for and were granted for:
- Building 1 (2012) – feed storage
  - Building 2 (2015) – feed and machinery storage with livestock for lambing time only
- 9.7 In granting planning permission in the past, the Council has been mindful that the already approved buildings were not for general livestock housing which would lead to the requirement for associated manure/slurry provision. This is especially so given the relative proximity of residential properties and the requirement for the former modern farmstead to be removed as part of the residential conversions. The approved buildings in 2012 and 2015, notwithstanding the limited sheep housing for lambing time only, are for uses including feed and machinery storage which in themselves are appropriate given the relationship between the buildings and the Runley Mill properties.
- 9.8 Discussions have been held with the applicant's agent and it has been agreed to revise the application's description to better reflect the precise intentions and avoid ambiguity. In addition, it is appropriate to add a further condition preventing the use of the building for the general housing of animals to add clarity and to essentially prevent the re-establishment of a farm steading close to Runley Mill which the condition attached to the 1994 residential conversion planning permission sought to remove and this would meet the statutory tests for imposing conditions.

### Character and Appearance

- 9.9 The area is not subject to any specific landscape designation, nevertheless, the application when viewed from the south is set against the backdrop of the attractive parkland setting of Anley Hall which is a listed building. The immediate area to the south is open, however it has to some degree lost its visual association with the remainder of the broad river valley by the raised embankment of the A65 which effectively severs it from the wider area, and provides a containment. However, despite this containment, the A65 is at a raised level which accentuates the wider setting against the parkland of Anley Hall. No landscaping was proposed as part of previous schemes, which could to some degree, rely on the existing trees lining Runley Beck, but given the scale of the development now proposed which in effect doubles the size of buildings, the absence of any mitigating landscaping would make it appear as a stark development and compromise the character and appearance of the area. A condition requiring landscaping to enable it to better assimilate into the landscape is appropriate.

### Drainage and pollution

- 9.10 The LLFA highlight that no effective scheme is proposed as to how surface water is to be dealt with. The submitted details suggest that roofwater will simply be piped directly into Runley Beck which is not an effective means to flood alleviation and fails to meet SUDs requirements. Further details have been requested from the applicant, but these have not yet been received. The absence of surface water details is not a reason for refusal, nor are matters such as pollution control which is subject to other regulations outside planning control. In addition, Environmental Health indicate there are no implications which raise their concerns.

### Conclusion

- 9.11 The proposed building is an appropriate form of development in the open countryside. Consideration has been taken of the intended use against the proximity of existing residential buildings, as well as the intended and approved uses of the existing buildings. Further assessment has been made of the removal of the 'old farmstead' and this application site being at a further distance away and overall, it is considered the building's proposed use, subject to conditions imposed to restrict uses and add clarity, would not result in unacceptable harm to existing residents.
- 9.12 The proposed building would in effect double the size of the built form and accordingly a landscaping scheme will be vital to enable it to assimilate into the landscape especially given the backdrop of the Anley Hall parkland setting.
- 9.13 Subject to conditions imposed, the proposal accords with saved policies ENV1, ENV2, and ENV13 of the Craven District (outside the Yorkshire Dales National Park) Local Plan and the NPPF.

## 10. Recommendation

- 10.1 Approve with 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 Location Plan received by the Council on 2 July 2018

Drawing no. Proposed Development plan received by the Council on 5 July 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 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 Prior to commencement of development, a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs. The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to preserve and enhance the landscape character in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan saved policies ENV1, ENV2 and ENV13, and the National Planning Policy Framework.

- 4 No development shall commence until details of a management and maintenance scheme for any sustainable drainage system to be installed as part of the development has been submitted to and approved in writing by the Local Planning Authority.

The drainage system shall thereafter be installed in accordance with the details and timetable contained within the duly approved scheme, and shall be managed and maintained as such thereafter.

Reason: To ensure that satisfactory surface water drainage management to minimise the risk of flooding in accordance with the requirements of the National Planning Policy Framework.

## **Ongoing Conditions**

- 5 Notwithstanding the plans approved under condition 2, the building hereby approved shall only be used for feed and machinery storage and shall not be used for livestock housing at any time.  
Reason: For the avoidance of doubt as to the intended use and prevent inappropriate use of the building in proximity with residential properties.
- 6 Notwithstanding the approved plans listed under condition 2, there shall be no raising of ground levels within the flood zone at any time.

Reason: to ensure no increase in flood risk in accordance with the NPPF

Informatives

1. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.

2. All farm buildings shall be constructed and operated in accordance with the advice contained in DEFRA's 'Protecting our Water, Soil, Air - a code of good agricultural practice for farmers, growers and land managers.

<https://www.gov.uk/government/publications/protecting-our-water-soil-air>



**Application Number:** 2018/19505/FUL

**Proposal:** Building for housing machinery and feed storage, and livestock handling cover

**Site Address:** Agricultural Building Land At Runley Mill Lane Settle BD24 9LF

**On behalf of:** Mr John Wilson

## REPORT TO PLANNING COMMITTEE ON 22nd October 2018

**Application Number:** 2018/19509/OUT

**Proposal:** Outline application with some matters reserved for two pairs of semi-detached dwellings

**Site Address:** Land Adjacent To Back Church Street Church Street Settle

**On behalf of:** Mr & Mrs Lord

**Date Registered:** 2nd July 2018

**Expiry Date:** 27th August 2018

**Case Officer:** Mr David Coates

---

**Members deferred consideration of this application from the meeting on 24 September 2018 to enable the Committee to visit the site.**

1. Site Description

- 1.1 The site comprises a triangular piece of land bounded by terraced properties off church Street in Settle. It is currently disused land with 6 garages although these appear to be little used. To the east and beyond Mains View terraced properties is the railway embankment of the Settle- Carlisle Railway.

2. Proposal

- 2.1 The application is in outline with all matters reserved for future approval, except access which forms part of this application. Therefore, access is a key element of the proposal, which seeks to widen the existing back street from 3m to 5m and erect 2 pairs of semi-detached properties. There is an indicative plan which shows 2 pairs of semi-detached properties linked by garages set back slightly from the to be widened 'Back Church Street'

3. Planning History

- 3.1 None relevant.

4. Planning Policy Background

- 4.1 Saved policy H3 permits small scale development on underused land within local services centres subject to criteria including no damage to the character and amenity of existing residential areas

5. Parish/Town Council Comments

- 5.1 The Parish Council objects to the proposal citing: closeness of properties; inadequate access; increase traffic; and not enough information provided.

6. Consultations

- 6.1 The Highways responded on 19 July 2018. It recommends refusal on the grounds that a required visibility splay of 2m x 60m onto Church Street cannot be achieved and the poor width/junctions/condition of roads leading to the site.

