



CRAVEN DISTRICT COUNCIL

PLANNING COMMITTEE – SITE VISIT

11th March 2019

AGENDA

Please note that the Committee will visit the following site on Monday, 11th March 2019. Members are asked **to meet at Site A at 11.15am**, or alternatively at the Belle Vue Square Offices car park **no later than 11.00am**

- a. 2018/19738/FUL Demolition of Fairmount and the construction of 3 no. properties, all with off street parking, Fairmount, Starkey Lane, Farnhill, BD20 9AW (Aire Valley with Lothersdale Ward).**
- b. 2018/18988/FUL Construction of 2 no detached dwellings, site north of Glen Royd, Woodside Lane, Cononley (Aire Valley with Lothersdale Ward). Approximately 11.45am**

Following the site visit(s) refreshments will be available at the Belle Vue Square Offices.

Agenda Contact Officer: Chris Waterhouse

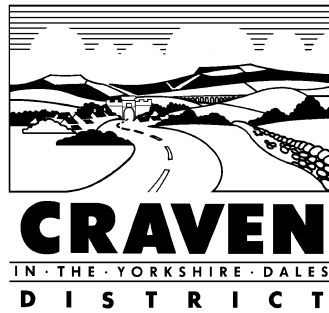
E-mail : cwaterhouse@cravendc.gov.uk

Tel. 01756 706235

1st March 2019.

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, 11th March, 2019
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** – 11th February 2019.
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.
- (c) Enforcement - New complaints registered / complaints closed.

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@cravendc.gov.uk, telephone: 01756 706402)

6. **Planning Committee Public Participation Scheme** – Report of the Democratic Services Manager. Attached.

Purpose of Report – To review the Committee's arrangements for public participation.

7. **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

1st March 2019.

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

11th February 2019

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

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

Ward Representatives : Councillor Brown (Application 2018/18988/FUL) and Councillor Dawson (Application 2018/19739/COU).

Apologies for absence were received from Councillors Harbron and Heseltine.

Start: 1.30pm

Finish: 4.44pm

The minutes of the Committee's meeting held on 14th January 2019 were confirmed and signed by the Chairman.

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

Minutes for Report

PL.901

DECLARATIONS OF INTEREST AND LOBBYING

a. Declarations of Interest

Members were invited to declare any interests in the business before the Committee. None were made:

b. Lobbying

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

Application 2018/19563/REM : The Chairman and Councillor Rose indicated that they had received lobbying against this application.

Note : Application 2018/19739/COU : Members of the Committee had received e-mails lobbying against this application. Copies of the e-mails had also been submitted to the Planning Department.

PL.902

PUBLIC PARTICIPATION

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

Application 2018/19739/COU Councillor E Jaquin (for Skipton Town Council)

Mr P Carruthers (objector / for objectors)

Mr W Cartwright (for the applicant)

Application 2018/19563/REM Councillor E Jaquin (for Skipton Town Council)

Mr P Thornton (for the applicant)

Application 2018/18988/FUL Mr N Swain (for Cononley Parish Council)

Mr S Fisher (for the applicant)

PL.903

APPLICATIONS FOR PLANNING PERMISSION – APPLICATION
2018/19739/COU 9 - 11 COURT LANE SKIPTON

The Strategic Manager for Planning and Regeneration reminded Members that on 14th January 2019 the Committee had resolved that an application (2018/19739/COU) for a change of use of 9 - 11 Court Lane Skipton from retail to a microbar should be approved subject to removal of a proposed condition regarding opening hours and to other proposed conditions being amended / extended as follows, the actual wording to be formulated by the Planning Manager:-

- a. To require compliance with the applicant's noise management plan received on 10 January 2019.
- b. Require the use of obscure glazing in the first floor windows.
- c. Windows to be non-opening.
- d. To require the submission for prior approval of any external ventilation arrangements

Following the meeting it became evident that the submitted noise management plan contained a provision to restrict hours of opening (12.00-21.00), at variance with Member's decision not to control hours of opening, on the basis that opening hours would be dealt with through the licensing process. On advice from the Council Solicitor the Decision Notice had not been issued, due to the conflict between the decision to delete the opening hours condition and the imposition of an additional condition requiring compliance with the Noise Management Plan. The Committee was now asked to clarify its intentions.

On 15th January 2019 the applicant had submitted an amended Noise Management Plan deleting reference to opening hours to align with the decision taken by the Committee at the January meeting.

Having heard from the spokespersons for Skipton Town Council, for those who had made representations against the application, the applicant and Councillor Dawson it was moved and agreed that the public be temporarily excluded from the meeting to enable the Committee to take legal advice on the position before it. Having taken advice the Committee returned to public session.

It was moved, seconded and

Resolved – That application 2018/19739/COU be approved on the basis of the resolution of this Committee on 14th January 2019 and subject to the following additional conditions.

- a. The development hereby approved shall be carried out in strict accordance with the details provided within the Noise Management Plan by William Cartwright (submitted 15th January 2019) and shall be implemented and maintained as such thereafter for the entirety of the micro bar being in use.
- b. All existing first floor windows of the micro bar hereby approved, 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), these windows shall also be non-opening. The windows shall be obscured and fixed before the use is commenced, and shall be retained as such thereafter.
- c. Where first floor windows of the micro bar hereby approved need to remain closed, other means of ventilation may need to be provided. Details of any external ventilation shall be submitted to and approved in writing by the Local Planning Authority prior to its installation.

Note : Councillor Whitaker asked that his abstention from voting be recorded.

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:-

2017/18364/FUL Proposed conversion of Wigglesworth Hall Barn to provide eleven dwellings, and enabling development in the form of two detached dwellings, Wigglesworth Hall Barn, Jack Lane, Wigglesworth – Application Withdrawn.

2017/18365/LBC Proposed Conversion of Wigglesworth Hall Barn to provide eleven dwellings, and enabling development in the form of two detached dwellings, Wigglesworth Hall Barn, Jack Lane, Wigglesworth – Application Withdrawn.

2017/18840/VAR Application to vary condition no 3, 4, 5 and 6 of previously approved application reference 66/2016/17653, Condition Number(s): 3,4,5 and 6, Conditions(s) Removal: Work at advanced stage, amend the wording of conditions 3,4,5 and 6 of 66/2016/17653 to remove reference to 'pre-commencement', The Balgray, West Lane, Sutton in Craven – Application Withdrawn.

2018/19891/CND Application to discharge condition no's 3 (Drainage), 4 (Water Supply), 5 (Water Protection Plan), 11 (Materials) and 14 (Boundary Wall) of original planning approval referenced 2018/19100/FUL granted 01.08.2018, Pennine Haulage Brow, Rook Street, Lothersdale – Discharge of conditions not satisfactory.

2018/19052/VAR Application to vary condition nos. 2 and 4 (change external materials on elevations and amendments to plans) and condition no. 5 (vary wording of landscaping scheme) to original planning consent referenced 22/2016/17141 (amended description), Carr Head, Cowling – Approved with Conditions.

2018/19153/FUL Erection of 1 detached dwelling with integral garage and the formation of new access off Grange Road, Crag End, Farnhill – Application Withdrawn.

2018/19223/FUL Change of use of the existing barn to dwelling. Insertion of two windows into the ground floor rear elevation and four new Conservation style roof lights into the roof, Grussham Barn, Mewith, Bentham - Approved with Conditions.

2018/19224/LBC Listed building application for change of use of the existing barn to dwelling. Insertion of two windows into the ground floor rear elevation and four new conservation style roof lights into the roof, Grussham Barn, Mewith, Bentham – Approved with Conditions.

2018/19378/ADV Application for advertisement consent for 2 No. fascia signs to the front and side elevations illuminated by trough lighting, and 1 No. internally illuminated totem sign to the front elevation, Jetts Fitness, Belle Vue Square, Skipton – Approved with Conditions.

2018/19403/HH Internal alterations and extension, The Lodge, Colne Road, Glusburn – Approved with Conditions.

2018/19404/LBC Internal alterations and extension, The Lodge, Colne Road, Glusburn – Approved with Conditions.

2018/19448/LBC Listed building consent for 2 No. fascia signs to the front and side elevations illuminated by trough lighting and 1 No. internally illuminated totem sign to the front elevation, Jetts Fitness, Belle Vue Square, Skipton – Approved with Conditions.

2018/19584/CND Application to discharge conditions 3, 5, 7, 8, 9, 17, 19, 20, 23, 24, 26 and 27 of planning approval referenced 2017/18136/VAR granted 16/03/2018, land north of A629 and West of Carleton Road – Split Decision.

2018/19597/FUL Construction of 5 no. residential dwellings, land off Back Gate, Ingleton – Application Withdrawn.

2018/19646/FUL Conversion of five redundant farm cottages to form two four bedroom dwellings with associated amenity space. (Resubmission of original planning approval 2017/18222/FUL), Gill Bottom Cottages, Shop Lane, Cowling – Approved with Conditions.

2018/19647/LBC Listed building consent for conversion of five redundant farm cottages to form two four bedroom dwellings with associated amenity space (Resubmission of original planning approval 2017/18223/LBC), Gill Bottom Cottages, Shop Lane, Cowling – Approved with Conditions.

2018/19683/FUL Reinstatement, alterations and extensions to Halstead Hall together with the re-positioning of the established additional dwelling on site, Halstead Hall, Ingleton – Approved with Conditions.

2018/19737/HH Demolition of existing single storey rear extension, provision of replacement rear extension with part first floor extension over, insertion of 2 windows to west elevation, Eastby, House, Barden Road, Eastby – Approved with Conditions.

2018/19781/HH Installation of double patio door, 2 no. full-length windows and additional ground floor window to rear of property, 12 Tarn Moor Crescent, Skipton – Approved with Conditions.

2018/19802/FUL Restoration of existing listed dwelling, conversion of existing traditional agricultural building to dwelling, and formation of garages, Low Windhill Farm, Cowling Hill Lane, Cowling – Approved with Conditions.

2018/19803/LBC Restoration of existing listed dwelling, conversion of existing traditional agricultural building to dwelling, and formation of garages, Low Windhill Farm, Cowling Hill Lane, Cowling – Approved with Conditions.

2018/19805/MMA Minor material amendment to vary condition 2 (plans) of original planning approval referenced 62/2014/14767 to change ground floor entrance/window, the stairway access to first floor flat and location of refuse bins, Linton Court, 4 Duke Street, Settle – Approved with Conditions.

2018/19806/VAR Application to vary condition no. 2 of listed building approval referenced 62/2014/14773 to change ground floor entrance/window, the stairway access to first floor and location of refuse bins, Linton Court, 4 Duke Street, Settle – Approved with Conditions.

2018/19807/HH Extend existing dwelling to form sitting room and extend master bedroom with balcony over, Cobblers Barn, New Lane, Silsden – Application Withdrawn.

2018/19808/LBC Listed building application to extend existing dwelling to form sitting room and extend master bedroom with balcony over, Cobblers Barn, New Lane, Silsden – Application Withdrawn.

2018/19825/HH Two storey extension to side of property to form living room and utility at ground floor and bedroom and study at first floor, 11 Greenroyd Court, Sutton-in-Craven – Approved with Conditions.

2018/19827/FUL Conversion of barn to two dwellings, including partial demolition, reconstruction and associated works, Barn 2, Stott Fold Farm, Cowling – Refused.

2018/19828/FUL Replacement housing cabinet associated with wind turbine, Wind Turbine Site, Park House Farm, Clogger Lane, Elslack – Approve with Conditions.

2018/19836/FUL Proposed new dwelling, Field No. 8107, Bendgate Farm, Long Preston – Approved with Conditions.

2018/19853/CND Application to discharge condition no's. 9 and 10 of planning approval referenced 62/2016/17420 granted 17.11.2016, Plots 13, 14 and 15, Brockhole View, Settle – Split Decision.

2018/19855/CPL Certificate of proposed lawful development for rear dormer extension, 30 Greenfield Street, Skipton – Certificate of Lawful Development Approved.

2018/19861/HH Two storey side extension to dwelling house, Hodge Hill Farm, Wigglesworth – Refused.

2018/19862/LBC Single storey extension, alterations to window/door openings, re-pointing and erection of decking to the rear, Moorview, Lane Ends Lane, Cowling – Refused.

2018/19872/LBC Alteration to the sandstone lintel to insert a saw-cut drip groove to prevent water ingress, and replacement of the internal window board, 6 Farrer Lodge, Clapham – Approved with Conditions.

2018/19873/LBC Form new window in northern gable, wall up existing window, Esh Bottom, Bell Busk – Approved with Conditions.

2018/19874/HH Retrospective application for replacement of dead hedge with lower level fencing, 10 Carleton Avenue, Skipton – Approved with Conditions.

2018/19885/HH Single storey extension, alterations to window/door openings, re-pointing and erection of decking to the rear, Moorview, Lane Ends Lane, Cowling – Refused.

2018/19898/HH Two storey side and single storey side and front extension, demolition of existing garage and outbuildings and new storage building (Resubmission of previously approved application ref: 2017/18454/HH), Croft Mount, Low Bradley – Approved with Conditions.

2018/19900/HH Demolition of existing UPVC conservatory and construction of stone sunroom, 122 Main Street, Cononley – Approved with Conditions.

2018/19904/HH Detached pergola at rear of dwelling and approval of works which are a departure from Planning Approval No 2018/19092/HH, 63 Shortbank Road, Skipton – Approved with Conditions.

2018/19907/HH Conversion and extension of existing flat-roofed garage to form single storey, flat roofed utility and storeroom with interior access from existing bungalow and with French doors to garden, 1 Low Bank, Embsay – Approved with Conditions.

2018/19912/HH Retrospective extension of front (north east) gable as existing profile, extension of building to south east as existing profile and erection of single storey extension to the rear (south west). Addition of rooflights. Minor improvements to external works, 33 The Close, Skipton – Approved with Conditions.

2018/19913/HH First floor bedroom extension, 2 Rook Street, Lothersdale – Approved with Conditions.

2018/19922/HH Removal of existing glass skylight, to be replaced with a conservation Velux, to provide better insulation/ ventilation and light to the stairwell. Additional conservation Velux to be added within roof structure to provide natural light and ventilation to attic space. Removal of

existing coal bunker within rear yard. Rear yard to be enclosed with glass and aluminium frame structure to provide a useable space within the property, 28 South Street, Gargrave – Approved with Conditions.

2018/19924/CND Application to Discharge Condition 18 (exterior lighting) imposed by Planning Approval 32/2016/17098 permission given 16th February 2018, Malsis, Glusburn – Application Withdrawn.

2018/19925/HH Two storey side extension. Single storey detached garage, Stone Grove Cottage, High Bentham – Approved with Conditions.

2018/19926/HH Rear single-storey extension on position of previous store and lean-to kitchen extension, 10 Bright Street, Skipton – Approved with Conditions.

2018/19929/FUL Installation of four rapid electric vehicle charging stations within the car park of Booths, Settle. Four existing parking spaces will become EV charging bays, along with associated equipment, E H Booth and Co Ltd, Kirkgate, Settle – Approved with Conditions.

2018/19932/FUL Demolition of existing garage and playroom and construction of two holiday cottages, Shay Bank Farm, Cowling – Refused.

2018/19935/HH Proposed roof alterations including lifting the eaves by 450mm (ridge height to remain as existing) to form en-suite bedroom to roof space, 12 Greenroyd Court, Sutton-in-Craven – Approved with Conditions.