- 6.2 The LLFA responded on 30 July 2018 and make no comments.
- 6.3 United Utilities responded on 13 July 2018 and seeks drainage to be on separate systems.
- 6.4 The LLFA makes no comments
- 6.5 Environmental Health responded on 16 + 18 July 2018 citing there are no known contamination land issues. It suggests limitation on times of construction.
7. Representations
- 7.1 A site notice dated 20 July 2018 was erected on site and 44 neighbouring properties notified by letter. 15 letters of objection have been received citing reasons including:
- Inadequate access, parking
  - Danger of flooding
  - Increase in pollution
  - Loss of light and privacy
  - Noise nuisance
  - Over development
  - Traffic and highways
8. Summary of Principal Planning Issues
- 8.1 The main issues are:
- Principle of development
  - Highway safety
  - Residential amenity
9. Analysis
- Principle of Development
- 9.1 The proposal lies with the local service centre of Settle, and is considered to be a sustainable location. It is within the development limits and subject to other considerations, it is acceptable in principle. The site lies close to the Settle-Carlisle Conservation Area but is separated by other residential properties. Although the railway embankment raises viewpoints into the site, the existing tree cover and relative distance indicates there would be little or no effect on the Conservation Area. Accordingly, in the absence of any detriment no further assessment is required.
- Highway Safety
- 9.2 Church Street has no parking restrictions and is readily occupied with parked cars, even though it is a busy thoroughfare with regular HGVs passing along its route. The Highway Authority has responded recommending refusal on the grounds of lack of visibility and access to the site being sub-standard. Whilst the proposal does propose widening Back Church Street, no information has been provided to show how a visibility splay of 2m x 60m can be achieved. In the absence of information to the contrary, there is nothing to disagree with the Highway Authority's findings.
- Residential Amenity
- 9.3 The properties of Mayville Terrace have limited front gardens, but rely largely on the rear gardens for their private amenity space. Although there is the occasional provision of parking space, the majority are used as garden areas, with sitting out areas. The proposal would introduce a widening of the

Back Church Street, and the 6 garages replaced by 4 dwellings. Whilst there would be no substantial change in traffic movements as a result, it is the introduction of residences which is likely to have an effect on neighbouring properties. The submitted plan is indicative, but the suggested two storey dwellings would have a front elevation approximately 7m from the gardens of Mayville Terrace and the ground floor and in particular first floors would overlook the private gardens of Mayville Terrace with views being direct rather than at oblique angles. As a result, it is considered that the proposed dwelling would cause an unacceptable loss of privacy to existing dwellings. The principles of sustainable development are set out in paragraph 8 of the NPPF, and of particular relevance for this outline application is the social objective which seeks to secure the needs of present and future generations. In this case, there would be harm to the living conditions of existing residents and therefore the proposal is considered not to meet this objective.

#### Conclusion

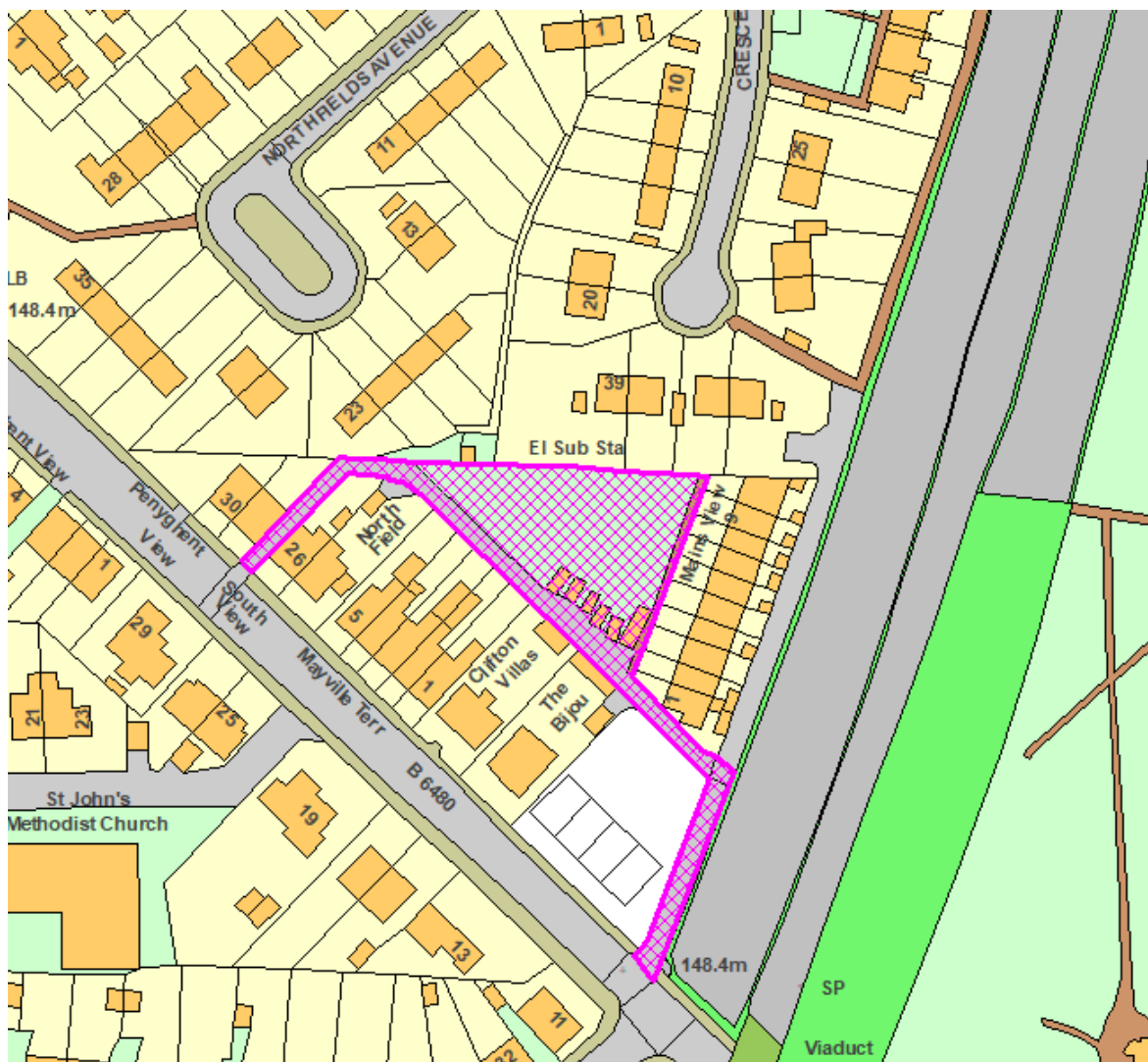
- 9.4 It is concluded that although the site is in a sustainable location, the proposed access would be sub-standard due to not being able to achieve required visibility splay. In addition, the introduction of residential properties would result in overlooking of existing residential properties to an unacceptable degree resulting in harm to the living conditions of those properties. Overall, the proposal is contrary to saved policy H3 of the Craven District (outside the Yorkshire Dales National Park) Local Plan and paragraphs 8 and 11 of the NPPF.

#### 10. Recommendation

##### 10.1 Refuse

#### Reasons for Refusal

The proposed residential development would result in a sub-standard access prejudicial to highway safety and introduce levels of over-looking and loss of privacy to residents of existing properties to an unacceptable degree resulting in it being an unsustainable form of development. The proposal is contrary to saved policy H3 of the Craven District (outside the Yorkshire Dales National Park) Local Plan and paragraphs 8 and 11 of the NPPF.



**Application Number:** 2018/19509/OUT

**Proposal:** Outline application with some matters reserved for two pairs of semi-detached dwellings

**Site Address:** Land Adjacent To Back Church Street Church Street Settle

**On behalf of:** Mr & Mrs Lord

## REPORT TO PLANNING COMMITTEE ON 22nd October 2018

**Application Number:** 2018/19635/FUL

**Proposal:** Proposed rebuilding of derelict property formerly known as 'Marywood Moss House' to form new dwelling.

**Site Address:** Nutstile House Farm Langber End Lane Ingleton LA6 3DT

**On behalf of:** Mr Mark Brennand

**Date Registered:** 2nd August 2018

**Expiry Date:** 27th September 2018

**Case Officer:** Mr David Coates

---

The application has been referred to Planning Committee as the proposal has been advertised as a departure from the development plan under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and by the request of Ward Representative Councillor Lis.

1. Site Description

- 1.1 The application site comprises a semi-derelict stone barn close to the highway but in open countryside to the east of Ingleton. It has no roof or side walls which are almost entirely fallen down. The northern gable is partially fallen down, but the southern gable is largely intact.

2. Proposal

- 2.1 The description provided is the proposed rebuilding of derelict property to form a new dwelling. The resultant building is described as retaining existing features, floor levels, and door heights

3. Planning History

- 3.1 None

4. Planning Policy Background

- 4.1 Saved policy H8 permits conversion of traditional rural buildings subject to criteria including that '*the building is shown to be structurally sound and capable of proposed re-use without major re-building*'. Paragraph 79 of the NPPF seeks to avoid development of isolated homes in the countryside unless the proposal accords with one of 5 exceptions.