2018/19936/FUL Demolition of existing bungalow known as 'Glenholme' and erection of detached 4 bedroom house on same site, Glenholme, Thacking Lane, Ingleton – Approved with Conditions.

2018/19938/HH Demolition of existing out buildings and construction of single storey garage, 3 Neville Road, Gargrave – Approved with Conditions.

2018/19940/PNT Two containers within which telecommunications infrastructure will be installed, Procter Heights Farm, Mitton Lane to Hawshaw Side, Lothersdale – Prior Approval Granted.

2018/19942/HH First floor extension over portion of existing garage to side of main dwelling, 28 Skipton Road, Gargrave – Approved with Conditions.

2018/19944/HH Proposed single storey extension attached to existing garage (link detached) to form games room / home gym, 2 Yew Tree Drive, Low Bentham – Approved with Conditions.

2018/19957/HH Two storey side extension and single storey rear extension, 2 Park Place, Hellifield – Approved with Conditions.

2018/19962/FUL Extension to existing steel portal frame building, agricultural building south of Middle House Farm, Cowling – Approved with Conditions.

2018/19963/FUL Erection of agricultural shed, land south of Butterhaugh Farm, Church Street, Gargrave – Approved with Conditions.

2018/19964/FUL Construction of 1 no. 3 bedroomed town house and 1 no. 1 bedroomed maisonette, 10 Park Lane Terrace, Carleton – Application Withdrawn.

2018/19966/CND Application to discharge condition no's. 3 (Landscaping) and 4 (Surface Water Drainage) of original planning approval 2018/19505/FUL granted 01.11.2018, agricultural building land at Runley Mill Lane, Settle – Conditions satisfactorily discharged.

2018/19968/FUL Replacing the existing defunct Air Handling Units with new HTM compliant Air Handling Units. Flat roof replacement in 2 no. areas with new Bauder spec 3 layer felt system. Pitched roof replacement to the existing boiler house. Demolition and replacement of existing ramped and stepped access provision with new Approved Document M compliant ramp and stepped access. Creation of 1 no. additional disabled parking space, Castleberg Hospital, Giggleswick – Approved with Conditions.

2018/19969/FUL Proposed Security Building and New Vehicular Access, Dechra Pharmaceuticals Manufacturing, Snaygill Industrial Estate, Skipton – Approved with Conditions.

2018/19971/HH Proposed partial demolition of existing storage building, single storey rear extension and internal alterations, Mount Pleasant, 51 Duke Street, Settle – Approved with Conditions.

2018/19973/HH To construct single storey rear extension to provide open plan kitchen dining room, 6 Mains View, Settle – Approved with Conditions.

2018/19975/HH Proposed sun room extension to rear, 19 Gainsborough Court, Skipton – Approved with Conditions.

2018/19977/FUL Siting of 4 glamping pods in lieu of 2 touring caravan pitches, Gallaber Park, Long Preston - Approved with Conditions.

2018/19987/TPO Fell 1 no. Oak, 1 no. Beech, 1 no. Birch & 1 no. Hawthorn. Various crown works to 16 no. trees, Goodenbergh Caravan Park, Ravens Close Brow, Low Bentham – Approved.

2018/19990/TCA Remove 1 no. willow, 2 Ivy Fold, Giggleswick – Approved.

2018/19992/TPO 2 no. Lime and 1 no. Sycamore - Crown lift 5m. Removal of deadwood and any dangerous branches and thin throughout 15-20%, The Cricket Pavillion, Sutton Cricket Club, Corn Mill Walk, Sutton-in-Craven – Approved.

2018/19993/HH Erection of oak pergola, Pergola at Longber Barn, Longber Lane, Burton in Lonsdale – Approved with Conditions.

2018/19996/HH Proposed partial infill of terrace, formation of terrace extension and redirection of path, 6 Tarn Moor Crescent, Skipton – Approved with Conditions.

2018/19997/FUL Exhumation and replacement of below ground fuel storage tanks with 2 no. new 45,000 litres below ground double skin steel monitored fuel storage vessels. Existing canopy over forecourt to be demolished and replaced with new in a 2 islands straight arrangement. New canopy over to be set at min 5m high above the highest forecourt level. The existing drainage petrol interceptor is to be exhumed and replaced with a new 10,000 litre class 1 vessel. Existing tank fuelling strategy to be abandoned and new above ground offset fill location to be installed in-between the 2 islands together with associated containment drainage, services and resurfacing. Existing tank vents to be replaced in existing location with new. New disabled parking bay as shown. 3 No. new parallel parking bays laid out to the site frontage. Existing air / water & Vac facility relocated to a more appropriate location. Existing compound to be replaced and extended to the rear of the shop to match existing. New timber frame canopy over formed over the rear delivery access door formed with timber posts & PVC-U sheeting. Existing shopfront to be replaced with new ATM position and new automatic sliding entrance door. Co-op Petrol Whitefriars, 9 Church Street, Settle – Approved with Conditions.

2018/19998/TCA Remove 1 no. Elm, 12 Delaney Court, Settle – Approved.

2018/19999/CPL Single storey rear extension using matching materials and within permitted development measurements, 26 Skipton Road, Skipton – Certificate of Lawful Development Approved.

2018/20000/ADV 3NR Peugeot 6m High Flag Poles/Banners, 1NR Peugeot Totem Sign, 2NR Peugeot Corner Lights, 2NR 450mm High Peugeot Signage, 1NR 900mm High Peugeot Lion, 1NR Entrance Portique and 1NR 225mm High Dealer Name Signage, Unit A, Skipton Road, Cross Hills – Approved with Conditions.

2018/20002/TCA T1 and T2 Ash – Remove, 6 Garden Terrace, Lothersdale – Approved.

2018/20003/TCA Fell 2 no. Silver Birch, 5 Greenroyd Court, Sutton-in-Craven – Approved.

2018/20019/CND Application to discharge condition no. 3 on original planning approval referenced 18/2016/16930 granted 27 June 2016, Greenways, Newby Cum Clapham – Conditions satisfactorily discharged.

2018/20014/HH Single storey rear extension and raised terrace, 6 Crossley Place, Skipton – Approved with Conditions.

2018/20017/FUL Change of use to mixed use as a shop, cafe and takeaway, 39 Main Street, Cross Hills – Approved with Conditions.

2018/20026/PNAG Prior Notification for extension to existing forestry building, Land at Anchor Croft Farm, Hellifield Road, Gargrave – Refused and Application Required.

2018/20027/TCA Remove 1 no. Holly. Reduce and thin 1 no. Rowan by 20%, Westways, Low Lane, Draughton – Approved.

2018/20043/TPO Fell 3 no. Elder and crown lift 1 no. Hawthorn to 2 meters, development site on A6131, The Bailey, Skipton – Approved.

2018/20054/HH Proposed conversion and extension of existing garage to form granny annexe, 42 Raikeswood Drive, Skipton – Approved with Conditions.

2019/20066/CND Application to discharge condition no. 9 of listed building consent referenced 32/2016/17098 granted 16.02.2018, Malsis, Glusburn – Condition satisfactorily discharged.

b. Applications

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

Permission Granted

2018/19525/FUL New Craven College equine centre including associated car parking and change of use of existing building, Ganderine Laithe, Craven Cattle Marts, Gargrave Road, Skipton – subject to the conditions listed below and to additional appropriately worded conditions in respect of the following matters, the actual wording to be formulated by the Planning Manager.

- a. Additional condition(s) relating to hours of use to ensure proper control over the site.
- b. No external advertising.
- c. Noise attenuation.

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. CCM2018EQ 001c received by the Council on 15 January 2019
- Drawing no. CCM2018EQ 002b received by the Council on 18 October 2018
- Drawing no. CCM2018EQ 003b received by the Council on 18 October 2018
- Drawing no. CCM2018EQ 004b received by the Council on 15 January 2019
- Drawing no. CCM2018EQ 005b received by the Council on 18 October 2018
- Drawing no. CCM2018EQ 006b received by the Council on 18 October 2018
- Drawing no. CCM2018EQ 007b received by the Council on 18 October 2018
- Drawing no. CCM2018EQ 008b received by the Council on 18 October 2018
- Drawing no. CCM2018EQ 009b received by the Council on 18 October 2018
- Design and Access Statement received by the Council on 9 July 2018
- Drainage Report received by the Council on 11 January 2019
- Lighting Scheme received by the Council on 8 November 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 above ground works shall take place until details of finished floor levels for the building and ground levels for the external areas of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

4. 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;
- 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 for vehicles accessing the site;
- f. measures to control the emission of dust and dirt during construction;
- g. a scheme for recycling/disposing of waste resulting from construction works; and
- h. a strategy to inform neighbouring occupiers (which as a minimum, shall include those adjoining the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.

Development shall thereafter be carried out in full accordance with the duly approved CMS.

5. No development shall take place until a scheme for the protection of the Leeds-Liverpool Canal has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a. Details of how surface water will be managed during the construction phase in order to prevent pollution of the watercourse.
- b. Details of the height, position and design of any protective fencing to be erected alongside the river corridor in order to prevent debris entering the watercourse.
- c. A timetable for the implementation of the measures in (i) and (ii).

The duly approved scheme shall thereafter be implemented in accordance with the details and timetable contained therein, and the protection measures maintained as such during the entirety of the construction period.

During Building Works

6. 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 approved plans listed under condition 2 of the this permission.

7. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, within three months of development first taking place a scheme for the construction of all hard surfaced areas of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the design, construction (including sub layers and surfacing materials) and drainage of all hard surfaced areas, and a timetable for their provision. The hard surfaced areas shall thereafter be delivered in accordance with the duly approved scheme and the timetable contained therein and thereafter retained.

8. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, within three months of development first taking place 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.

9. Within 3 months of the implementation of the permission hereby granted a scheme for the disposal of foul and surface water from the site shall be 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. a detailed drainage strategy to demonstrate that the post-development surface water discharge rate to any soakaway, watercourse or sewer does not exceed the pre-development (greenfield) rate. The drainage strategy shall include details of the peak surface water runoff rate from the development for the 1 in 1 year rainfall event and the 1 in 100 year (+30% climate change allowance) rainfall event, and shall demonstrate that the peak post-development runoff rate does not exceed the peak pre-development greenfield runoff rate for the same event;
- c. details of any necessary flow attenuation measures, including the use of SUDS where appropriate;
- d. details of the measures taken to prevent flooding and pollution of any receiving groundwater and/or surface waters (including watercourses) and any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (including refurbishment of existing culverts and headwalls or removal of unused culverts where applicable);
- e. flood water exceedance routes, both on and off site;
- f. means of access for maintenance and easements (where applicable);
- g. a timetable for implementation, including any phasing of works.

The duly approved scheme shall be implemented before any of the building hereby approved is first occupied, or within any other timescale first agreed in writing with the Local Planning Authority.

Before the Development is Occupied

10. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, within 3 months of development first taking place details of the siting, height, design, materials and finish of all boundary treatments to the site shall be submitted to and approved in writing by the Local Planning Authority. The duly approved boundary treatments shall be constructed in full accordance with the approved details before the building hereby approved is first occupied, and shall be retained as such thereafter.

11. Before the building hereby approved is first occupied, a scheme for the design, construction (including surface treatment) and drainage of its associated parking areas shall be submitted to and approved in writing by the Local Planning Authority. The parking areas shall be constructed in accordance with the duly approved scheme before each associated dwelling is first occupied, and retained as such thereafter for the parking of vehicles.

Ongoing Conditions

No trees shall be lopped, topped or felled unless details have first been submitted to and approved in writing by the Local Planning Authority.

Informatives

Dust : 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.

Noise : During construction there is a potential for noise nuisance to nearby residential properties. Operating times for construction working should be limited to:

- 8:00am to 6:00pm Monday to Friday
- 8:00am to 1:00pm Saturday
- No Sunday or Bank Holiday

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)(*)

2018/19949/OUT Construction of detached house and garage, adjacent to 55 Green Lane, Glusburn – subject to the conditions listed below and to an additional appropriately worded condition in respect of the finished floor levels of the proposed dwelling, the actual wording to be formulated by the Planning Manager.

Conditions

Time Limit for Commencement

1. Application for approval of reserved matters must be made not later than the expiration of three years from 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.

Approved Plans

2. This permission relates to the following plans:

- Drawing no. 2813 received by the Council on 22 November 2018
- Design and Access Statement received by the Council on 22 November 2018

Except as provided for by other conditions to this permission, any application for approval of reserved matters submitted pursuant to condition 1 of this permission shall accord with the outline permission insofar as it relates to the means of access to the site, siting and scale of development and the maximum number of dwellings.

During Building Works

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 existing access shall be improved by The cutting back of the large evergreen to the south of the entrance to the back of the stone wall or its removal.
- b. 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.
- c. 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.

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 60 metres measured along both channel lines of the major road Green 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. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

5. No excavations shall take place until a scheme for tree protection measures (both above and below ground) 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.

Before the Development is Occupied

6. The dwelling hereby approved shall not be occupied until the related parking facilities for the dwelling and for no.55 have been constructed in accordance with the approved drawing.

Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

7. No windows shall be inserted into the north and south elevation of the dwelling with the exception of those ground floor windows hereby approved under this permission.

8. 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 adhere to the levels shown in the document and provide evidence to the Local Planning Authority of how the levels will be achieved (See Table 4, page 24).

9. 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.

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.

Informatives

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

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 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.

3. You are advised that a separate licence will be required from the Highway Authority in order to allow anyworks 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 paragraph 38 of the National Planning Policy Framework. (SV)(*)

Consideration Deferred

2018/19563/REM Revised description 188 dwellings with associated internal roads, parking and landscaping alongside highways and drainage infrastructure for this development and the wider development site, land north of A629 and west of Carleton Road, Skipton – pending receipt of clarification of the requirements of the outline consent and construction method statement in respect of construction of access to the site from the A629 bypass and access arrangements for construction traffic. (*)

2018/18988/FUL Construction of 2 no detached dwellings, site north of Glen Royd, Woodside Lane, Cononley – 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.904

PLANNING ENFORCEMENT

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period 22nd December 2018 to 29th January 2019.

Minutes for Decision

- None -

Chairman.



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D I S T R I C T

PLANNING COMMITTEE AGENDA

DATE: 11th March 2019

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REPORT TO PLANNING COMMITTEE ON 11th March 2019

Application Number: 2019/20096/FUL

Proposal: Construct 6 no. detached dwellings with associated vehicular access and landscaping.

Site Address: Rockwood House Park Wood Close Skipton BD23 1QW

On behalf of: Firth Developments LTD

Date Registered: 15th January 2019

Expiry Date: 12th March 2019

Case Officer: Miss Katie Chew

1. Site Description

- 1.1 The application site comprises of a parcel of land which once consisted of a detached two storey dwelling. This dwelling has now been demolished. The site is accessed from Park Wood Close, Skipton, it is stepped back from the highway and is raised in height compared to the public highway, this is due to the sloped topography of Park Wood Close. The application site is located to the north west of the centre of Skipton.
- 1.2 The application site is located within Skipton Development Limits.