5. Parish/Town Council Comments

- 5.1 Ingleton Parish Council was consulted on 21 August 2018 and re-consulted on 5 September 2018. No response has been received.

6. Consultations

- 6.1 The local Highway Authority highlights the existence of a footpath.
- 6.2 Environmental Health responded on 21 + 28 August 2018 indicating there are no environmental protection or land contamination issues.



- 6.3 National Grid responded on 13 September 2018 with no objections.
- 6.4 The North Riding Ramblers responded on 6 September 2018 indicating that a public right of way would be within the garden area of the proposed dwelling.
7. Representations
- 7.1 A site notice dated 31 August 2018 was erected on site and 2 neighbours were notified by letter.
- 7.2 One letter has been received offering support of the local applicants who live and work in the area.
8. Summary of Principal Planning Issues
- Principle of Development
9. Analysis
- Principle of Development:
- 9.1 The site is located in open countryside. The nearest property is Greenlands Farm which is 140m away. The applicant concedes that 'the building' is derelict and the proposal is in fact a new build, however seeks the new build dwelling to have the appearance of a stone barn ie a barn conversion. No supporting structural survey has been submitted neither has a case been forwarded for an essential work.
- 9.2 Paragraph 79 of the NPPF provides very explicit advice whereby isolated dwellings in the open countryside should be avoided unless at least one of 5 circumstances apply;
- a. Essential Need for Rural Worker
  - b. Optimal viable use of a heritage asset
  - c. Re-use redundant or disused buildings
  - d. Sub-division of existing residential dwellings
  - e. Design of Exceptional Quality
- 9.3 Looking at each of these criterion in turn, (a) no case for an essential worker has been submitted and the proposed dwelling would in effect be an open market dwelling unfettered by any occupancy conditions. (b) The structure is not subject to any designation and is not therefore a heritage asset. (c) The current state of the former barn means that it fails the meet the definition of a building, and is simply a derelict former building and in addition, the application details how the proposal is a new build and not a conversion or re-use. (d) No existing dwelling exists and the sub-division criterion does not apply. (e) The proposal is not truly outstanding or innovative.
- 9.4 In terms of saved policy H8, the structure is not a building and therefore policy H8 does not apply because this policy only relates to re-use of buildings in the open countryside. Even if the structure was a building, no structural survey has been provided to establish that 'the building' is capable of conversion without major re-building as required by this saved policy.
- 9.5 Overall the proposal is tantamount to a new build unfettered dwelling on the footprint of a derelict barn. It fails to meet any of the required criteria and in the absence of any evidence to the contrary is a departure from the Development Plan and paragraph 79 of the NPPF. The proposal fails to meet fundamental planning principles.
- 9.6 Although the resultant dwelling would give the appearance of a barn conversion, this does not outweigh the clear and overwhelming policy advice highlighting against new dwellings in the open countryside.
- Conclusion

9.7 The proposal is in effect a new build house on the site of a former derelict barn. There is no policy support for new build dwellings in the open countryside, and although the resultant building would have the appearance of a barn conversion, it fails to meet the advice and requirements of paragraph 79 of the NPPF.

10. Recommendation

10.1 Refuse

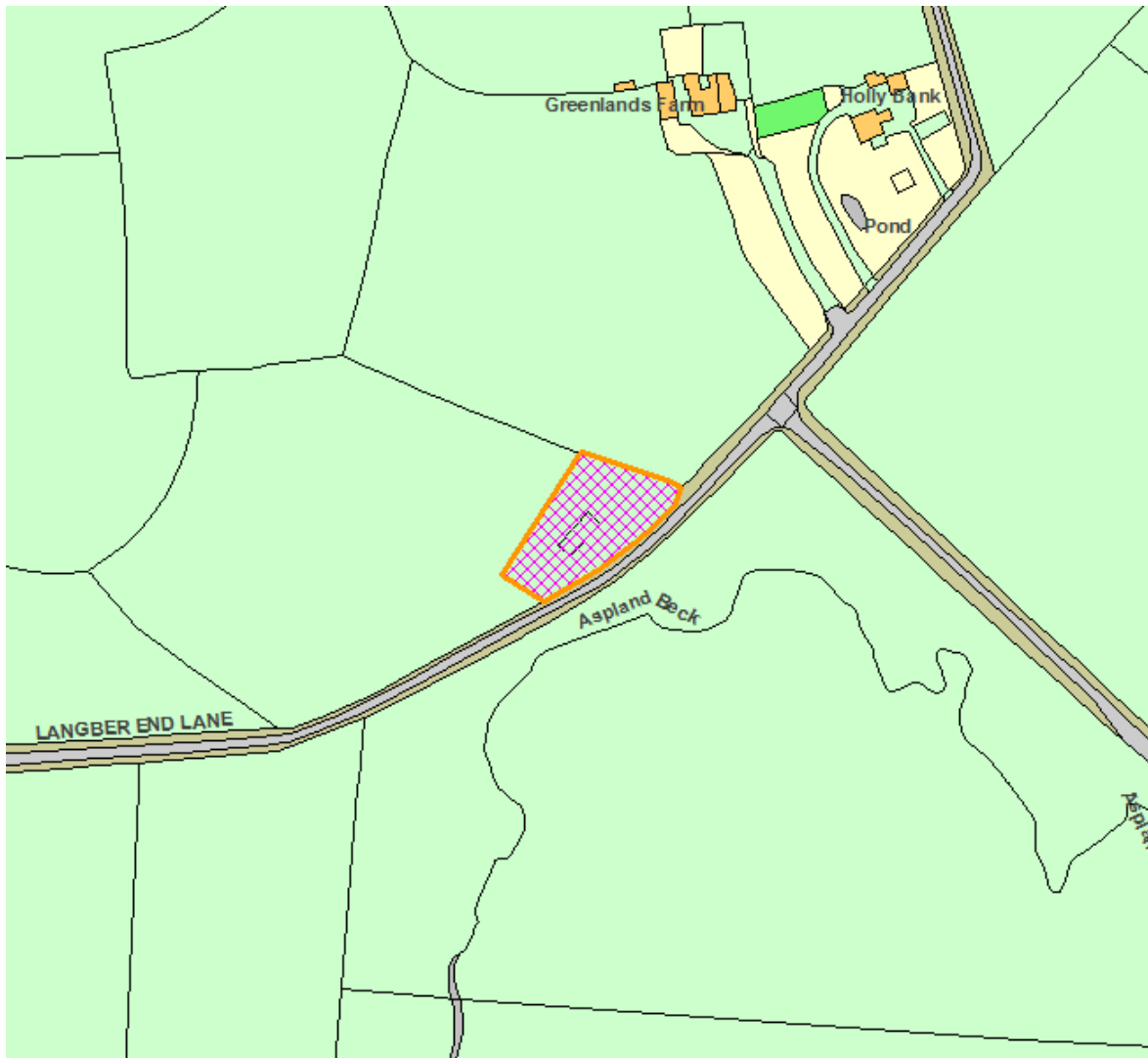
Reasons for Refusal

In the absence of information to the contrary, the proposal is a new build dwelling in an isolated location in the open countryside for which no justification has been put forward and is therefore contrary to paragraph 79 of the NPPF.

Informatives

1. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.