2. Proposal

- 2.1 The application seeks full planning permission to construct 6 detached dwellings with associated vehicular access and landscaping. This application is a resubmission of the previously refused application 2018/19747/FUL.
- 2.2 The proposals can be broken down into:
- 2.3 Plot 1 will consist of a dormer bungalow which will have 3 bedrooms. This dwelling is to be located to the north east of the application site. It will provide 1 external car parking space and 1 internal space within the integral garage.
- 2.4 Plot 2 will consist of a dormer bungalow which will have 2 bedrooms. This dwelling is to be located to the south east of the application site. 1 parking space is to be provided externally and 1 space internally in the integral garage.
- 2.5 Plot 3 & 4 will consist of two 2 storey 4 bedroomed detached properties; they are to be located to the south west of the application site. 1 parking space is to be provided internally in the garage for each property, 2 spaces are also provided externally for each property.
- 2.6 Plot 5 will consist of a 2 storey, 4 bedroomed detached property, which is to be located to the north west of the application site. 2 parking spaces are to be provided externally and 1 space internally in the garage.
- 2.7 Plot 6 will consist of a 2 storey, 4 bedroomed detached property, which is to be located to the north west of the application site. 2 parking spaces are to be provided externally and 1 space internally in the garage.

- 2.8 Vehicular access will be created off of Park Wood Close in Skipton, this will provide access to all 6 houses and 4 no. visitor parking areas. To the entrance of the development will be 900mm high stone wall which will provide a boundary to the east and south for plot 1, and a boundary to plot 2 to the north and east. The materials comprise of natural slate roof tiles, tumble stone, UPVC for windows, timber doors, close boarded timber fences and stone walls.
3. Planning History
- 3.1 2018/19747/FUL – Construct 6 no. 4 bed detached dwellings with associated vehicular access and landscaping (resubmission of previous application referenced 2018/19018/FUL). Refused 17th December 2018.
- 3.2 2018/19291/DEM – Demolition of single detached dwelling with attached garage (prior notification). Prior approval granted 31st May 2018.
- 3.3 2018/19018/FUL – Demolish existing dwelling. Construction 6 no. 4 bed detached dwellings with associated vehicular access and landscaping. Application withdrawn 18th April 2018.
4. Planning Policy Background
- 4.1 Draft Submission Local Plan (2018)
- 4.2 National Planning Policy Framework (as amended July 2018)
- 4.3 Planning Practice Guidance (2012)
- 4.4 Saved Local Plan Policies H3 and T2 of the Craven District (Outside the Yorkshire Dales National Park Authority) Local Plan.
5. Parish/Town Council Comments
- 5.1 Skipton Town Council – Comments received 5th February 2019. *‘Note the amendment to lessen the impact from the road but the application does not address the fundamental objection. The housing density is greater than that originally passed for the estate when first built. To change that now could open up the floodgates to other development on the estate irrevocable altering its volume’.*
6. Consultations
- 6.1 CDC Environmental Health – Comments received 21st January 2019. No objections to the proposals but informatives are provided which relate to noise, clean topsoil and dust. Further comments were received 28th January 2019. There are no known contaminated land implications regarding the proposed development.
- 6.2 NYCC LLFA – Comments received 6th February 2019. The application does not appear to be a major application, as such the LLFA have no comment to make on this application.
- 6.3 North Yorkshire Police – Comments received 18th January 2019. North Yorkshire Police would not normally respond in relation to developments of less than 10 dwellings. Therefore, unless specifically requested to do so by the Planning Officer, we will not be commenting on this application.
- 6.4 NYCC Highways – Comments received 21st January 2019. A number of conditions and informatives are recommended which relate to detailed plans of road and footway layout, construction of roads and footways prior to occupation of dwellings, permanent site construction access, visibility splays, garage conversion, preventing mud on the highway, construction traffic, highway condition survey, onsite parking, onsite storage and construction traffic during development and routing of construction traffic.
- 6.5 Yorkshire Water – Comments received 12th February 2019. No objections to the proposals but two conditions are proposed which relate to separate systems of drainage for foul and surface water, and piped discharge.

7. Representations

7.1 Site Notice – Expired 15th February 2019.

7.2 Neighbour Letters – Expired 7th February 2019.

7.3 30 representations have been received to date, the comments have been summarised below:

- Proposal creates an estate with an estate, a cul de sac within a cul de sac;
- Overdevelopment;
- The gradients proposed within the supporting letter from Addison Planning is incorrect and does not give a correct representation;
- Supporting letter from Addison Planning states that the proposals will have no impact on objectors living further afield; these objections are on behalf of elderly residents and raise genuine concerns from potential future residents of the area. Likewise the development will have no impact on a firm based in Leeds;
- Supporting letter from Addison Planning highlights that the application was deemed acceptable in every other way, other than its overbearing nature. This is incorrect as concerns were also raised about scale of the development, and that water drainage should be evaluated with a proper hydrological study;
- The supporting letter from Addison Planning states that the comments made in objection are merely reproductions of previous concerns. This proposal is almost identical to the previous two made before and this is the reason why concerns are similar;
- There are already other large developments underway within Skipton, there is no need to squeeze 6 4 bed properties into the middle of this already established housing estate;
- An apology should be made publicly available by Mr. Jay Everett of Addison Planning Consultants;
- Mr. Everett should also provide the Council with a figure addressing the downward gradient of the proposed access road from its highest point to its lowest point directly across the road from no. 18 Parkwood Drive;
- Out of character with the area;
- Given the general tendency of garage conversions into living space there would be inadequate provision for resident and visitor parking;
- The provision of an open ended cul-de-sac on the north side of the development signals a clear intention to add more houses in future. Any consent for the present site should be conditional on the cul-de-sac not being used for this purpose;
- House prices have doubled according to home.co.uk;
- Draw attention to the requirements of 'Space about Dwellings' that architects use as guidelines when setting out housing layouts. The proposed layout has aspect distances between habitable rooms and elevations that are below the minimum suggested standards;
- The new single storey dwellings still have the same number of bedrooms and potential how many people would reside there owning cars;
- In curtilage parking spaces may not be adequate for occupants and visitors;

- The proposed fence will provide very little screening due to the proposed reduction in levels and the elevated existing houses;
- Who owns the strip of planting between plot no. 5 and 33 Rockwood Drive, what type of planting will this be?;
- Plot no. 5 is shown on the edge of the turning head leaving it susceptible to impact from vehicles, furthermore is not in line with NYCC Highway Design standards;
- Insufficient living space for the new owners and the present residents;
- There will be severe light pollution particularly to the bungalows/houses opposite the entrance;
- The previous applications were for 6 houses and 6 houses have been refused, the new application is virtually the same. Logic dictates that if the previous application was refused then this one has to be;
- A fence of 2.1m in height would be more appropriate than 1.8m to match the existing fence;
- Neighbours were made aware of estate 'bylaws' designed to maintain the open spacious aspect of the estate;
- Concerns in regards to damage to surface and foul drainage to properties No. 33 to 39;
- Noise disturbance from the patio areas and open plan aspect;
- The position of the proposed access road is directly opposite no. 18 Park Wood Close, the slope from Rockwood House means that any vehicle on the proposed road has the potential to be able to roll back and crash into this dwelling;
- Proposal will put an extra strain on all local amenities;
- Rockwood Estate is a mix of two storey dwellings and bungalows however these are spread throughout the estate and not crammed together onto a very small site;
- Question the validity of the flood and drainage assessment, the information provided is vague;
- Whilst there is a need for more housing there is no shortage of this type of dwelling in the area;
- The corner of plot 5 butts right up to the road with no protection from passing and turning vehicles;
- This is a greenfield site;
- The project is profit led;
- In 1972 planning consent was passed for the Rockwood Estate, appendix 7 states planning consent granted subject to a net density of 8 houses per acre (4060sqm), the proposed site is 2435sqm so max density should be 4 houses not 6;
- In 2010 government policy specified that urban gardens are greenfield sites to reduce the risk of garden grabbing and over development;
- As the site is raised anything on it needs to be low level to take the privacy of the surrounding residents into account;
- Brownfield register specifies a brownfield site should be at least 2500 sqm;
- 4 houses more in keeping with the rest of the streets design would be more acceptable;

- Precedence was set in 1990's when the previous owner of Rockwood House had permission refused to build an extra storey above the garage (ref. RF/CD/5/63/537/B);
- The council needs to accurately calculate the number of new residents per hectare;
- Amended plans are nearly identical to those refused at planning committee;
- The architect stated that this development had been designed to meet with the building aims of the local plan, this claim was made despite the local plan calling for more one and two bedroom houses to fill the local housing demand;
- The upkeep of the road has suffered as a result of heavy vehicles entering the road to demolish the previous home. These plans do not offer a solution to the noise and damage to the street as a result of the building;
- The local plan suggests that developers engage with residents to address concerns, however many objections from residents have not been addressed or listened to by the developer;
- Haven't received notification regarding the rejection of the previous application or that this new application has been submitted;
- Leeds innovation centre published a document called "The Updating the demographic evidence" this provided evidence that the areas population has aged drastically over the last 15 years. This is unsustainable and wasting land which could house affordable developments in favour of unaffordable developments which keep young people out of Skipton and move more old people in;
- Since the demolition of the dwelling there has been a reduction in bird life at the site, the loss of bats and the hedgehogs will be detrimentally affected if the large established hedge is removed;
- Officers were unable to do the maths to convert hectares to acres at the last planning committee meeting to give accurate feedback on the density issue;
- Something needs to be done now all the trees and shrubs have been butchered;
- The properties are too close to existing dwellings;
- To what depth will plot 4 be dropped down into the landscape?;
- Alters the visual aspect of the cul de sac;
- Property prices will fall in value
- Suggest that permitted development rights are removed;
- Extra vehicle traffic could be dangerous to pedestrians and particularly school children;
- Overshadowing on neighbouring properties;
- The latest plans introduce 2 no 'ugly ducklings' to the front of the development, these are the only dormer bungalows on the estate;
- Will provide extra traffic and loss of roadside parking;
- Construction restraints need placing on building times and repair and maintenance of current roads;
- 2/3 properties would be acceptable.

8. Summary of Principal Planning Issues

8.1 Policy background and principle of development.

- 8.2 Visual impact upon the surrounding area.
- 8.3 Impact on neighbouring amenity.
- 8.4 Highway issues.

9. Analysis

Policy background and principle of development.

- 9.1 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 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).'* ENV3 'Good Design', SD1: 'Presumption in Favour of Sustainable Development', SP3 'Housing Mix and Density' and SP4 'Spatial Strategy and Housing Growth' are all considered to be applicable to this planning application.

Officer note: Under paragraph 214 the policies in the previous Framework (2012) will apply as the LPA has now submitted its draft Local Plan for examination. The weight to be attached to the policies in the emerging plan remains the same under both the old and new Framework.

- 9.2 The draft 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 that have no outstanding objections the greater weight should remain with the Saved Local Plan Policies and the NPPF.
- 9.3 For the purposes of this report the relevant saved Local Plan policies and the policies set out in the NPPF will be considered.
- 9.4 In terms of the NPPF there is a presumption in favour of all forms of sustainable development provided that the benefits of allowing development are not outweighed by any dis-benefits that may arise. The NPPF also advocates the provision of new housing to meet established housing needs.
- 9.5 It is considered that in this case the Local Plan policy is consistent with the broad objectives of the NPPF and that the development of a previously established site which is located within Skipton Development Limits is acceptable in principle.

Visual impact upon the surrounding area.

- 9.6 The NPPF stresses that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. However, decisions should not attempt to impose architectural styles or particular tastes. The NPPF also states that LPA's should aim to ensure that developments function well and add to the overall quality of the area, optimising the potential of the site to accommodate development.
- 9.7 The application site is located within development limits and is therefore subject to consideration under Saved Local Plan Policy H3. Policy H3 is supportive of new residential infill development and development of neglected, derelict or underused land provided it does not result in loss or damage of important spaces, amenity/recreational land or heritage assets, there is no loss of residential amenity, there is no conflict with other plan policies and no highway safety issues will arise.

- 9.8 Paragraph 130 of the NPPF states that permission should be refused where the development is of a poor design which fails to take the opportunities available for improving the character and quality of an area and how it functions. Furthermore, where the design of a development accords with clear expectations in plan policies, design should not be used as a valid reason to object to development by the decision-maker.
- 9.9 The application site is located within development limits and is therefore subject to consideration under Saved Local Plan Policy H3. Policy H3 is supportive of new residential infill development and development of neglected, derelict or underused land provided it does not result in loss or damage of important spaces, amenity/recreational land or heritage assets, there is no loss of residential amenity, there is no conflict with other plan policies and no highway safety issues will arise.
- 9.10 The application proposed 6 new detached dwellings within a previously developed site located off Park Wood Close, Skipton. The properties are to be one to two storeys in height, with car parking provided for 17 vehicles. The proposed development would sit within a gap between existing residential dwellings to the north, south and west. To the east is the public highway (Park Wood Close) and across from that, more residential dwellings. The application site once housed 1 residential dwelling which sat within a large residential curtilage. This proposal seeks to optimise the potential of this piece of land to allow for 6 new residential properties.
- 9.11 Although the proposed dwellings can be said to be large in scale in comparison to what previously resided on the site, they are of a similar size and massing to what currently exists on Park Wood Close. It is also noted that the proposals would create a small cul-de-sac; this is not uncommon within this location with a number of small cul-de-sacs being found up along Rockwood Drive. The properties will all be set back from the highway in line with the existing building line of existing properties located on Park Wood Close. Typically dwellinghouses in this area are one or two storeys in height and are constructed in stone. The proposed materials consist of natural slate roof tiles, tumble stone, UPVC for windows, timber doors, close boarded timber fences and stone walls. The proposed housing is traditional in style with a contemporary twist. The dwellings do not attempt to replicate any of the surrounding properties; it is nevertheless, an appropriate design that is respectful of its surroundings.
- 9.12 In this case the proposals are considered to be infill development on a brownfield site which is appropriate in the context of the area and would not appear incongruous or overly dominant in the general context of this site. It would provide an efficient use of a large portion of land, and would not have an unacceptable detrimental impact upon the character and appearance of the area.

Impact on neighbouring amenity.

- 9.13 The National Planning Policy Framework states that Local Planning Authorities should seek to achieve a good standard of amenity for all existing and future occupants of land and buildings. The General Development Principles of the Local Plan also states that all development should protect the amenities of neighbouring residents and occupiers.
- 9.14 The application site is surrounded by residential dwellings in all directions. The nearest properties with the potential to be impacted are The Coach House, Nos. 33, 35, 37 and 39 Rockwood Drive and Nos. 9, 16 and 18 Park Wood Close.
- 9.15 The Coach House is located to the north of the application site. This property is most likely to be impacted by plots 1 & 6. In regards to overlooking and loss of privacy, plot 6 on the northern elevation has only 1 window which faces out on to Coach House, this window is to be obscure glazed. Plot 1 has 2 windows within the north elevation however, they will both be obscure glazed, 2 roof lights are also to be installed. It is considered that there are no concerns in regards to overlooking. Furthermore, the existing wall which runs along the northern boundary between the application site and Coach House will be retained and a

1.8m fence will be added, providing some screening at ground floor level. In terms of overshadowing there is potential for some shadowing to occur at Coach House however, this would be across the small portion of garden/amenity area to the south and potentially the driveway of the property. There would be no overshadowing of habitable room windows. Therefore it is not considered that this level of shadowing would be significant enough to recommend that the application is refused. As highlighted previously this neighbouring property is most likely to be impacted by plots 1 & 6, Rockwood House (the dwelling that previously resided on the site) was a 2 storey dwelling which was large in scale and massing. The property ran close up to the northern boundary of the application site and therefore was in close proximity to the Coach House. It is therefore considered that the proposed dwellings would not appear to be over bearing in comparison and would have a similar if not lesser impact on the neighbouring property as the dwellings are separated by parking, access, and gardens. Plot 1 will also be located approximately 0.5m further away from the Coach House than what Rockwood House was before it was demolished.

- 9.16 No. 33 Rockwood Drive is located to the south west of the application site. This property is most likely to be impacted by plot 5. In regards to overlooking 1 window is proposed within the southern elevation of plot 5 however, this is to be obscure glazed. Running along the south western boundary will be a retaining wall and a close boarded timber fence measuring approximately 1.8m in height, this should provide some screening at ground floor level. Due to the location, orientation and separation distance of this property and plots 4 & 5, it is not considered that there will be any concerns in regards to overshadowing. Whilst it is acknowledged that there will be a material change to the rear of No. 33 as the existing high hedging is to be removed, it is considered that due to location, orientation and that plot 5 is to be dropped down into the landscape, this property would not be deemed to be overbearing on this neighbouring dwelling. It is also important to note that the proposed timber fence would provide some screening of the dwelling.

- 9.17 35 Rockwood Drive is located to the south west of the application site. This site is most likely to be impacted by plot 4. In regards to overlooking 3 windows are proposed within the western elevation of plot 4 however, 2 of these are to be obscure glazed and the other is for a hallway and therefore is a non-habitable room. Running along the western boundary will be a retaining wall and a close boarded timber fence measuring approximately 1.8m in height, this should provide some screening at ground floor level. It is therefore considered that there are no concerns in regards to loss of privacy of this neighbouring property. In terms of overshadowing, due to the orientation and location of the proposed dwellings and this neighbouring property, there are no concerns in regards to overshadowing. Whilst there will be a material change to the rear of No. 35 Rockwood Drive as the existing high hedging is to be removed, it is not considered that the proposed dwelling at plot 4 would be overbearing as the property is to be dropped down into the landscape, a portion of green space is to be left between the dwellings to help increase the gap between both properties. The proposed timber fence should also help to reduce some of the potential impact from the proposed dwelling.

- 9.18 37 Rockwood Drive is located to the south west of the application site. This site is most likely to be impacted by plot 4. In regards to overlooking 3 windows are proposed within the western elevation of plot 4 however, 2 of these are to be obscure glazed and the other is for a hallway and therefore is a non-habitable room. Running along the western boundary will be a retaining wall and a close boarded timber fence measuring approximately 1.8m in height, this should provide some screening at ground floor level. It is therefore considered that there are no concerns in regards to loss of privacy of this neighbouring property. In terms of overshadowing, due to the orientation and location of the proposed dwellings and this neighbouring property, there are no concerns in regards to overshadowing. Whilst there will be a material change to the rear of No. 37 Rockwood Drive as the existing high hedging is to be removed, it is not considered that the proposed

dwelling at plot 4 would be overbearing as the property is to be dropped down into the landscape, a portion of green space is to be left between the dwellings to help increase the gap between both properties. The proposed timber fence should also help to reduce some of the potential impact from the proposed dwelling.

- 9.19 39 Rockwood Drive is located to the south west of the application site. This property is most likely to be impacted by plot 4. In terms of overshadowing, due to the orientation and location of the proposed dwellings and this neighbouring property, there are no concerns in regards to overshadowing. In regards to overlooking and loss of privacy at No. 39, whilst this properties rear garden area will be open to views from plot 4, this level of overlooking is not uncommon within this area; this property is already overlooked by a number of neighbouring dwellings. It is therefore not considered that the addition of one further dwelling would have such a significant impact on the loss of privacy that the application should be refused. In regards to the proposals being overbearing on No. 39, due to the separation distance and orientation of plot 4 and No. 39, it is not considered that the proposals would have a significant impact on this neighbouring dwelling in regards to being overbearing or obtrusive.
- 9.20 9 Park Wood Close is located to the south of the application site. This property is most likely to be impacted by plot 2. In regards to overlooking a set of patio doors are to be installed on the southern elevation, at ground floor level the patio doors should be partially covered by the boundary fence which is to be installed along the southern boundary of the application site. Roof lights are proposed although it is consider that views from these windows would look over the top of no.9 rather than directly into the dwelling or its amenity area. In terms of overshadowing, due to the orientation and location of the proposed dwellings and this neighbouring property, there are no concerns in regards to overshadowing. Since the previous application was refused (2018/19747/FUL) amendments have been made to reduce plot no. 2 down from a 2 storey dwelling to a dormer bungalow, this is to try and help alleviate any concerns in regards to the proposals being overbearing on No. 9. These changes are considered to be significant enough to reduce the overbearing nature of plot 2 on no. 9.
- 9.21 18 Park Wood Close is located across the road (Park Wood Close) to the east of the application site. This property is most likely to be impacted by plot 1. In regards to overlooking the property will have an approximate separation distance of 31m to plot 1, furthermore no. 18 is stepped down from the highway and the application site is raised up, this does mean that there will be no direct views into windows of this neighbouring dwelling from any of the windows within the east elevation of plot 1. In terms of overshadowing, due to the orientation and location of the proposed dwellings and this neighbouring property, there are no concerns in regards to overshadowing. This neighbouring dwelling is one storey in height, the proposals have now been amended down from two storeys to a dormer bungalow, it is considered that the amendments made will lessen any impact on No. 18. The proposals follow the existing building line on Park Wood Close, and that there is an acceptable separation distance from this dwelling and the application site in order to overcome any feeling of the proposals being overbearing. It is also important to note that this neighbouring property is situated next to two storey dwellings which are closer in proximity to the proposed dwelling on plot 1.
- 9.22 Similar to the above property, 16 Park Wood Close is located across the road (Park Wood Close) to the east of the application site. This property is most likely to be impacted by plot 2. In regards to overlooking the property will have an approximate separation distance of 24.5m to plot 2, furthermore no. 16 is stepped down from the highway and the application site is raised up, this does mean that there will be no direct views into windows of this neighbouring dwelling from any of the windows within the east elevation of plot 2. In terms of overshadowing, due to the orientation and location of the proposed dwellings and this neighbouring property, there are no concerns in regards to overshadowing. This neighbouring dwelling is two storeys in height compared to the amended dormer bungalow

that is proposed at plot 2, it is considered that the proposals follow the existing building line on Park Wood Close, and that there is an acceptable separation distance from this dwelling and the application site in order to overcome any feeling of the proposals being overbearing. It is also important to note that this neighbouring property is situated next to other two storey dwellings which are closer in proximity.

- 9.23 It is therefore considered that the proximity and scale of the development will not unacceptably detract from the existing living conditions and general amenities of any neighbouring occupiers in such a way that planning permission should be refused.

Highway Issues

- 9.24 The application proposes four no. visitor car parking spaces and 17 no. off-street car parking spaces for the dwellinghouses. Notwithstanding this, the application site is located in a highly accessible and sustainable location. It is therefore not essential that parking be provided as there is no policy requirement for dedicated parking to be provided as part of the proposals. Equally the most recent NYCC Highways (interim) parking standards do not require parking for residential development in '*central urban areas with good accessibility to all services*'. Furthermore, 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.

- 9.25 Saved Local Plan Policy T2 permits development proposals provided that they are appropriately related to the highway network, do not generate volumes of traffic in excess of the capacity of the highway network, do not lead to the formation of a new access or greater use of an existing access onto a primary, district or local distributor road unless the access is such that it is acceptable to the Council and its design achieves a high standard of safety, and has full regard to the highway impact on, and potential for improvement to the surrounding landscape.

- 9.26 The NPPF policy requirement is that permission should only be refused on highway grounds if the impacts of granting permission are shown to be severe. In this case it is not considered that the impact of the development would be severe in terms of highway safety grounds. NYCC Highways have reviewed the submitted information and have recommended a number of conditions and informatives which relate to road and footway layout, construction of roads and footways, site construction access, visibility splays, garage conversions, mud on the highway, construction traffic, highway condition surveys, onsite parking, storage and construction traffic during development and routing of construction traffic. Therefore, it is considered that the proposal is in line with the policy requirements of Saved Policy T2 of the Local Plan and the guidance contained within the NPPF and is therefore considered to be acceptable in terms of highway safety.

- 9.27 Conclusion

- 9.28 Paragraph 11 of the NPPF advises that LPA's should be 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 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.

- 9.29 On balance, it is considered that there are no adverse impacts arising from the amendments that would significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 11 of the NPPF, and therefore there are no grounds to withhold planning approval.

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:

- Flooding & Drainage Assessment - Date 01 November 2018 Rev A, received 14th January 2019;
- Design + Access Statement - Rev A 11.01.2019, received 14th January 2019;
- Tree Constraints Plan - Drawing No. TC01 Rev B, received 14th January 2019;
- Arboricultural Survey Report Revision B, received 14th January 2019;
- Location Plan - Drawing No. 808.01(--)001, received 14th January 2019;
- Existing Site Plan - Drawing No. 808.01(--)02, received 14th January 2019;
- Proposed Site Plan - Drawing No. 808.01(--)004 Rev I, received 14th January 2019;
- Block Plan - Drawing No. 808.01(--)005 Rev B, received 14th January 2019;
- Site Sections - Drawing No. 808.01(--)006, received 14th January 2019;
- House Type T1 & T2 Plans & Elevations - Drawing No. 808.01(--)020 Rev D, received 14th January 2019;
- House Type T3 Plans & Elevations - Drawing No. 808.01(--)021 Rev C, received 22nd January 2019;
- House Types T4 & T5 Plans & Elevations - Drawing No. 808.01(--)022 Rev D, received 14th January 2019.

Except as provided for by other condition 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 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:

- a. Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:
- The proposed highway layout including the highway boundary
 - Dimensions of any carriageways, footways, 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 the types of construction proposed for carriageways, cycle ways and footways/footpaths
 - When requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
 - Kerbs 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 of any structures which affect or form part of the highway network.
- h. A programme for completing the works. The development shall only be carried out in full compliance with the approved drawings and details unless agreed otherwise in writing by the Local Planning Authority with the Local Planning Authority in consultation with the Highway 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.

- 4 There shall be no movement by construction or other vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until that part of the access(es) extending 10 metres into the site from the carriageway of the existing highway has been made up and surfaced in accordance with the approved details and/or Standard Detail number A1 and the published Specification of the Highway Authority. All works shall accord with the approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority. Any damage during use of the access until the completion of all the permanent works shall be repaired immediately.

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.

- 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 from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 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 road safety.

- 6 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Reason: To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

- 7 Unless otherwise approved in writing by the Local Planning Authority, there shall be no HCVs brought onto the site until a survey recording the condition of the existing highway has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interests of highway safety and the general amenity of the area.

- 8 Prior to commencement proposals shall be submitted to and approved in writing by the Local Planning Authority for the provision of:
- On-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
 - On-site materials storage area capable of accommodating all materials required for the operation of the site
 - The approved areas shall be kept available for their intended use at all times that construction works are in operation.

Reason: To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

- 9 Prior to commencement details of the routes to be used by HCV construction traffic shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. Thereafter the approved routes shall be used by all vehicles connected with construction on the site.

Reason: In the interests of highway safety and the general amenity of the area.

- 10 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to the means by which the discharge rate shall be restricted to a maximum rate of 4.5 litres per second.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal.

Before the Development is Occupied

- 11 No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to base course macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.

The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.

Reason: To ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.

Ongoing Conditions

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

Reason: In the interest of satisfactory and sustainable drainage.

- 13 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.

Reason: To ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity of the development.

- 14 During construction works there shall be no:
a. Light Goods Vehicles exceeding 3.5 tonnes
b. Medium Goods Vehicles up to 7.5 tonnes
c. Heavy Goods Vehicles exceeding 7.5 tonnes

Permitted to arrive, depart, be loaded or unloaded on Sunday or a Bank Holiday nor at any time, except between the hours of 09:00am and 15:00pm on Mondays to Fridays and at any time on Saturdays.

Reason: To avoid conflict with vulnerable road users.

- 15 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D, E & F of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the dwellings hereby approved shall not be altered or extended, and no buildings or structures shall be erected within its curtilage, without first submitting details and receiving written approval by the Local Planning Authority.

Reason: In order to prevent overdevelopment of the site, to help preserve the character and appearance of the area, and to safeguard the amenities of the occupiers of adjacent dwellings.

Informatives

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

Operating times for construction should be limited to:

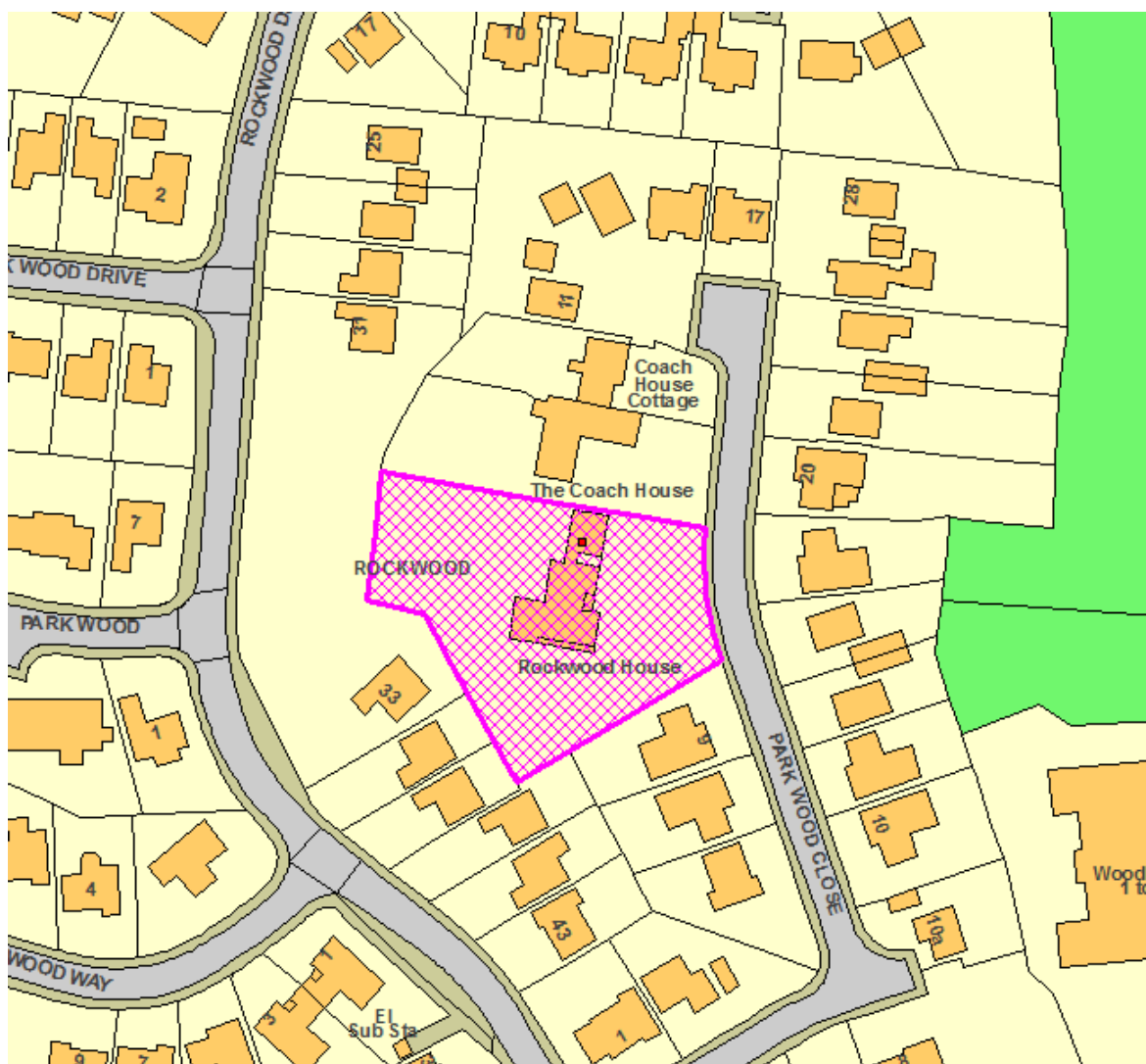
- 08:00am to 18:00pm Monday to Friday;
- 08:00am to 13:00pm Saturday;
- No Sunday or Bank Holiday working.