**Application Number:** 2018/19635/FUL

**Proposal:** Proposed rebuilding of derelict property formerly known as 'Marywood Moss House' to form new dwelling.

**Site Address:** Nutstile House Farm Langber End Lane Ingleton LA6 3DT

**On behalf of:** Mr Mark Brennand

## REPORT TO PLANNING COMMITTEE ON 22nd October 2018

**Application Number:** 2018/19359/MMA

**Proposal:** Minor material amendment to original planning consent reference 66/2016/17316 (changes to approved elevations)

**Site Address:** Land Adjacent To 13 Harper Grove Sutton-in-craven BD20 7JN

**On behalf of:** Craven District Council

**Date Registered:** 5th June 2018

**Expiry Date:** 31st July 2018

**Case Officer:** Mr David Coates

---

**This application is referred to the Planning Committee as the original proposal was considered by Planning Committee. Also the applicant is Craven District Council.**

### 1. Site Description

- 1.1 The application relates to a parcel of land approximately 0.07ha situated to the south east of the centre of Sutton. The land lies to the east of Harper Grove with residential properties to the north and south of the site. Land to the east comprises agricultural fields
- 1.2 The site slopes from the east downhill to the west. The site is an area of grassed open space that is open in character with a traditional stone wall along the eastern boundary.
- 1.3 The application site is within the development limits of Sutton. The site is not recognised as Important Open Space by the proposals maps from the 1999 Craven District (Outside the Yorkshire Dales National Park) Local Plan.

### 2. Proposal

- 2.1 The proposal seeks a variation to the approved scheme (2016/17316) whereby there are small elevational changes to the front elevation. These include small changes to the front stairways from being open under the stairs to enable bin storage to being enclosed. The proposal remains the same in all other respects.

### 3. Planning History

- 3.1 2013/14136 – Outline planning permission for the construction of 2 three bedroomed semi-detached dwellings with associated parking (all matters reserved). Refused.
- 3.2 2018/17316 - Residential development of three, two bedroom starter homes with off street parking. Approved 25 Oct 2016

### 4. Planning Policy Background

- 4.1 Saved policy H3 of the Craven District (outside the Yorkshire Dales National Park) Local Plan supports small scale residential within settlements. T2
- 4.2 NPPF advises on sustainable development.

5. Parish/Town Council Comments

5.1 None received

6. Consultations

6.1 None received

7. Representations

7.1 None received

8. Summary of Principal Planning Issues

8.1 The main issue is whether the proposed minor amendments are acceptable

9. Analysis

9.1 The principle of residential development has already been established by virtue of the extant planning permission which was granted by this committee in October 2016.

9.2 Clarification has been sought from the agent whether the stairs are entirely closed or whether there is still the provision of bin storage underneath. Members will be updated on this at the Committee meeting.

9.3 Notwithstanding the clarification of details there is no other substantive s to the proposal which was granted planning permission. Therefore, in the absence of information to the contrary the relatively minor changes indicate there is no reason for planning permission to be withheld

10. Recommendation

10.1 Approve with 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. 302 Rev A  
Drawing no. 922-04 Rev A

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 policies contained within the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the National Planning Policy Framework

### **During Building Works**

- 3 Notwithstanding the details indicated on the approved plans and supporting documents, prior to their first use details of all the materials to be used on the external elevations shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall then be constructed in accordance with the approved details.

Reason: to ensure the satisfactory appearance of the development with regards to the visual amenity of the area.

### **Before the Development is Occupied**

- 4 Prior to the first use, full details of the materials to be used within the hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the walls surrounding the dwellings and hard surfacing materials. The development shall be undertaken in accordance with the approved details and shall be maintained at all times thereafter.

Reason: To ensure the satisfactory detailed appearance of the development

- 5 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.

- 6 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the local planning authority.

Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading

- 7 No building or other obstruction including landscape features shall be located over or within 3.0 (three) metres either side of the centre line of the water main i.e. a protected strip width of 6 metres, that enters the site. If the required stand-off distance is to be achieved via diversion or closure of the water main, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker.

Reason: In order to allow sufficient access for maintenance and repair work at all time

- 8 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

- The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
- Any gates or barriers shall be erected a minimum distance of 4.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- That part of the access(es) extending 4.5 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10.

- Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within «distance» metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
- Provision of tactile paving in accordance with the current Government guidance. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

- 9 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 2015 (as amended), or any subsequent replacement order, the areas shown on 922/02 for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

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.

#### Informatives

1. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.

2. Discharge of Conditions:

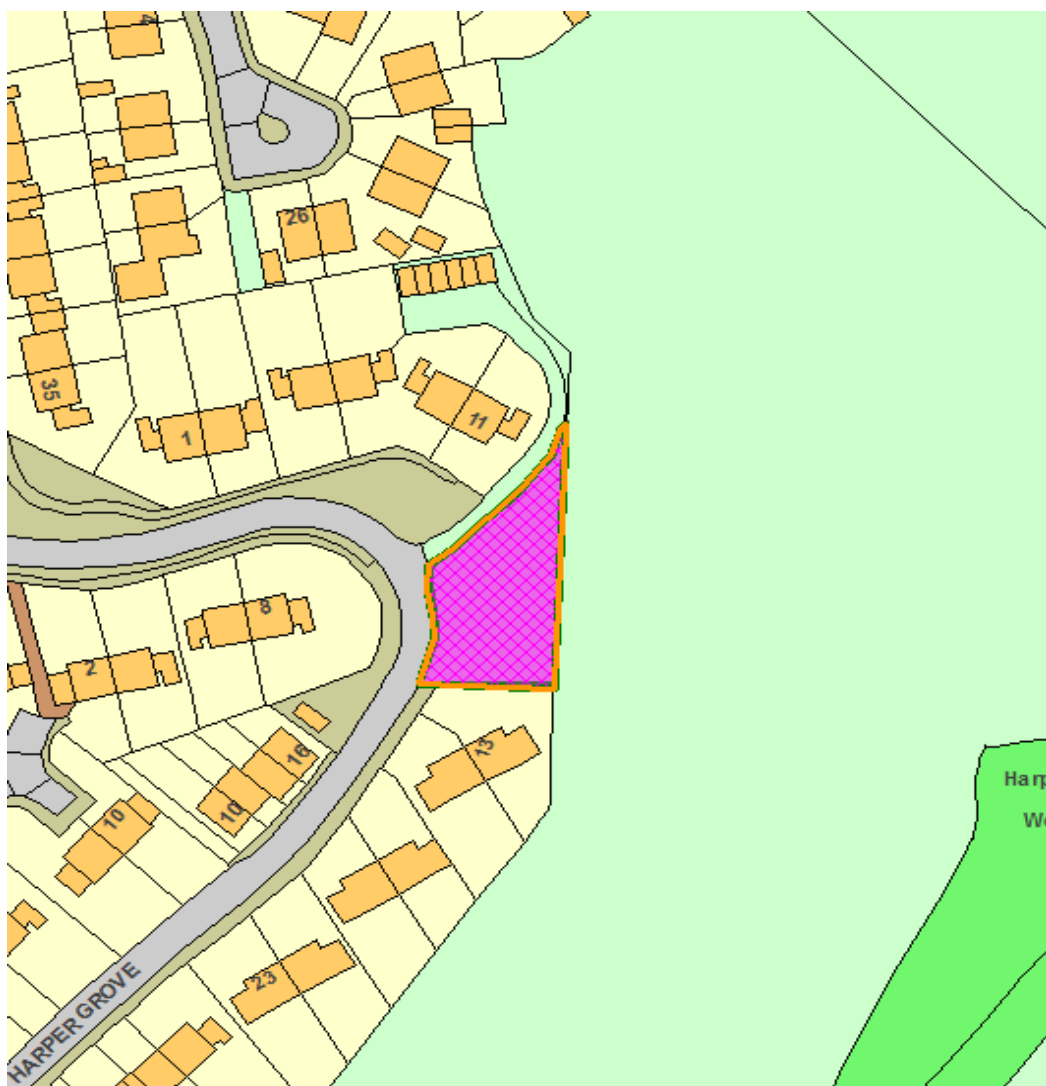
1. The developer should note that Condition No 8 above will require a further application to be submitted to enable the District Council to formally discharge the conditions. In order to avoid unnecessary delays it is advisable for the developer to discuss the details required to discharge the conditions with any relevant statutory Authorities' (other than the Local Planning Authority) e.g. NYCC Highways, the Environment Agency etc. for comment and/or recommendations prior to their formal submission to the District Council for approval.