2. 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 adhere to the levels shown in the document and provide evidence to the Local Planning Authority of how the levels will be achieved (see table 4, page 24).
3. In imposing condition 3 above it is recommended that before a detailed planning submission is made a draft layout is produced for discussion between the applicant, the Local Planning Authority and the Highway Authority in order to avoid abortive work. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition.
4. 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.
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.

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.

6. You are advised that a separate license 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.
7. An explanation of the terms used above is available from the Highway Authority.
8. 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 (as amended 2018) of the NPPF.



Application Number: 2019/20096/FUL

Proposal: Construct 6 no. detached dwellings with associated vehicular access and landscaping.

Site Address: Rockwood House Park Wood Close Skipton BD23 1QW

On behalf of: Firth Developments LTD

REPORT TO PLANNING COMMITTEE ON 11th March 2019

Application Number: 2018/19738/FUL

Proposal: Demolition of Fairmount and the construction of 3 no. properties, all with off street parking

Site Address: Fairmount Starkey Lane Farnhill BD20 9AW

On behalf of: Mr Elliot Exley

Date Registered: 14th September 2018

Expiry Date: 9th November 2018

Case Officer: Miss Katie Chew

1. Site Description

1.1 The application site comprises of a detached bungalow known as 'Fairmount' and residential curtilage which wraps around the whole of the property. This dwelling is to be demolished to allow for the provision of the submitted proposals. The existing dwelling is stepped back from the highway and is accessed from Starkey Lane, Farnhill. The site varies in level throughout.

1.2 The application site is located within Farnhill Conservation Area and Development Limits.

2. Proposal

2.1 The application seeks full planning permission to demolish 'Fairmount' and construct 3 three bedroomed terraced dwellings. These properties would be 2 storeys in height and would have car parking for 2 vehicles per property to the front. As the site sits on a sloped topography and varies in height throughout, excavation is to occur to allow access to be gained straight off of Starkey Lane. The properties will all have gardens to the rear; plot 3 will also have some amenity space to the front. Bin stores are to be provided to the north and south of the dwellings. Vehicular access will be provided off of Starkey Lane.

2.2 Materials include 140mm standard coursed natural stone, UPVC windows and doors coloured 'Ball Green', art stone slate tiles, timber close boarded fences to boundaries, heritage stone flags for the pathways and block paving is to be used within the driveways.

Officer Note: Amendments have been made to the original proposal submitted; these amendments follow on from a meeting on 17th October 2018 with residents to discuss the plans. A meeting was then undertaken with the agent on 22nd October 2018 to discuss potential changes to the plans submitted. The amendments include:

- Reduced the properties by approximately 1m in height, taking the dwellings down to 2 storeys compared to the original 3;
- Chimneys added to all dwellings to provide a more traditional appearance to the proposed dwellings;
- A lean to roof has been added to the front elevations of the properties to replace the more standard door canopy that was provided previously.

2.3 Further amendments were made on 31st January 2019. These changes included:

- Obscure glazing to bathrooms;
- Canopies removed;
- Standard openers added to windows;
- Low stone walls to front and planting;
- Parking bays to be block pavers to match surrounding properties;
- Paths to be Marshalls heritage stone flags;
- Stone corbels to support the gutters.

2.4 Plans have been amended further to include the below changes:

- Removal of the second floor (fourth bedroom and bathroom);
- Lowering of the ridges of all properties by approximately 0.3m;
- Eaves lowered by 1 set of stone corbels;
- Removal of rooflights in roof space.

3. Planning History

3.1 No planning history Post 1974.

4. Planning Policy Background

4.1 Draft Submission Local Plan (2018)

4.2 National Planning Policy Framework (as amended July 2018)

4.3 Planning Practice Guidance (2012)

4.4 Saved Policies H4 and T2 of the Craven District (Outside the Yorkshire Dales National Park Authority) Local Plan.

5. Parish/Town Council Comments

5.1 Farnhill Parish Council – Comments received 11th October 2018. At our recent Parish Council meeting the above planning application was an agenda item. 18 members of the public attended to put forward their observations and strong objections to the application.

Farnhill Parish Council has considered the comments of the attendees when making their observations and request refusal for the following reasons:-

On the basis of the Design/Access statement and the Advice Letter from Planning, the justification for this Development is based on the poor structural condition of the existing bungalow and the lack of architectural merit. There is no technical appraisal to support the former and visually there appears to be nothing that cannot reasonably be overcome. If the latter is to be taken as justification, then most of the properties in the County could be in danger. The site is described as “infill brownfield”. Fairmount House occupies the site so it cannot possibly be classed as infill. The term “Brownfield” refers to previously developed sites, not to currently developed.

The Pre Application letter clearly supports the view that a terrace of three storey houses is preferable to a single bungalow. That view is extremely disturbing and totally inappropriate and would be gross overdevelopment of the site.

The proposed three storey terrace will be out of character with the village and would have an adverse impact on houses in the vicinity on Starkey Lane, Mary Street and High Croft Way from loss of privacy and loss of daylight, but none of the planning drawings illustrate the extent of this. It is very surprising that that the Application was validated without a detailed sunlight and daylight assessment.

This proposed commercial development will provide no benefit to the Village or the Conservation Area and will be to the detriment of many of the local people.

Each house in the proposed terrace has two single parking spaces . The houses are four bedroomed family houses and it is to be expected that the allocated parking spaces will prove to be insufficient to accommodate residents and visitors. Farnhill has an increasing problem with parking especially on the older narrower streets and it is now getting to a stage where refuse collection vehicles cannot access some houses, which quite clearly leads to inconvenience and animosity. Any potential for an increase in vehicles parking on the streets is totally unwelcome.

The carriageway adjacent to Fairmount is only four metres wide with a gradient in excess of 17% . Manoeuvring vehicles into and out of single restricted parking spaces will be very difficult and potentially dangerous when reversing. It is inevitable that some drivers will not use the allocated spaces and will attempt to park elsewhere thus leading to even more problems for the village.

There is no pavement on the opposite side of the road to the site and to alter the pavement to accommodate the extra entrances could be a health and safety issue and create a hazard for children walking to school.

The access to Starkey Lane is already difficult and can be dangerous. To exit from the top of Starkey Lane onto Grange Road is a hazard due to the speed of traffic and a blind corner and there have been several near misses. The lower end of Starkey Lane is a single carriageway which is often blocked by delivery vehicles and adding more cars into the equation would only make matters worse. Vehicles often have to reverse onto the footpath to avoid blockages of traffic which is dangerous to pedestrians.

There are problems in winter due to steepness of the road and water and aggregate are often washed down the road from the moor which can cause slippery surfaces. Vehicles are known to travel at inappropriate speeds and end up skidding.

5.2 Further comments were received 25th November 2018. Comments are all summarised below:

- Would like the application to go to planning committee;
- Parish would like to be notified of the meeting so that they can voice the Parish Council's objections;
- Only minor cosmetic changes have been made to the amended proposals;
- Out of keeping with the surrounding area and would have an adverse impact on surrounding properties;
- Concerns regarding the provision of parking for the development;
- Starkey Lane is too narrow by some 2 metres to allow vehicular access onto the bays without considerable manoeuvring. It is clear that the proposed layout is completely inoperable;
- Very surprising that NYCC Highways have raised no objections. NYCC Residential Highways Design Guide recommends that the provision for parking with four bedroom houses should be one garage space and two on-site parking spaces;
- Considerable amount of local objection;
- CDC has a clear duty to take full account of this amount of public opinion.

5.3 Further comments were received on 18th February 2019, the full statement was provided on 19th February 2019. They state:

'The Council has studied the amended plans and elevations and has concluded that the changes are relatively minor and do nothing to change the Council's view that the application is wholly inappropriate and should be rejected. The plans refer to a reduction in the ridge levels of the proposed houses but there are no dimensions or levels given to quantify the change and consequently no control over on site construction. The plans also give some indication of walled planting areas on the Starkey Lane side but nothing is shown on the elevations to illustrate how these elements will be incorporated.

The Council's principle areas of concern remain as follows:

Visual impact on the Village. The painted terrace houses on the side of the steeply sloping Starkey Lane are a very important feature of the Village and the Conservation Area and the proposed terrace of three storey houses situated immediately adjacent to them will only serve to degrade both the Village and the Conservation Area. It must be realised the ridge levels of the proposed houses will be at least 4 metres above the ridge of the top house of the terrace, number 33, and as such will appear very overbearing, especially when viewed from the bottom of Starkey Lane and from the Canal towpath. At present, Fairmount, with its relatively large and open site, provides a welcome junction between the Old Starkey Lane Terraced houses and the newer houses on Highcroft Way and the Crofts. Any redevelopment of Fairmount, unless of a similar size and appearance, will destroy this to the detriment of the village.

Impact on nearby Housing. The immediately adjacent houses are Folsmor House, 37 Starkey Lane and 12/14 Mary Street each of which will be adversely affected by the proposed development principally through loss of privacy due to the size of the development and the gross overdevelopment of the site.

Site Layout. Much stress has been placed on the onsite parking to be provided for the development, but, as previously demonstrated by the Parish Council, the layout is unworkable due principally to the narrowness of Starkey Lane. Inevitably this will result in the parking bays not being utilized and the residents of the development trying to seek out non-existent parking areas in the vicinity which in turn will lead to disruption and animosity with the existing local residents. The absence of any observations from NYCC Highways on the unsuitable parking layout, the amount of parking provided and the lack of any visitor parking provisions is a concern and the Parish Council suggests they be asked to reconsider their earlier observations.

The amount of local objection to the Proposed Development, as is illustrated clearly by the number of objections posted on the CDC Planning website, is unprecedented and Craven District Council has a clear duty of take this fully into account when dealing with the application.

Appendix 1 (objections to original plan) at our recent Parish Council meeting the above planning application was an agenda item. 18 members of the public attended to put forward their observations and strong objections to the application.

Farnhill Parish Council has considered the comments of the attendees when making their observations and request refusal for the following reasons:-

The plans are to demolish 1 x 2 bedroomed bungalow and replace with 3 x 4 bedroomed, 3 storey houses which we believe to be gross overdevelopment of the site.

The design of the houses is out of character with the village, and would have an adverse impact on the character and appearance of a conservation area. Being 3 storey they will be overbearing and stand out from other properties, whereas the original property fits in with the area.

The drawings do not show the impact that these houses will have on adjoining properties, which will have loss of light and privacy as well as losing a lovely view. The site will have

overlooking windows on all four sides and the boundary is in close proximity to neighbouring properties.

The site will have car parking spaces for six cars, which consist of two for each property, but being four bedroomed houses they are likely to be family houses which may have more than two cars plus there will also be visitors with cars. This would cause huge problems as Starkey Lane already has difficulties with restricted car parking.

The access to Starkey Lane is already difficult and can be dangerous. To exit from the top of Starkey Lane onto Grange Road is a hazard due to the speed of traffic and a blind corner and there have been several near misses. The lower end of Starkey Lane is a single carriageway which is often blocked by delivery vehicles and adding more cars into the equation would only make matters worse. Vehicles often have to reverse onto the footpath to avoid blockages of traffic which is dangerous to pedestrians.

There are problems in winter due to steepness of the road and water and aggregate are often washed down the road from the moor which can cause slippery surfaces. Vehicles are known to travel at inappropriate speeds and end up skidding. The road is used by school children walking to school and extra vehicles would only exacerbate the problem.

There is no pavement on the opposite side of the road to the site and the road is very narrow at this point. To alter the pavement to accommodate the extra entrance for the cars to park on site could be a health and safety issue and create a hazard for children walking to school '

Officer Note: The Parish Council's comments continue with Appendix 2 which provides imagery of the proposed car parking at the site, and proposed access.

6. Consultations

- 6.1 CDC Environmental Protection – Comments received 25th September 2018. Informatives have been recommended which refer to construction hours and dust management. Further comments were received which stated that there are no known contaminated land implications regarding the proposed development.
- 6.2 Yorkshire Water – Comments received 21st September 2018. No comments on the application at this time.
- 6.3 NYCC Highways – Comments received 5th October 2018. The design standard for the site is MFS and the required visibility splay is 33 metres by 2 metres. The available visibility is 33 metres by 2 metres. Conditions are recommended which relate to private access/verge crossings, parking for dwellings and an informative which highlights that a separate license will be required for any works in the adopted highway. Further comments were received 20th February 2019. There is no change to the previous recommendation since seeing the amended plans.
- 6.4 Conservation Officer – Comments received 7th December 2018. The Conservation Officer recommended that a more detailed heritage statement is provided, the proposed development should be shown in its full context and further amendments to the details of the design and materials should be provided. Although there is no over-riding heritage issues which would prevent the demolition of the existing bungalow and the redevelopment of the site with a terrace of three houses, there is a requirement to follow the established building line for terraces in the CA and create off-street parking in a discrete location, this therefore mitigates against a terrace of three.

Officer Note: It is in officer's opinion that three terraced dwellings with parking to the front would reflect the current parking arrangements throughout the street. Parking to the rear would also mean the loss of amenity space for occupiers of the dwellings. On balance it was considered that three dwellings with parking to the front would be more acceptable in this instance.

7. Representations

7.1 Site Notice – Expired 19th October 2018.

7.2 Press Notice – Expired 18th October 2018.

7.3 Neighbour Letters – Expired 12th October 2018.

7.4 158 representations have been received in objection to this application, their comments have been summarised below:

- Traffic and road safety;
- The proposals could have a potential impact on emergency services access to the community;
- Parking is already an issue;
- Bungalows are now a very rare event on the open market;
- It is not infill or brownfield development;
- The character of the village is what attracts people to the area;
- The parking provisions provided are not long enough to cater for the ever increasing length of vehicles;
- Until recently Fairmount was occupied by a single person without a car;
- The Council previously failed to deal with the traffic problem on Starkey Lane;
- If the proposals were to be agreed the Council would have to take seriously the difficulties and act to make the road accessible, at the very least double yellow lines would be necessary for the whole length of Starkey Lane;
- The proposals will make wheelchair access unsafe;
- Housing is unnecessary;
- Farnhill has very poor access to public transport;
- By dropping the kerb for the whole length of the development, this would take away the present pavement which is the only route for pedestrians;
- Where will visitors park?;
- The area is becoming overcrowded;
- Community cannot accommodate this, either ecologically or from a facilities perspective;
- The plans show no sizes other than 14.5 metres from some part of neighbouring property, no exact heights and no dimensions of the build or parking spaces;
- The plan doesn't take into account conservatory (12 Mary Street, Farnhill);
- The NPPF states that local planning authorities should aim to ensure that developments function well and add to the overall quality of the area. It also states that any development should respond to the local character and history and reflect the identity of local surroundings. The LPA should aim to address the connection between people and places and the integration of new development into the environment. The saved local plan policy H20 states that the privacy and amenity of neighbouring residents should not be significantly compromised and the development should provide a good standard of amenity for existing residents. It is considered this proposal not to be in line with these statements;
- Grange Drive/Starkey Lane has extremely poor visibility;

- There are lots of bats in this area and I would expect a bat survey to be requested;
- Speed limit of 30mph is rarely adhered to;
- The proposals will negatively impact the value of neighbouring properties;
- Will there be restrictions on the houses not having more than two cars?;
- The number of housing is out of keeping with the site;
- The gravel that collects at this stretch of road also causes skidding, winter conditions are treacherous, even worse with more cars at the point where it is at its very worst;
- The properties will overlook neighbouring gardens and yards and cast shadows over other properties;
- There is only one footpath running up this stretch of road, concerns over the safety of pedestrians;
- The site is not large enough to accommodate three properties;
- The provision of two parking spaces for each house is inadequate;
- Although the existing bungalow requires refurbishment it is not so bad that the only option is demolition;
- The 3 properties will be opposite to an electricity substation, which requires clear access;
- The proposal is overbearing and disproportionate;
- Visually there is no indication that the property is dilapidated and the aspect of the property regarding its appearance and presence is solely the opinion of the developer;
- Does this mean that the proposed development sets a precedent, in that other bungalows can be demolished for similar development in the future?;
- The outside space and garden areas are totally inappropriate for the number of potential occupants of each dwelling;
- The immediate area has two predominant styles of property – small cottages and bungalows, there are not any 3 storey properties locally;
- The proposed style and design is poor and is in keeping with a town house estate, not Starkey Lane cottages and bungalows;
- Blight on the character of the local area, not least due to its height and overall size;
- Daylight and views from neighbouring properties will be blocked;
- Concerns over where large vehicles would park whilst constructing the site, blocking the road for residents and taking up already overstretched street parking;
- Concerns over the works vehicles damaging the road;
- Loss of greenspace land;
- A project of this size would create lots of noise for local residents and disturb local wildlife;
- Concerns regarding how long the construction would take and how long local residents would have to cope with such significant disruption;
- Out of keeping with a conservation area;
- Concerns over light and car fumes;

- They will block the outstanding long views over the Aire Valley from the top of Starkey Lane;
- The village does not have many facilities for 3 families to move in but could continue to support 1 family with a local pub, a shop 1/2 a mile away, a primary school and a high school 1 miles away;
- Rooflines should be similar to existing;
- Plans are misleading;
- The height of the proposed dwellings is not stated. It appears to be 8 to 9 metres from some sloping line that could be the surface of Starkey Lane, or the top of an existing wall, or some surface on the proposed site;
- The proposals are overdevelopment;
- There are many other more suitable plots of land for developers to improve;
- The Conservation Appraisal carried out by CDC clearly states that the views down Starkey Lane should be protected;
- The proposed planning contradicts Section 69 & 70 of the Planning (Listed Buildings and Conservations Areas) Act 1990;
- The existing boundary wall of Fairmount is used by young and old residents in order to maintain balance on the icy surface of the 1 in 4 gradient. Removing this wall would make downhill walking in winter extremely difficult if not impossible;
- The proposals will cause alienation among neighbours;
- The proposals will add strain on local amenities and underground services;
- The developer doesn't even live in the village;
- The development is too close to neighbouring properties;
- Construction materials will block Starkey Lane for residents;
- The proposals have been designed by a greedy developer wanting to get the most profit out of the site;
- It is totally out of character with the buildings on the street and throughout the village.
- 126 further comments have been received following on from a re-consultation of amended plans.
- The amendments do not address the important issues of parking, traffic road safety, and access;
- Inappropriate housing style;
- Blot on the landscape;
- Attention is drawn to an extract from Craven Councils PRE APP RESPONSE document - a response to the developers application - noting Town and Country Planning Act 1990 and NPPF guidelines which states; "A key aim of design is to create developments that are not only interesting and attractive to look at but retain and enhance local distinctiveness and provide pleasant places to live whilst strengthening the community feel of a town or village" It is hard to see how this development, could in any way satisfy these guidelines;
- Further extract from the guidelines; "poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions

should be refused". The proposed development does not satisfy the criteria set out in the guidelines and should therefore be refused in its present form;

- Some of the comments raised by residents have been addressed in the amended proposals;
- The infrastructure of the village is unsuitable to house so many more people and will struggle to cope with existing services such as drainage;
- Increase the urbanised landscape of our wonderfully verdant valley;
- Make it an asset to the village and not a liability which causes hostility between neighbours. Make new future residents of Fairmount welcomed and not resented;
- The Highways agency obviously has not visited the site on an evening or weekend when the lane is jam packed with vehicles! The speed check that they have done proves nothing, only that Starkey Lane is very steep and traffic has to go slow because of the existing congestion;
- C.D.C, The developer and Farnhill residents. Two out of the three parties profit from the proposal only the residents suffer;
- The local area has sufficient developable land without the need to over burden this particular position;
- We are very concerned that the parking provisions for the new proposed development are not long enough to cater for the ever increasing length of vehicles and also where are any visitors going to park?;
- Replacing 1 low level house with 3 high level properties pays no attention to the character of the existing properties and the privacy of the neighbouring homes;
- We residents of Farnhill when applying for building permits to Craven Council have never had permission granted to exceed original building footprint. Has there been a status change on building regulations in a conservation area?;
- Waste of money;
- No mention is made of how they intend to construct these dwellings without seriously disrupting the other residents of the neighbourhood who use this restricted access daily;
- The twin bungalow to Fairmount lies beyond its western boundary to the west at the top of Mary Street;
- Top floor room types are not shown;
- The developer hasn't taken on board the communities feedback;
- Why not redevelop the existing bungalow;
- If not stopped at planning stage, once construction starts, they will do what they want. These tactics have worked in the past, as local authorities do not have the resources to fight them in court;
- Developments like this have ruined Australia;
- There are no local shops apart from outside of Kildwick. Only one small primary school which has lots of applicants which means if there are kids they may not get a place in the school;
- The height of the proposed houses has changed by less than a metre;
- No dimensions on plans;

- A beautiful and established community will be destroyed;
- The inclusion of a daylight plan is laughable, the plan shows that No. 37's balcony view is not impaired, there are no lines for 48 Starkey Lane which has all the front windows of this development looking straight at it;
- Demolition of a perfectly adequate bungalow;
- It is not infill or brownfield development;
- Adding chimneys does not materially change the fact that this is overdevelopment;
- Plans do not show context of site and correct distances from neighbouring properties;
- The street in which the proposal lies is classified as a highly significant view in the CDC – Farnhill Conservation Appraisal Document 2016;
- Loss of light and visual amenity;
- Describing the properties as cottages does not mean they are, you just have to look at the plans to see they are clearly town houses. There are no other properties of this nature in the village, let alone on Starkey Lane;
- The addition of a chimney probably adds the height reduced from previous proposal;
- From the plans it looks as though the material from the park of No. 33 Starkey Lane's car port wall is going to be removed. This could be detrimental to the stability of the (mostly) dry stone retaining wall and could result in its collapse;
- May impact on property values on Starkey Lane;
- The tone comes across as a done deal with the Council;
- Concerns in regards to road damage during construction;
- Two lower level properties would be more acceptable;
- It is entirely for financial greed;
- The proposals are not in keeping with the character of the village;
- The drawings provided do not provide floor plan measures, materials to be used – it all looks vague;
- 3 houses on the site is overdevelopment;
- The properties are not two storey they are three with a slanted roof on the third floor;
- Overlooking remains a problem as does close proximity;
- Some development of the site is reasonable;
- Noise pollution – disturb local residents and wildlife;
- Concerns about timescales for construction;
- Before officers make a recommendation it is important that consultation with the local community is every bit as thorough as it is with the applicant.

7.5 Amended plans were submitted by the agent, these plans we re-consulted on with 89 representations being received. These comments have been summarised below:

- Strong local objections remain;
- Amendments still show 3, three storey properties;
- Overdevelopment;

- On viewing No. 37 with a view to a possible purchase, the proposals would totally spoil the view and the owners of No. 37 will have problems selling the property;
- If it is to be redeveloped, rooflines should be similar to existing;
- A number of omissions/errors in the plans;
- No dimensions shown on the latest plans;
- It appears that the planning officer has given tacit approval to the developer that the development will get approved in its present form;
- Although the third floor has not been allocated as a bedroom, it is likely that it will be converted;
- Accidents during the winter months;
- There are no other three storey dwellings within the village;
- Adding a frosted window does not reduce the sense of overbearing and intrusion to neighbours and their quality of life;
- How will the village cope with the amount of new cars that the proposals will bring?;
- Concerned that the proposals have got this far;
- Where will residents walk once the wall is demolished;
- Where will cars park when it is icy in the winter?;
- Have senior members of committee been out to the site – it would be advantageous to do so;
- Stop wasting time, money and effort now by closing this matter once and for all, it is not wanted or have you not realised this?;
- Parking provision is inadequate;
- Not against development – it just needs to be proportionate to the plot;
- The second set of plans were changed after the public comment deadline (in November) – wasted exercise for everyone;
- The proposals will have a negative impact on the quality of life/well-being of many residents;
- The addition of walls between the driveways will make it even more dangerous to reverse off the driveways. The Parish Council has data which proves that a medium size car cannot reverse off the drives in one swing due to the narrowness of the road at that point;
- The ground level looks to be in fact higher than that of the existing bungalow level;
- Loss of privacy and light;
- On December 13th 2018, the Craven Herald reported that a planning application had been refused at appeal for seven townhouses to be built in Kildwick. This refusal was on the grounds of the developments impact on the character and appearance on the conservation area. The newspaper further quoted that the harm would come from the proposed dwellings themselves. This is entirely consistent with this planning application. This would also appear to have set a precedent for the Planning Department which did refuse planning permission for the seven homes;
- Development on this site should be like for like, e.g. single storey bungalow with off street parking;

- Conservation Area;
- Object in regards to the notification procedure;
- The local village school is oversubscribed;
- NYCC Highways have no objections – have they been on a weekend or evening?;
- The proposals will spoil the character of the village and not be in keeping;
- Emergency services already struggle to get down the street;
- Development located on a dangerously steep road;
- Difficult area to park;
- Builder is too greedy;
- Village is small and cannot cope with more people or cars;
- Cosmetic changes do not address the legitimate concerns;
- Access around Starkey Lane is difficult;
- Overlooking to neighbouring properties;
- Where will waggons and builders park during development?;
- Bungalows fulfil a need on the community;
- When the bypass is closed people ignore the diversion and clog Starkey Lane;
- Overbearing;
- Road damage during construction;
- Noise during construction;
- The proposals are not infill or brownfield development;
- Entry and exit of the site will be dangerous as it is intended;
- Greenspace will be lost which benefits everyone;
- The proposals will reduce neighbouring properties house values;
- Carbon neutrality will be reversed;
- The proposal involves demolition of a perfectly adequately bungalow;
- Houses below this development will be at risk of flooding due to run off;
- Government guidelines recently stated that this kind of development should be no allowed for environmental reasons.

Officer Note: Amended plans were provided by the agent on the 21st February 2019. It was officer opinion that as the changes were only minor amendments that were actually seeking to reduce the size of the scheme proposed, that a further consultation was not required on this occasion. The proposals have undertaken a number of previous consultations, and in this instance it was considered that the amendments were not prejudicial to third parties, therefore re-consultation was not undertaken.

8. Summary of Principal Planning Issues

8.1 Principle of development

8.2 Scale, design and visual impact of the proposed development on Skipton Conservation Area

8.3 Impact of the proposed development upon the privacy and amenity of neighbouring properties.

8.4 Highway Issues.

9. Analysis

Principle of development

9.1 In March 2018 the Council submitted the Council's New Local Plan to the Secretary of State. The Housing Trajectory 2012 to 2032, including the 2018 update for Submission indicates that the Council can now demonstrate a 5 year supply of housing sites. However, the stated existence of the Five Year Housing Land Supply is not a reason by itself to justify the refusal of a planning application. It is a material consideration in the planning judgement that can be given weight in the decision making process. In effect it is one of many planning issues that should be taken into account when determining a planning application.

9.2 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 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).'* Draft Policy ENV3 'Good Design', SD1 'The Presumption in Favour of Sustainable Development', SP3 'Housing Mix and Density', SP4 'Spatial Strategy and Housing Growth', IN4 'Parking Provision', are all considered to be applicable to this planning application.

Officer note: Under paragraph 214 the policies in the previous Framework (2012) will apply as the LPA has now submitted its draft Local Plan for examination. The weight to be attached to the policies in the emerging plan remains the same under both the old and new Framework.

9.3 The draft 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 that have no outstanding objections the greater weight should remain with the Saved Local Plan Policies and the NPPF. For the purposes of this report the relevant saved Local Plan policies and the policies set out in the NPPF will be considered.

9.4 In terms of the NPPF there is a presumption in favour of all forms of sustainable development provided that the benefits of allowing development are not outweighed by any dis-benefits that may arise. The NPPF also advocates the provision of new housing to meet established housing needs.

9.5 Saved Local Plan Policy H4 identifies that residential development within the development limits of villages will be limited to the infilling, conversions or small-scale development.

9.6 It is considered that in this case the Local Plan policy is consistent with the broad objectives of the NPPF; the proposals are for small-scale development on a previously developed site which is located within Farnhill Development Limits, the proposals are therefore considered to be acceptable in principle.