2. With regard to Condition Nos. 3 & 4 above please note that it will be necessary to submit a formal application to discharge the conditions. Any samples of materials that require approval should be made available for inspection either on the site or another suitable location and not brought to or delivered to the Council Offices unless specific arrangements to do so have been made with the relevant planning case office

3. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition. The applicant is advised that advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website ([www.communities.gov.uk](http://www.communities.gov.uk)) The hours of operation during construction phase of development and delivery of construction materials or equipment to the site and associate 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.





**Application Number:** 2018/19359/MMA

**Proposal:** Minor material amendment to original planning consent reference 66/2016/17316 (changes to approved elevations)

**Site Address:** Land Adjacent To 13 Harper Grove Sutton-in-craven BD20 7JN

**On behalf of:** Craven District Council

## REPORT TO PLANNING COMMITTEE ON 22nd October 2018

**Application Number:** 2018/19587/HH

**Proposal:** Retrospective application for the creation of raised area to the front of no. 4 Greta Heath to form level garden area

**Site Address:** 4 Greta Heath Burton In Lonsdale LA6 3LH

**On behalf of:** The Occupier

**Date Registered:** 31st July 2018

**Expiry Date:** 25th September 2018

**Case Officer:** Mr David Coates

---

**This application has been referred to Committee by Councillor Thompson due to concerns about loss of amenity to surrounding residents and safety measures will be required which may further impact on amenity.**

1. Site Description

- 1.1 The application site is the front garden of a detached property, being one of similar types of properties on the 'even numbers' side of the road being a cu-de-sac located just off the steep road of Burton Hill. Greta Heath properties are built on the steep slope with the even numbered houses being at a higher level than the road, and are set approximately 8m from the pavement.
- 1.2 Some of the properties have small retaining walls to the front, and Nos 2+6 have raised garden areas. The application site has a garden retaining wall of approximately 0.75m. No 8 has a sloping garden down to the highway.

2. Proposal

- 2.1 The proposal is effectively to terrace the front garden to form a flat garden area, by the addition of a further retaining wall 1.3m high and 1.0m back. It would be constructed of blockwork with stone facing. The side boundary with no.6 would be a timber fence (0.5m high) with a 1.8m high timber fence from the frontages of the dwellings continuing to the rear boundary.
- 2.2 The application is retrospective having already commenced and is substantially completed.

3. Planning History

- 3.1 None relevant

4. Planning Policy Background

- 4.1 There are no specific saved Local Plan policies relevant. The NPPF provides advice on sustainable development.

5. Parish/Town Council Comments

- 5.1 The Parish Council was consulted on 9 August 2018 but no response has been received

6. Consultations

- 6.1 No consultations were considered relevant in this case.
7. Representations
- 7.1 A site notice dated 10 August 2018 was erected on site and 3 neighbouring properties were notified by letter. 1 letter raising no objections has been received indicating it is tasteful and in keeping with elsewhere. 2 letters of objection have been received raising concerns of: too high; general dislike of the development; loss of light; loss of privacy; out of keeping with character of the area.
8. Summary of Principal Planning Issues
- 8.1 The main issues are:
- Principle of Development
  - Residential Amenity
  - Character of the Area
9. Analysis
- Principle of Development
- 9.1 The proposal is for works for the enjoyment of the residents and ancillary to the use of the residential property. In principle this is an acceptable form of development.
- Residential Amenity
- 9.2 The garden area would be retained as garden area to the property. The flat lawn area would replace the previous sloping area planted with mixed shrubs which were up to approx. 2m high. Concern has been expressed that the proposal would lead to loss of privacy to the neighbouring property particularly looking into a front ground floor bedroom. The views from the front garden area of No.4 would be oblique to the neighbouring and would not be into the main areas of that bedroom but only to one corner, and the fence does mitigate any potential detriment. It is considered that if any loss of privacy did occur, this would be only slight and not to an unacceptable degree.
- 9.3 In terms of loss of light, the proposed boundary fence is of relatively low height being 0.5m at the point nearest to the road, before stepping up nearer to the house. The applicant could have installed a 1.8m high fence along the boundary under existing permitted development rights, but given the existing planting, it is not considered that the proposed fencing would give rise to an unacceptable loss of light compared to the existing situation. Nevertheless it is appropriate to impose a condition restricting the height of the fence in this instance.
- Character
- 9.4 No 2 Greta Heath was granted planning permission for similar works, and No 6 does already have a raised garden area although that property is at a slightly lower level. In simple terms, properties either side of the application site have raised gardens to some degree. The terracing of the garden together with the planting in that front area with the proposed stone faced retaining wall behind has a residential feel to it, and does not appear out of the ordinary in the wider street scene. Overall, there would be no harm to the character and appearance of the area.
- Conclusion
- 9.5 The proposed raising of the front garden, by terracing and retaining walls is an acceptable form of development, which would not result in any harmful loss of privacy or light and would not be out of character with the residential street scene. Overall, it accords with guidance set out in the NPPF. The application is retrospective and consequently a time commencement condition is not appropriate.

10. Recommendation

10.1 Approve with Conditions

Conditions

**Approved Plans**

- 1 This permission relates to the following plans:

Drawing no. 1934/01 received by the Council on 30 July 2018

Drawing no. 1934/02 received by the Council on 30 July 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 National Planning Policy Framework.

**Ongoing Conditions**

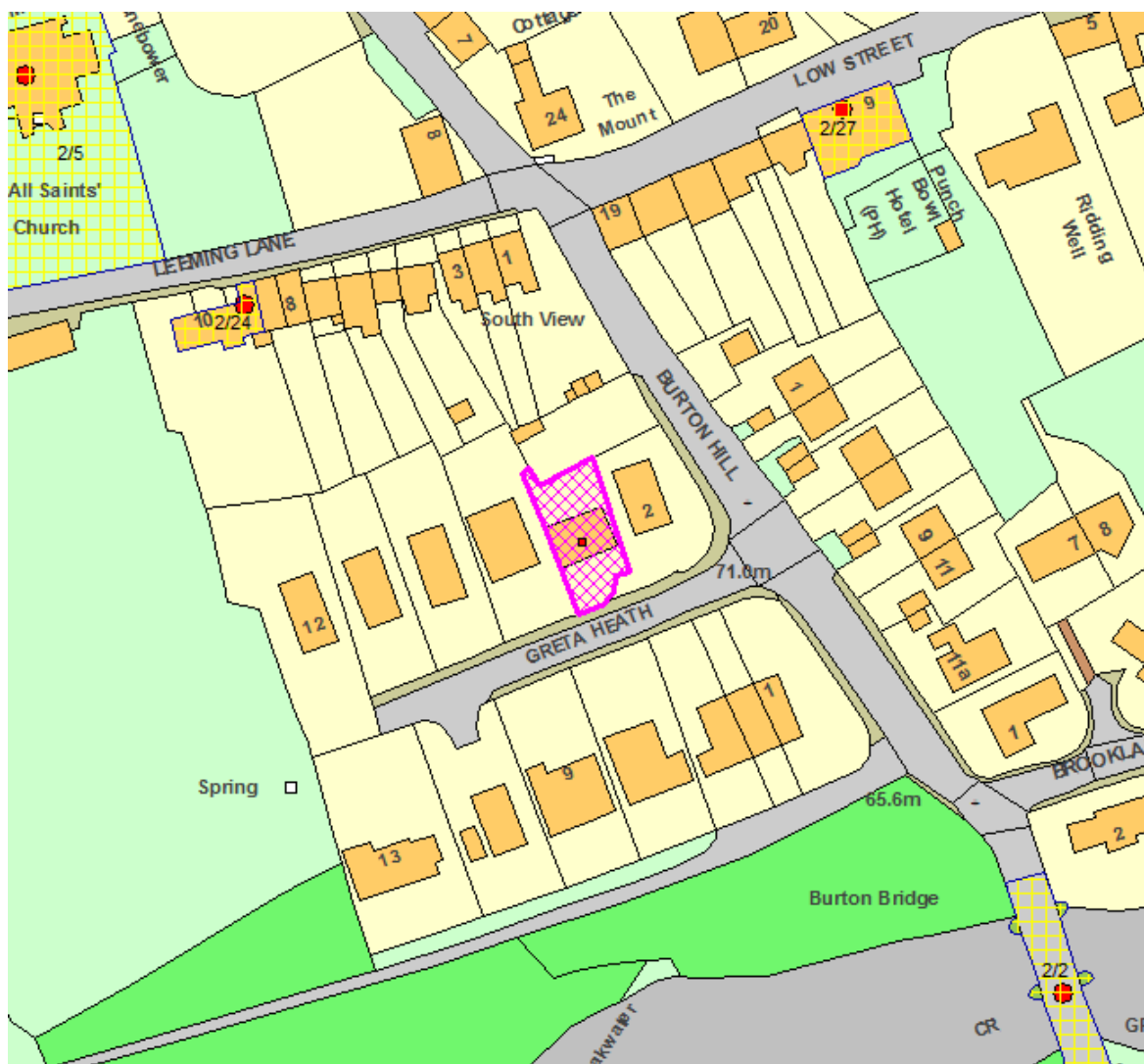
- 2 The boundary fence to the western boundary shall be erected in accordance with the approved plans and thereafter retained.

Reason: To ensure a satisfactory standard of development and maintain residential amenity to neighbouring properties.

Informatives

1. Statement of Positive Engagement:

In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.

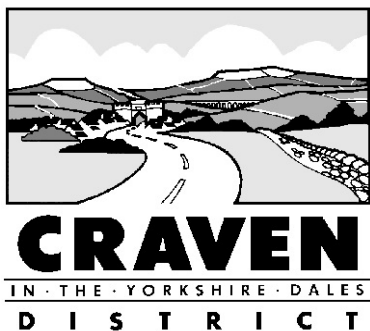


**Application Number:** 2018/19587/HH

**Proposal:** Retrospective application for the creation of raised area to the front of no. 4 Greta Heath to form level garden area

**Site Address:** 4 Greta Heath Burton In Lonsdale Ingleton LA6 3LH

**On behalf of:** The Occupier



**Development Management**  
Craven District Council  
1 Belle Vue Square  
Broughton Road  
SKIPTON  
North Yorkshire  
BD23 1FJ

(Main Switchboard) Telephone: 01756 700600

## **Craven District Council - List of Delegated Planning Decisions – 13.09.2018 – 11.10.2018**

The undermentioned decision notices are available to view online at <https://publicaccess.cravenc.gov.uk/online-applications/>

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2017/18783/LBC	Coniston Hall	Hill Top Robins Barn To Anchor Bridge Coniston Cold Skipton BD23 4EA	Retrospective application for change of use from one dwelling into 1 cottage and 1 farmhouse	Approve with Conditions	13.09.2018
2017/18775/FUL	Mr & Mrs Entwistle	Barn 3 Stott Fold Farm Cowling Hill Lane Cowling Keighley	Conversion of barn to dwelling with extensions and stabling	Approve with Conditions	14.09.2018
2017/18769/LBC	Mr & Mrs Entwistle	Barn 3 Stott Fold Farm Cowling Hill Lane Cowling BD22 0LR	Conversion of barn to dwelling with extensions and stabling	Approve with Conditions	14.09.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2017/18782/FUL	Mr Michael Bannister	Hill Top Robins Barn To Anchor Bridge Coniston Cold Skipton BD23 4EA	Retrospective application for change of use from one dwelling into 1 cottage and 1 farmhouse	Approve with Conditions	13.09.2018
2018/18940/NMA	Craven District Council	Garage Site Adj 44 And 60 Colne Road Colne Road Glusburn Keighley	Non Material amendment to planning permission 2017/18377/FUL with regards to alterations to window and door configurations.	Approve with Conditions	09.10.2018
2018/19112/FUL	John Phillip Properties Ltd	Unit 5 Devonshire Place Keighley Road Skipton BD23 2LP	Demolition of Auto workshop. Erection of two town houses with off road parking	Approve with Conditions	14.09.2018
2018/19150/FUL	Mr Thompson	Well Spring Farm Lothersdale Road Glusburn Keighley BD20 8JD	Proposed bungalow at Well Spring Farm	Approve with Conditions	26.09.2018
2018/19191/REM	Mr N Bland	Moss End Farm Moss End Lane Cowling Keighley BD22 0NA	Approval of the appearance, materials, scale and proportions of the dwelling for agricultural worker together with the layout of the site and access to it. Planting will be domestic lawn with ornamental shrubs and plants as reserved in outline consent referenced 2017/18168/OUT for the erection of agricultural worker's dwelling granted 18 August 2017	Approve with Conditions	24.09.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2018/19234/FUL	Mr H Weston	Mell Brae Main Street Rathmell Settle BD24 0LH	Construction of detached dwelling and garage, formation of new access and create parking spaces and turning area for existing properties Mell Brae and 1 Main Street.	Approve with Conditions	26.09.2018
2018/19269/FUL	Mr & Mrs Martin Wiseman	Copper Coin Nethergill Lane Cononley Keighley BD20 8PB	Proposed single dwelling (previously approved application no. 21/2007/7561)	Refuse	27.09.2018
2018/19270/MMA	Mr & Mrs B Coultherd	Site Adjacent To Bankwell Road Giggleswick Settle BD24 0AP	Minor material amendment to original planning consent reference 31/2016/17348 to amend size and location of external openings; amend location of external wall materials; reduce size of plant room adjacent to the garage; remove chimney stack	Approve with Conditions	26.09.2018
2018/19278/FUL	Mr Oliver Sugden	Forge Barn Smithy Hill Farm Hill End Lane Cowling BD22 0NA	Proposed Agricultural Building	Approve with Conditions	19.09.2018
2018/19297/CND	Ingleton Parish Council	Outdoor Swimming Pool The Square Ingleton Carnforth	Application to discharge condition no.s 3 and 4 of original planning consent reference 45/2017/18091 granted 18 July 2017	DOC satisfactory	28.09.2018
2018/19312/FUL	Mr & Mrs S Plumbridge	Land To North Of The Croft 1 The Terrace Duke Street Settle BD24 9AW	Construction of single storey 1 bedroom dwelling	Refuse	19.09.2018