Scale, design and visual impact of the proposed development on Skipton Conservation Area

- 9.7 Section 16 of the NPPF gives guidance on conserving and enhancing the historic environment. In particular paragraph 192 advises that Local Planning Authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 193 & 194 goes on to advise that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the assets conservation. Where a proposed development would lead to substantial harm, local authorities should refuse consent, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm (paragraph 195 refers).
- 9.8 The NPPF stresses that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. However, decisions should not attempt to impose architectural styles or particular tastes.
- 9.9 The application site is located within development limits and is therefore subject to consideration under Saved Local Plan Policy H4. Policy H4 is supportive in principle of new residential development as long as the proposals are small-scale and they reflect the scale, density, layout and design and materials of the existing village. Development should not have an adverse impact on the surrounding landscape and should provide a satisfactory standard of residential amenity.
- 9.10 The proposed development would sit between existing two storey residential dwellings to the north and south. Surrounding the site are a number of additional existing residential dwellings. In this case the proposals are small-scale development, which is considered to be appropriate in the context of the area, which is made up of predominantly two storey residential dwellings. The street comprises of a mix of building styles, which also vary in age and design. In terms of the scale and massing of the proposed dwellings, they are considered to now sit well within the established street scene in which properties are stepped in height when looking up Starkey Lane. The proposed dwellings would carry this theme on up the road and would also provide a terracing effect like that already found within the street. The proposed materials and details would suit the site surroundings which are not uniform in design and vary throughout. Although the main materials used are stone and brick. There is also an assortment of tiles through the street, therefore the materials proposed are deemed to be entirely acceptable in this location. Finally, it is considered that the proposals will not result in the loss of, or damage to land of recreation or amenity value,
- 9.11 In regards to the potential impact on the Farnhill Conservation Area, Craven District Council's Conservation Officer was consulted on the proposals. The officer provided the view that the existing dwelling provides no contribution to the character and appearance of the conservation area and therefore its demolition would be acceptable. The officer also states that the redevelopment of the site with a terrace of three houses would also be satisfactory. Although it was recommended that the parking be provided to the rear of the dwellings to allow for the dwellings to follow the established building line. However, in officers opinion it is considered that moving the proposed parking spaces to the rear of the dwellings would create an alien feature to the street scene, and that it would not reflect what currently exists throughout Starkey Lane. Parking to the rear would also mean the loss of amenity space for occupiers of the dwellings. On balance it was considered that three dwellings with parking to the front would be more acceptable in this instance.
- 9.12 The proposal is considered to be of a scale and design comparable and proportionate to the existing street scene. For the aforementioned reasons it is considered that the development would not have an unacceptable detrimental impact upon the character and appearance of the area. Therefore the proposal does not conflict with the guidance in the NPPF and Saved Local Plan Policy H20.

Impact of the proposed development upon the privacy and amenity of neighbouring properties.

- 9.13 The National Planning Policy Framework states that Local Planning Authorities should seek to achieve a good standard of amenity for all existing and future occupants of land and buildings. The General Development Principles of the Local Plan also states that all development should protect the amenities of neighbouring residents and occupiers. In particular Saved Local Plan Policy H20 states that the privacy and amenity of neighbouring residents should not be significantly compromised. Development should also provide a good standard of amenity for existing residents.
- 9.14 Saved Local Plan Policy H4 is supportive of proposals within development limits of villages which provide a satisfactory standard of residential amenity and do not have an unacceptable impact on the amenity of neighbouring properties.
- 9.15 The application site is surrounded by residential dwellings in all directions. The properties most likely to be impacted by the proposals are Nos. 33, 37 & 48 Starkey Lane and No. 12 Mary Street.
- 9.16 No. 33 Starkey Lane is located to the south of the application site. This dwelling has the most potential to be impacted by plot 1; plot 1 is to be located closest to No. 33. Within the north elevation of No. 33 there is a small window which looks out over the application site however, this window is obscure glazed and is not providing light into a 'habitable room'. There is a separation distance of approximately 5m from this window to the proposed dwelling at plot 1. 2 windows are proposed within the southern elevation of plot 1 although these windows relate to a downstairs WC and a hallway, therefore 'non habitable rooms'. It is therefore considered that there are no concerns in regards to overlooking or loss of privacy. Whilst it is acknowledged that the proposed dwellings would sit at a higher ground level above No. 33, there are no concerns in regards to overshadowing due to the location of the neighbouring property being to the south of the site.
- 9.17 No. 37 is located to the north of the application site. This property has the most potential to be impacted by plot 3; plot 3 is to be located closest to No. 37. Due to the sloped topography of Starkey Lane No. 37 should sit just above plot 3 and will be stepped back at an angle away from this proposed dwelling. Whilst it is acknowledged that No. 37 have balcony areas to the south elevation, the distance between these balconies would be approximately 5m. The distance between the northern elevation of plot 3 and the southern elevation of No. 37 would be approximately 7m. As No. 37 will sit slightly above these properties, it is not considered that the proposals would be overbearing on this neighbouring property. Furthermore, just 2 windows are proposed within the north elevation of plot 3, one of these windows relates to a bathroom and therefore will be obscure glazed, the second window relates to a hallway and therefore is for a non habitable room. Therefore there are no concerns in regards to overlooking or lack of privacy for this neighbouring property. In regards to overshadowing, some shadowing may occur throughout the day over the driveway/side garden of No. 37 but the impact of this should not be significant enough to recommend that the application is refused. This would be a small portion of the residential curtilage of No. 37.
- 9.18 No. 48 is located across the road to the east of the application site. This property has the most potential to be impacted by the front elevations of plots 1 & 2. The proposals sit across the road (Starkey Lane) from the neighbouring dwelling. plot 1 will sit approximately 16.8m away from the front elevation of No. 48 and plot 2 will sit approximately 17m. It is considered that this separation distance is acceptable and would not cause any concerns in regards to overshadowing or the properties being overbearing on No. 48. Whilst it is acknowledged that No. 48 would have 10 new sets of windows looking out across to the road towards them, it is important to highlight that 3 of these would be obscure glazed, and 1 would be a hallway window and not a habitable room. This being said, it is considered that the proposed distance between the neighbouring property and the front elevations of plots 1 & 2 would be significant enough to not cause concerns for overlooking and loss of privacy. It is also important to note that No. 48 has been located opposite a residential

dwelling for a number of years, although it is acknowledged that the existing dwelling is single storey and would only have oblique views out to No. 48, the introduction of residential dwellings at the site isn't new. It is also important to recognise that the distances between the proposed dwellings and No. 48 is not considered to be unreasonable, this type of relationship between neighbouring properties can be found throughout Craven and throughout Starkey Lane.

- 9.19 No. 12 Mary Street is located to the west of the application site. This property has the most potential to be impacted by plots 1, 2 and 3. At present 'Fairmount' sits within the site at an angle. This means that the No. 12 is approximately 11.2m away from the nearest point of existing dwelling at 'Fairmount'. Whilst it is acknowledged that No. 12 does have a conservatory attached to the rear of the house, there are no specific measurements of this extension shown on the plans. An estimate could be made between 2-3m this would mean a separation distance of approximately 8/9m to 'Fairmount'. The proposals seek to build all 3 properties in a linear fashion stepped back from Starkey Lane. This would equate to a separation distance of approximately 11.2m from plot 1 to no. 12, 13.2m from plot 2 and 18.4m from plot 3. Due to these properties being built in a straight line within the plot this has allowed room for rear gardens, part of these gardens area will remain raised to allow a dropped down more private patio area. 2m timber boarded fences will be erected along the boundaries providing screening between this neighbouring property and the proposed dwellings.
- 9.20 In regards to potential overlooking and loss of privacy, the proposed dwellings will have 6 windows which will be able to look out across No. 12's rear garden. The majority of the proposed ground floor windows will be hidden by the timber fence which is to be installed at approximately 2m in height. However; it is important to note that this level of overlooking is not something new to this property as views are visible from Fairmount, No. 14 Mary Street and Nos. 1 & 2 High Croft Way. No. 12 also sits at an angle, this does mean that any views into neighbouring windows is at an oblique angle and therefore there will be no direct overlooking into habitable room windows. As highlighted previously no. 12 does have a rear conservatory however, this type of room is not classed as a habitable space and was also built under permitted development rights. In regards to overshadowing, there will be some shadowing early to mid-morning of the rear garden of No. 12 however, this will not be to a significantly adverse level and will not impact on any habitable room windows. It is therefore considered that the potential impact of this would not be significant enough to recommend that the application is refused.
- 9.21 It is therefore considered that the proximity and scale of the development will not unacceptably detract from the existing living conditions and general amenities of any neighbouring occupiers to a significantly adverse extent to justify that planning permission is refused.

Highway Issues

- 9.22 The application proposes six parking spaces, two spaces per dwellinghouse. Vehicular access will be created for each property off Starkey Lane. The dwelling proposed highlights 3 bedrooms however, although plans have been amended to remove the 3rd storey element of the dwelling, it is considered reasonable to assume that an attic conversion could still take place to provide 1 extra bedroom within the dwelling. Notwithstanding this for the purposes of applying NYCC's Interim Guidance (2015) parking standards, dwellings of 4 bedrooms or more should have 2 car parking spaces provided. It can therefore be concluded that the proposals would still meet the criteria set provided, if the attic was converted into an extra bedroom. Whilst it is noted that transport links are somewhat limited within Farnhill, the site is located within a long established village which does have some transport links within the vicinity. The site is clearly not rural or isolated and therefore it wouldn't be justifiable to request further car parking spaces in this instance.

- 9.23 Draft Local Plan Policy INF4 'Parking Provision' identifies that it is important to encourage sustainable transport modes and reduce conflict between road users. It is important that the parking provision is safe and convenient for an appropriate quantity of vehicles, minimum parking standards should apply. However, the Council will adopt a flexible approach with each case being determined on its own merits.
- 9.24 Saved Local Plan Policy T2 permits development proposals provided that they are appropriately related to the highway network, do not generate volumes of traffic in excess of the capacity of the highway network, do not lead to the formation of a new access or greater use of an existing access onto a primary, district or local distributor road unless the access is such that it is acceptable to the Council and its design achieves a high standard of safety, and has full regard to the highway impact on, and potential for improvement to the surrounding landscape. Saved Local Plan Policy H4 also highlights that proposals should not create conditions prejudicial to highway safety.
- 9.25 The NPPF policy requirement is that permission should only be refused on highway grounds if the impacts of granting permission are shown to be severe. In this case it is not considered that the impact of the development would be severe in terms of highway safety grounds. NYCC Highways have reviewed the submitted information and have no objections to the proposals. However, they do recommend conditions which relate to private access/verge crossings, parking for dwellings and an informative which highlights that a separate license will be required for any works in the adopted highway. Therefore, it is considered that the proposal is in line with the policy requirements of Saved Policy T2 of the Local Plan and the guidance contained within the NPPF and is therefore considered to be acceptable in terms of highway safety.
- 9.26 Conclusion
- 9.27 Paragraph 11 of the NPPF advises that LPA's should be 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 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.*
- 9.28 On balance, it is considered that there are no adverse impacts arising from the proposals that would significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 11 of the NPPF, and therefore there are no grounds to withhold planning approval.
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:
- Site Location Plan, received 14th September 2018;
 - Topographical Survey, received 19th September 2018;
 - RDS Map, received 19th September 2018;
 - Farnhill ATC, received 14th September 2018;
 - Details provided in covering letter, received 6th November 2018;
 - Drawing No. 001 Proposed Site Plan, received 21st February 2019;
 - Drawing No. 002 Proposed Site Plan, received 6th November 2018;
 - Drawing No. 003 Proposed Floor Plans, received 21st February 2019;
 - Drawing No. 004 Proposed Side Elevations, received 21st February 2019;
 - Proposed Front and Rear Elevations, received 21st February 2019;
 - Daylight/Sunlight Assessment, received 8th November 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.

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 National Park Authority) Local Plan and the National Planning Policy Framework.

During Building Works

- 3 Prior to any excavation full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details.

Reason: For the avoidance of doubt and to protect the appearance of the locality, in the interests of the amenities of local residents.

- 4 Notwithstanding any description of materials in the application of this permission, prior to their first use, samples or full details of all materials to be used on the external surfaces of the buildings shall be 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 thereafter shall be implemented in accordance with the duly approved materials.

Reason: To ensure use of appropriate materials which are sympathetic to the character and appearance of the Farnhill Conservation Area.

Before the Development is Occupied

- 5 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

Ongoing Conditions

- 6 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:
- (i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
 - (ii) (c) 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 6 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 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1:20.
 - (v) 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.
 - (vi) 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.

Reason: In the interests of highway safety.

- 7 Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

Reason: To secure proper drainage.

- 8 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D, E & F of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the dwellings hereby approved shall not be altered or extended, and no buildings or structures shall be erected within its curtilage, without first submitting details and receiving written approval by the Local Planning Authority.

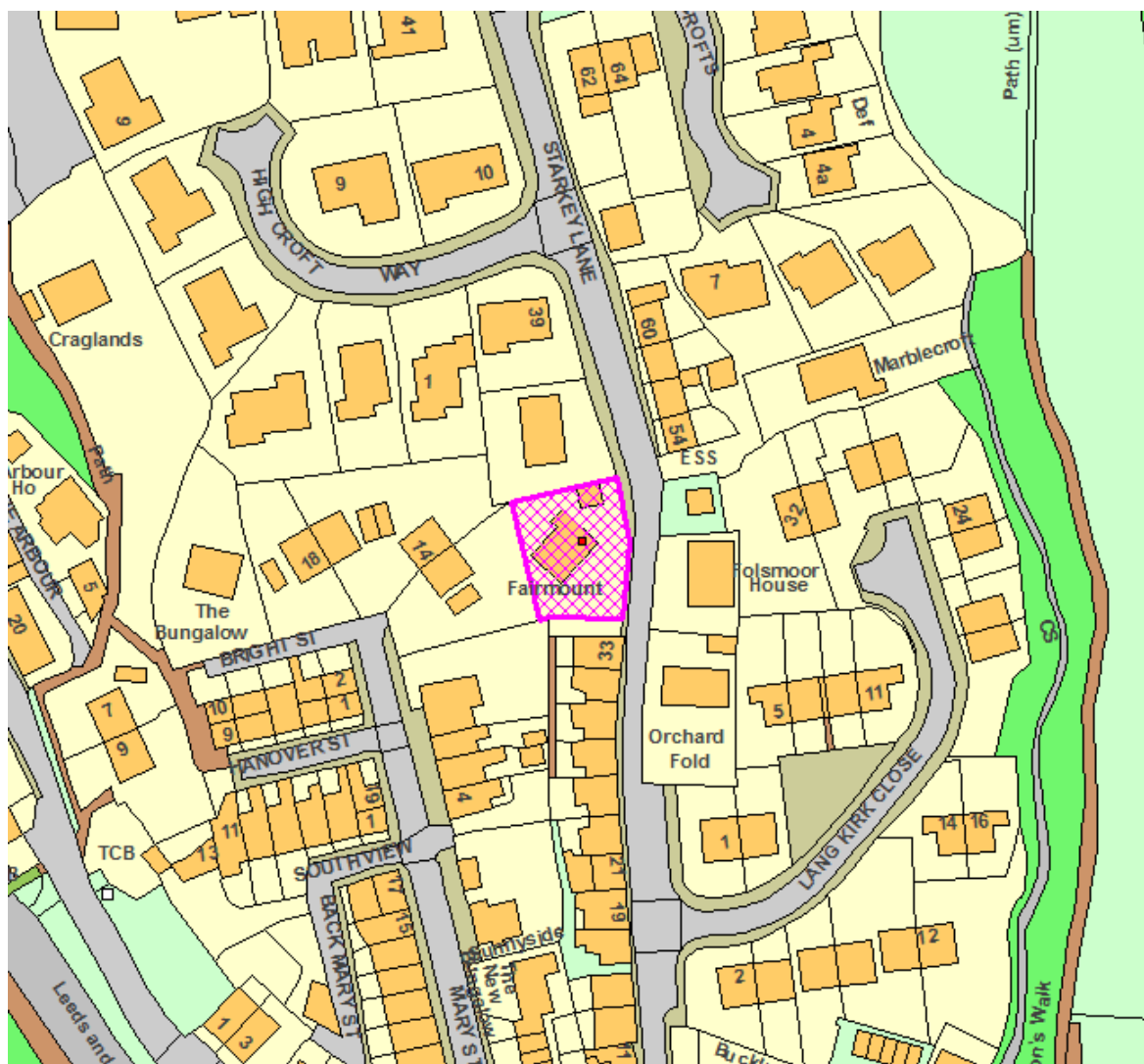
Reason: In order to prevent overdevelopment of the site, to ensure that satisfactory provision of outdoor amenity space for the dwellinghouses is maintained, to help preserve the character and appearance of the area, and to safeguard the amenities of the occupiers of adjacent dwellings.