<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2018/19315/FUL	Mrs Rosemary Berry	Dairy Cottage, Park Farm Park Lane Cowling Keighley BD22 0NH	Conversion of agricultural buildings to domestic garage and store to serve existing adjacent barn conversion.	Approve with Conditions	08.10.2018
2018/19314/FUL	Mrs Rosemary Berry	Old Shippon Site Park Farm Park Lane Cowling Keighley BD22 0NH	Demolition of existing agricultural buildings and construction of new dwelling	Approve with Conditions	26.09.2018
2018/19328/LBC	Tyburn Lothian No. 8 LP	13 Craven Court High Street Skipton BD23 1DG	Replacement of the 2 No. delaminated and cracked cantilever stone door hoods with similar sections of local York Stone to match the former.	Approve with Conditions	14.09.2018
2018/19373/MMA	Ingleton Parish Council	Outdoor Swimming Pool The Square Ingleton Carnforth LA6 3EG	Application to vary condition no. 2 (plans) of original planning permission referenced 45/2017/18091 to amend the new splash park area	Approve with Conditions	11.10.2018
2018/19386/FUL	Snell Developments Ltd	Land To The East Of Laurel Croft Embsay Skipton	Proposed erection of 9 no. dwellings (outline consent appeal reference APP/C2708/W/16/3144209, CDC ref 26/2015/16037) (re-submission of withdrawn application reference 2018/19116/FUL)	Approve with Conditions	27.09.2018
2018/19428/ADV	Buon Vino	Falconry Centre Flatlet Crow Nest Road Austwick Lancaster LA2 8AS	Advertisement consent to fix 3 no. individual composite boards (non-illuminated) underneath existing signage	Refuse	26.09.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2018/19396/HH	Mr Nick Rickerby	7 Hallams Yard Skipton BD23 1JN	Application for retention of replacement windows and doors	Approve no conditions	11.10.2018
2018/19432/HH	The White Construction Trust	9 Skipton Road Hellifield Skipton BD23 4JQ	Single storey side extension to provide garage with first floor veranda	Application Withdrawn	25.09.2018
2018/19477/FUL	Mr Martyn Park	Scargill & Shalom 53 Main Street Ingleton Carnforth LA6 3HJ	Sub-division of original house known as 'Scargill' and existing annexe known as 'Shalom' to create 2 separate dwellings.	Approve with Conditions	02.10.2018
2018/19440/OUT	Mr & Mrs M Mason	Land To North West Of Toll House Shortbank Road Skipton	Outline application with some matters reserved for proposed detached dwelling with parking and turning area	Refuse	14.09.2018
2018/19456/HH	Mr Brian Green	3 Crosshills Road Cononley Keighley BD20 8JZ	Formation of car parking spaces & external changes to an existing garden.	Approve with Conditions	02.10.2018
2018/19482/HH	Mr Vaz Cruzinho	39 Keighley Road Skipton BD23 2LX	Proposed first floor bathroom over existing ground floor extension	Refuse	08.10.2018
2018/19460/NMA	Mr & Mrs T Clayton	16 Park Wood Crescent Skipton BD23 1UF	Non-material amendment to original planning consent reference 63/2016/17350 to revise position of entrance door, balustrade, handrails + steps, remove 2 windows in south-east elevation and reduce width of north-west window	Non-material amendment approved	26.09.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2018/19491/HH	Mrs N Hardaker	20 Hazel Grove Road Sutton-in-craven Keighley BD20 7QT	Demolition of existing single-storey rear extension and side garage, and construction of new single-storey rear extension and two-storey side extension.	Approve with Conditions	18.09.2018
2018/19492/FUL	Mr & Mrs Andrew Durham	Great Gib Farm Stockshott Lane Cononley Keighley BD20 8EB	Change of use of existing stable and extension to form single dwelling	Approve with Conditions	26.09.2018
2018/19493/HH	Mr Mark Wynn	18 Regent Drive Skipton BD23 1AY	Conservatory at rear of property, attached to the existing kitchen extension.	Approve with Conditions	05.10.2018
2018/19541/HH	Mr Thompson	82 Burnside Avenue Skipton BD23 2DA	Remove existing conservatory and replace with new conservatory	Approve with Conditions	13.09.2018
2018/19513/HH	Mrs Sophia Kidd	Upper House Farm Sutton-in-craven Keighley BD20 7BE	Creation of annex accommodation within existing vacant loft space	Approve with Conditions	18.09.2018
2018/19522/AGR RES	Mr Nicholas Le Cocq	Townhead Fold Wigglesworth Skipton BD23 4RR	Prior notification for proposed change of use of agricultural building to a dwelling house (Class C3)	PN Refuse and Application Required	09.10.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2018/19526/FUL	London Property Investments Ltd	27 - 31 Main Street Cross Hills Keighley BD20 8TA	Proposed alterations to existing 3no. flats to form 5 no. flats in total along with new dormers to front and rear.	Approve with Conditions	24.09.2018
2018/19527/FUL	Mr & Mrs Dyson	Hollin Raikes Farm Sandyforth Lane Cowling Keighley BD22 0NB	Change of use of land and buildings to livery use	Approve with Conditions	19.09.2018
2018/19528/CND	Mr Simon Cape	Land At Moorgarth Ingleton Carnforth LA6 3DN	Application to discharge condition no's 3. Drainage plan and details, 4. Access Construction statement and 5. Tree protection measures from planning approval referenced 2017/18670/FUL granted 06 February 2018	Split Decision	19.09.2018
2018/19549/HH	Dr Matthew Curtis	27 Gainsborough Court Skipton BD23 1QG	Replacement of timber, half glazed front and rear doors with similar design made of composite	Approve with Conditions	19.09.2018
2018/19556/COU	Mrs Janette Horsfield	34 Swadford Street Skipton BD23 1RD	Change of use from a tearoom/delicatessen (A1/A3) to a hot food takeaway (A5) (ground floor and basement section)	Approve with Conditions	08.10.2018
2018/19540/CND	R N Woollers & Co Ltd	Carla Beck Farm Carla Beck Lane Carleton Skipton BD23 3BU	Application to discharge condition no's. 3, 4, 5, 6, 7, 8, 10 & 12 of original planning permission 17/2017/18073 granted 25/11/2017	DOC satisfactory	09.10.2018
2018/19557/CND	Mr Coupe	Matchless House Low Lane To A65 Draughton Skipton BD23 6EA	Application of discharge conditions 3 (materials) and 4 (on-site watching brief) of original planning permission 2017/18752/COU granted 04/04/2018	DOC satisfactory	18.09.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2018/19564/CPL	T Mamood	20 Pendle Street Skipton BD23 1SN	Certificate of proposed lawful development for a rear dormer extension	Approve Cert. Lawful Devt	19.09.2018
2018/19566/HH	T Mamood	20 Pendle Street Skipton BD23 1SN	Single and two storey rear extension to provide bathroom over kitchen	Approve with Conditions	05.10.2018
2018/19567/LBC	Mrs Debbie Fletcher	16 Church Street Gargrave Skipton BD23 3NE	Retrospective listed building consent for the installation of a black mesh satellite dish on the south facing wall of the house.	Refuse	14.09.2018
2018/19579/LBC	Mr John Wharton	Craven House 10 - 11 Brook View Carleton Skipton BD23 3EX	Application for listed building consent for replacement of 8 No western window frames.	Approve with Conditions	14.09.2018
2018/19576/FUL	Mr Robert Wade	Agricultural Building Royd House Lingah Hill Cononley Road Glusburn Keighley BD20 8JP	Proposed agricultural building	Approve with Conditions	05.10.2018
2018/19580/HH	Mrs Jean Latimer	Oak Dale Burnside Nurseries Low Bentham Road High Bentham Lancaster LA2 7BP	Replace the rotting wooden materials with PVCu frames and also replace the poor state wooden cladding between two bay windows and cappitt board to two gable ends with PVCu.	Approve with Conditions	21.09.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2018/19593/AGR RES	Mr R Moran	High Laithe Stansfield Farm Nappa Skipton BD23 4LJ	Change of use of agricultural building to dwelling	PN Approve	18.09.2018
2018/19586/COU	Mrs Geraldine Howson	Stirton Burrow Stirton Lane Stirton Skipton BD23 3LN	Change of use from existing residential annexe to holiday let accommodation	Approve with Conditions	24.09.2018
2018/19588/HH	Mr & Mrs Harling	6 Aire Close Cross Hills Keighley BD20 7RZ	Proposed rear single storey pitched roof extension	Approve with Conditions	21.09.2018
2018/19590/HH	Mr & Mrs Thompson	3 Gargrave House Gardens Gargrave Skipton BD23 3PW	Proposed rear single storey extension, first floor extension above existing garage and replacement canopy over front door	Approve with Conditions	05.10.2018
2018/19594/NMA	Skipton Properties Ltd	Land On The East Side Of Green Lane Glusburn BD20 8RT	Non-material Amendment application for minor alterations to the siting of the play area equipment approved by conditions to 2017/18810/CND granted 30.01.2018	Non-material amendment approved	20.09.2018
2018/19595/CND	Mr Mike Medley	Reedshaw Farm Reedshaw Lane Cowling Keighley BD22 0NA	Application to partially discharge condition no's 7 (roof material only) and 8 (external walling and external windows only) of original planning approval 2017/18149/FUL granted 04/09/2017.	Split Decision	01.10.2018
2018/19609/AGR RES	Mr Nathan Pickles	Hewitts Farm White Hills Lane Lothersdale Keighley BD20 8HX	Conversion of former shippon to 2 bedroomed cottage	Prior Approval Granted	24.09.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2018/19596/FUL	Mrs Southgate	Thorncroft Moorcroft Stockshott Lane Cononley Keighley BD20 8ED	Proposed replacement dwelling	Approve with Conditions	08.10.2018
2018/19605/FUL	Wm Morrisons Supermarket Plc	W M Morrison Supermarkets Plc Broughton Road Skipton BD23 1RT	Installation of new Sunlite Retail Unit	Approve with Conditions	11.10.2018
2018/19610/HH	Mr Matthew Speres	10 Wainmans Close Cowling Keighley BD22 0NT	Erection of proposed single-storey wrap-around side and rear extension	Approve with Conditions	03.10.2018
2018/19615/HH	Mr & Mrs Mark Reynolds	111 Hurrs Road Skipton BD23 2JF	Two-storey side extension, single storey rear extension and replacement detached garage. (removal of existing piers and archway, existing conservatory and existing detached garage.	Approve with Conditions	03.10.2018
2018/19617/CPL	Mr David Snell	51 Regent Crescent Skipton BD23 1BE	Conversion and extension of existing garage into habitable space. Works including extension to the front of the existing garage (Not forward of the principal elevation) and replacement of existing garage roof with new.	Approve Cert. Lawful Devt	03.10.2018
2018/19620/CND	Housing & Care 21	Former High Bentham Community Primary School Robin Lane High Bentham Lancaster LA2 7JY	Application to discharge conditions 6, 8 and 11 of original planning approval 2017/18715/FUL granted 12.02.2018	Approve with Conditions	18.09.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2018/19640/LHSH LD	Mr Joseph Whitaker	9 Neville Road Gargrave Skipton BD23 3RE	Proposed single storey rear extension measuring 5.0m beyond the rear wall; 3.4m in height from ground level; 2.5m in height to eaves from ground level (Prior Approval Notification).	Prior Approval Not Required	24.09.2018
2018/19626/HH	Mr Nick Taylor	Homesteads Peel Green Hellifield Skipton BD23 4LD	Single storey north elevation extension and two storey south elevation extension.	Approve with Conditions	05.10.2018
2018/19628/FUL	Ms B Croft	1 Locks Barn Langcliffe Settle BD24 9LE	Field Shelter for Horses	Approve with Conditions	05.10.2018
2018/19629/COU	Rural Solutions	Belle Vue Square Broughton Road Skipton BD23 1FL	Change of use from vacant unit to Office (B1) including replacement of existing window with a door.	Approve with Conditions	28.09.2018
2018/19630/LBC	Rural Solutions	Belle Vue Square Broughton Road Skipton BD23 1FL	Change of use from vacant unit to Office (B1) including replacement of existing window with a door.	Approve with Conditions	05.10.2018
2018/19636/OTH ERS	Mr Ogden	8 Station Road High Bentham Lancaster LA2 7LF	Notification for prior approval for a proposed change of use from Class A1 (shop) to Class C3 (dwelling)	PN Process Not Applicable	13.09.2018
2018/19639/HH	Mrs Margaret Ruth Garner	7 Prospect Terrace St Stephens Close Skipton BD23 1PA	To build a porch on the front elevation	Approve with Conditions	11.10.2018



Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19648/HH	Mrs Kathryn Allen	5 Pools Row Ingfield Lane Settle BD24 9HW	Retrospective application for replacement of concrete tiles with new slate to front and rear elevations to match existing slate on extension. New batons with breathable membrane felt. Reuse of existing stone ridge tiles with new cement. Installation of new uPVC sash windows to replace wood frames to front and rear elevations in matching colour and replacement of wooden stable rear door with UPVC composite stable door in matching brown colour.	Approve with Conditions	11.10.2018
2018/19650/FUL	Mr Peter Fortune	Agricultural Building Tosside Fold Farm Tosside Skipton BD23 4SD	Retention of agricultural building used for livestock housing and storage	Approve with Conditions	11.10.2018
2018/19654/FUL	Mr & Mrs A Taylor	Land Adjacent To Sansbury Place Duke Street Settle BD24 9AS	Proposed demolition of 3 no. redundant domestic garages to construct 1 no. two bedroom detached dwelling.	Application Withdrawn	02.10.2018
2018/19660/ADV	Modality Partnership	Cross Hills Group Practice Holme Lane Cross Hills Keighley BD20 7LG	Application for advertisement consent for retention of Sign 1: W153cmxH92cm, Sign 2: W300cmxH94cm, Sign 3: W300cmxH94cm, Sign 4: W122cmxH122cm, Sign 5: W122cmxH122cm for Medical GP Practice Name Signs	Approve with Conditions	11.10.2018
2018/19663/LHSH LD	Mr Richard Sykes	53 Regent Road Skipton BD23 1AT	Proposed single storey lean-to rear extension 3.825m beyond the rear wall; 4m in height from ground level; 2.250m in height to eaves from ground level (Prior Approval Notification).	PD HH Refuse Details	28.09.2018

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19665/OUT	Mr Philip Sutcliffe	Land Next To Poultry Farm On Dumb Toms Lane Ingleton LA6 3DS	Outline planning for a three bedroom house.	Application Withdrawn	02.10.2018
2018/19666/CPL	Nicola Whatmuff	52 Aire View Crosshills Road Cononley Keighley BD20 8JY	Application for Lawful Development Certificate for a proposed single storey rear extension	Approve Cert. Lawful Devt	11.10.2018
2018/19676/PNT	Arqiva Ltd	Grassed Verge Off A629 Low Bradley Keighley BD20 9HF	Prior approval determination for the installation of electronic communications apparatus	PN Approve	11.10.2018
2018/19679/CND	Mr & Mrs James & Karen Adamson	Lane End Farm Thornton In Craven Skipton BD23 3SX	Application to discharge condition no's 3 and 7 on original planning approval referenced 69/2016/17106 granted 11 May 2017	DOC satisfactory	28.09.2018
2018/19693/COU	Windle And Bowker	Unit 1 Acorn Business Park Airedale Business Centre Skipton BD23 2UE	Change of use from B1 to A2	Approve with Conditions	08.10.2018
2018/19709/NMA	Telford Construction	Plots 1 & 2 Smithy Croft Road Gargrave Skipton BD23 3SL	Non material amendment to original planning approval referenced 30/2016/17672 to replace two standard windows with Juliet balconies on the North elevation of plots 1 & 2	Non-material amendment approved	03.10.2018

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2018/04359/DUTY	Mr And Mrs Mark And Alison Hanson	Pad Cote Barn Pad Cote Lane Cowling Keighley BD22 0NY	Proposed garden room, made from a wood construction, clad with cedar. With the front being bifold doors etc. Around 2m by 5m long max, with a head height of 2.5m max	Response Sent	19.09.2018
2018/19725/CND	Mr Chris Hawkins	Calf Cop Farm Burton Road Low Bentham Lancaster LA2 7ET	Application to discharge condition no. 4 of original planning approval referenced 2017/18483/HH and listed building consent referenced 2014/18484/LBC	DOC satisfactory	11.10.2018
2018/19730/NMA	Rombalds Builders Ltd	Methodist Church Main Street Farnhill Keighley BD20 9BJ	Non material amendment of original planning approval referenced 2018/19003/FUL for the revision in size to patio doors in south west elevation	Non-material amendment approved	10.10.2018