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. 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.
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.

4. You are advised that a separate license 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.
5. 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 NPPF.



Application Number: 2018/19738/FUL

Proposal: Demolition of Fairmount and the construction of 3 no. properties, all with off street parking

Site Address: Fairmount Starkey Lane Farnhill BD20 9AW

On behalf of: Mr Elliot Exley

REPORT TO PLANNING COMMITTEE ON 11th March 2019

Application Number:	2018/18988/FUL
Proposal:	Construction of 2 no detached dwellings
Site Address:	Site North Of Glen Royd Woodside Lane Cononley BD20 8PE
On behalf of:	Pinnacle View Homes
Date Registered:	7th February 2018
Expiry Date:	4th April 2018
Case Officer:	Mr Mark Moore

This application was deferred from the meeting on 11 February 2019 to enable Members to carry out a site visit.

This application is referred to the Planning Committee as it is a departure from the Local Plan

1. Site Description

- 1.1 The application site comprises a rectangular piece of land 45m x 18.5m located on the eastern side of Woodside Lane to the north of the settlement of Cononley.
- 1.2 The site is raised from the roadside level and sits behind a stone wall and hedge. The site is undeveloped but lies between existing residential properties located to the north and south. There is open agricultural land to the east and west.
- 1.3 The site is located fairly close to but not within development limits. However, the site is within the Cononley Conservation Area buffer being on the outer edge of the settlement boundary.

2. Proposal

- 2.1 The proposal is seeking approval for the construction of two detached houses that would lie parallel to each other located towards the northern part of the site. Each house would have garden areas to the side and a shared footpath across their frontages.
- 2.2 The proposed houses would be 4 bedroom with a gabled design and would incorporate a projecting two storey outrigger to the rear and a single storey 'orangery'.
- 2.3 As the site is sloped it is proposed to 'step' the landform which would result in a drop in levels between the two properties and then to the southern end of the site.
- 2.4 It is proposed to construct the houses in natural stone with natural slate roofing and uPVC doors and windows.
- 2.5 At the southern end of the site it is proposed to construct a pair of single garages with an additional four parking spaces in an 'L' shaped configuration lying adjacent.
- 2.6 A new vehicle access is proposed immediately forward of the garages. The access would have 2m x 38m visibility splays which would necessitate reconstruction of the boundary wall and planting of a new hedgerow.

3. Planning History
 - 3.1 There is no relevant planning history associated with the application site.
4. Planning Policy Background
 - 4.1 **National Planning Policy Framework (NPPF).**
 - 4.2 **National Planning Practice Guidance.**
 - 4.3 **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
 - T2: Road Hierarchy
 - 4.4 **Submission Draft Local Plan Policies:**
 - SD1: The Presumption in Favour of Sustainable Development
 - SP1: Meeting Housing Need
 - SP4: Spatial Strategy and Housing Growth
 - ENV1: Countryside and Landscape
 - ENV2: Heritage
 - ENV3: Good Design
 - INF4: Parking Provision
 - 4.5 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 and is at an advanced stage, therefore weight can be given to it. However, the NPPF 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 the policies in the Framework, the greater the weight that may be given.’
 - 4.6 The Draft Policies set out above are considered to be applicable to this submission. There are representations to those policies but they have generally had support at the draft submission stage and are therefore considered to have some limited weight. In this case the policies, insofar as they apply to this development, are largely consistent with the NPPF and it is not therefore proposed to reference Draft Policies in this report.
5. Parish/Town Council Comments
 - 5.1 **Cononley Parish Council:**
‘Cononley Parish Council is opposed on the grounds of positioning of the proposed entrance close to a blind corner, the lack of visibility for ingress and exit and the narrowness of the road at this point. Also, proposed development outside the CDC Local Plan development limit and also not identified in the Cononley Parish Council Neighbourhood Plan as a site for development’.
6. Consultations
 - 6.1 **CDC Environmental Health:**
No objections have been raised. Recommendations made regarding conditions to control; times of operation (noise), use of clean topsoil and dust emissions from the site.

6.2 **CDC Tree Officer:**

There are several trees on site but none of any particular value. The hedgerow does provide some ecological and visual value along the lane. If permission is granted then a landscape plan could possibly be conditioned to mitigate the removal of trees and the section of hedgerow.

6.3 **NYCC Highways**

Following initial objections and the submission of additional information the Highways Authority has commented that subject to the revised site plan and speed survey they have no objections to the application on highway safety grounds. Conditions are recommended to ensure; construction of access to highway specifications and the provision of adequate visibility splays.

7. Representations

7.1 The application was advertised by way of site notice posted on 21st February 2018, press notice published 16th February 2018 and by letter sent 14th February 2018.

7.2 There have been 7 third party representations received which raise the following objections to the application:

- Proposal conflicts with the Local Plan.
- Development is too high.
- Site has inadequate access.
- Development is out of keeping with the character of the area.
- Overdevelopment of the site.
- Increased risk of traffic/highway safety issues and congestion.
- Site is located outside of the village limits.
- Development is not needed.
- Village infrastructure cannot cope with additional development.
- Site is not infill, located in road with rural character not suitable for ribbon development.
- Development will worsen existing surface water problems through erosion on both sides of the highway.

8. Summary of Principal Planning Issues

8.1 Principle of development.

8.2 Visual impact and design/impact on heritage assets.

8.3 Impact on amenity.

8.4 Highway safety.

8.5 Landscaping.

9. Analysis

Principle of development:

9.1 The Local Plan was adopted in 1999 but was not prepared under the Planning & Compulsory Purchase Act 2004. Notwithstanding this paragraph 213 of the NPPF states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework stating that *'due weight should be given to them, according to their degree of consistency with this Framework (the closer*

the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

- 9.2 The main thrust of the NPPF is an overarching presumption in favour of sustainable development. This guidance reaffirms that it is the Government's clear expectation that local planning authorities should deal promptly and favourably with applications that comply with up to date plans and that where plans are out of date, there will be a strong presumption in favour of sustainable development that accords with national planning policies.
- 9.3 In this case the application site has not been identified as a preferred site for housing in the Submission Draft Local Plan. Notwithstanding, the Submission Draft policies can only be given limited weight in the decision making process at this time and primarily the Council's decision on this specific application must be considered on its own merits having regard to the relevant national and Saved Local Plan Policies currently in force.
- 9.4 Paragraph 47 of the NPPF requires local planning authorities to boost significantly the supply of housing by identifying '*specific, deliverable sites for years one to five of the plan period*' and '*specific, deliverable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan*'.
- 9.5 Paragraph 73 of the NPPF states that the figures (above) need to be calculated with an appropriate buffer. This is calculated as:
- 5% to ensure choice and competition in the market for land; or
 - 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plans, to account for any fluctuations in the market during that year; or
 - 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 9.6 In March 2018 the Council submitted the Council's New Local Plan to the Secretary of State. The Housing Trajectory 2012 to 2032, including the 2018 update for Submission indicates that the Council can now demonstrate a 5 year supply of housing sites. However, the stated existence of the Five Year Housing Land Supply is not reason in itself to justify refusal of a planning application as it remains for each application to be considered on its own merits although it remains a material consideration in planning that can be given weight in the decision making process. In effect it is one of many planning issues that should be taken into account when determining a planning application.
- 9.7 Paragraph 78 of the NPPF recognises that, depending on its location, housing is capable of contributing to the vitality of rural communities by supporting services within neighbouring settlements. In regards to housing in rural areas, the main purpose of paragraph 79 of the NPPF is to avoid isolated homes in the countryside unless certain circumstances are applicable.
- 9.8 The term '*isolated homes in the countryside,*' and its interpretation, was considered in a recent appeal case, Braintree District Council v Secretary of State for Communities and Local Government, Greyread Limited & Granville Developments Limited [2017] EWHC 2743 (Admin); [2018] EWCA Civ 610. In accordance with the judgement on that case '*isolated*' in the context of the NPPF should be given its dictionary meaning, with the distinction between settlements and the countryside being a physical analysis rather than a mixture of the functional and physical. Based on this judgement therefore, the key test to apply when considering isolation is whether the proposal is physically immediate to other dwellings.
- 9.9 The site is in fairly close proximity to the development limit boundary where residential properties are present. In addition, the site lies directly adjacent to existing residential

dwelling which are also outside of the designated development limits. The area has good vehicular access to local services and facilities. The proposed development is in accordance with the objectives of the NPPF in that the site would provide some economic and social benefits. Therefore, with regard to the advice in the NPPF, taken overall the proposal is in principle considered to be capable of forming sustainable development.

- 9.10 The application site lies outside the development limits of Skipton. As a result, ENV1 and ENV2 apply. Saved Policy ENV1 seeks to protect the character and quality of the open countryside from being spoilt by sporadic development. Further, small scale development appropriate for the enjoyment of the scenic qualities of the countryside and other small scale development having a rural character will only be permitted in the open countryside 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.
- 9.11 Saved Local Plan policy ENV2 seeks to ensure that any development acceptable in principle under saved policy ENV1 is compatible with the character of the area and does not have an unacceptable impact on the landscape; that the design and materials used relate to the setting; that traffic generated by the development can be accommodated satisfactorily and that services and infrastructure can be provided without a serious harmful change to the character and appearance of the area. These are general planning considerations that fall broadly in line with the NPPF.
- 9.12 Saved Policy ENV2 seeks to ensure that any development that is located outside of the development limits but considered to be acceptable in principle; should be compatible with the character of the area; the design, materials used relate to the setting; that traffic generated can be accommodated satisfactorily and; that services and infrastructure can be provided without any serious harm to the character and appearance of the area. The weight that can be given to ENV2 is now limited, but these aims are broadly in line with the NPPF.
- 9.13 The overall conclusion in terms of the principle of development is that although the application site is not within recognised development limits as defined by the 1999 Local Plan it is located immediately adjacent to residential development and is in an accessible and sustainable location where there would be no significant harm caused by development. Consequently, residential development at this location is capable of forming sustainable development that would be in accordance with NPPF guidance and is therefore acceptable in principle.
- Visual impact and design/impact on heritage assets:
- 9.14 The NPPF sets out generic policies that require good design and specifically it is stated as a core planning principle that planning should always seek to secure high quality design and a good standard of amenity for all existing and future users of land and buildings.
- 9.15 Paragraph 127 elaborates that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- 9.16 Saved Local Plan policy ENV1 seeks to limit development in the open countryside where it fails to maintain or enhance landscape character. More detailed criteria under ENV2 requires that development should not have an unacceptable impact on the landscape; that existing landscape features should be protected; that development should relate well to the setting and public views; and finally that it should be accessible and be capable of being serviced without causing a serious harmful change to the locality.

- 9.17 Paragraph 193 of the NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In this case the application site is within close proximity to the Cononley conservation area and could affect the setting of both of that designated heritage asset.
- 9.18 At paragraph 195 the NPPF advises 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 total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 9.19 In this case the benefits of the provision of housing to meet the Council's housing land supply and the presumption in favour of sustainable development set out in the NPPF needs to be balanced against any adverse impacts of allowing the development to take place.
- 9.20 The main concern of the proposal would derive primarily from the visual impact of the development and the potential impact on the setting of the nearby conservation area. In terms of planning balance it is the case that the provision of a single new property would be of limited benefit in terms of the overall supply of housing land but equally it is considered that no significant harm would arise from the proposal (i.e. there would be less than substantial harm to heritage assets).
- 9.21 Additionally, it is considered that the development would represent an efficient use of a small area of land that is of limited benefit in terms of its contribution to the overall character and appearance of the area. In coming to this view the site characteristics have been taken into account and the location of the site is considered such that the new dwellings would appear in no way incongruous or have a detrimental visual impact upon any area of important open space. Whilst not strictly an 'infill' development (defined as a small gap in an otherwise built up frontage) the site is located between existing housing where the impact of new housing would be much less than in a more isolated location.
- 9.22 It is considered that the design and appearance of the proposed houses are acceptable and that they are appropriate in scale relative to the immediate setting. Moreover, it is considered that the proposed dwellings would not appear in any way incongruous or overly dominant in the general context of the site. For these reasons it is considered that the proposal is consistent with NPPF policy in terms of design.
- 9.23 With regards to the location of the site adjacent to the conservation area it is considered that the proposals would not have any adverse impact upon the setting or significance of the designated heritage asset and that the proposed dwellings, which would be located adjacent to existing residential development, would be entirely consistent with the NPPF policy requirements.
- Impact on amenity:
- 9.24 The proposed new dwellings would be sited immediately between existing housing and would represent a continuation of a ribbon of development that runs along the eastern side of Woodside Lane. The orientation and siting of the proposed new houses would not give rise to any adverse impact on the amenity of the existing housing to either side and there are no other properties in close proximity would be impacted upon.
- 9.25 For the above reasons, the proposal would result in a minimal impact upon the amenity of the occupiers of neighbouring properties and is acceptable.
- Highway safety:
- 9.26 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'.

- 9.27 In addition to the above the NPPF at paragraph 35 advocates the promotion of sustainable transport modes and to this end recommends that developments should be located and designed where practical to *'give priority first to pedestrian and cycle movements'* and to *'create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles'*.
- 9.28 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.
- 9.29 In this case the proposals have been revised in order to meet the required visibility splays recommended by NYCC Highways. It is also the case that adequate on-site car parking and manoeuvring space is available for the proposed houses. Moreover, no objections have been raised to the proposal by NYCC Highways.
- 9.30 It is concluded that the application is acceptable in terms of highway safety.

Landscaping

- 9.26 The tree officer was consulted on the application and has stated that he has no objections to the scheme subject to a condition being attached to require submission of a landscaping scheme in order to mitigate the loss of the hedgerow and trees that are present on the site. The trees are not considered to be of any particular value.

Conclusion:

- 9.27 The proposal would entail development of land that forms a gap between existing development and whilst not 'infill' it is considered that the development would meet the requirements for sustainable development that would not appear incongruous or represent inappropriate or isolated development in the open countryside. On this basis it is considered that the application is acceptable.

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 The permission relates to the following plans:
- Location Plan received 6th February 2018
 - Drawing No. SR-2048-1A "Plans and Elevations " received 16th August 2018.

- Drawing No. SR-2048-2A " Site Plans and Sections" received 16th August 2018.
- Drawing No. SR - 2048-3 "Location Plan" received 16th 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.

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

During Building Works

- 3 No work shall commence on any external walling of the proposed dwelling until such time as the following have been submitted to and approved in writing by the local planning authority:
- a sample panel of walling, of at least 2m² area, showing the natural stone to be used, the method of coursing and the styles and colour of its pointing has been constructed on site and;
 - samples of the proposed roof slates have been made available for inspection
- The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed development is of a high quality and appropriate appearance in the interests of the visual amenity of the locality.

- 4 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

- 5 No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas have been constructed in accordance with the approved drawings and are available for use unless otherwise approved in writing by the Local Planning Authority.

Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

Before the Development is Occupied

- 6 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:
- (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 6 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 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1:20.
- (v) 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.
- (vi) 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

INFORMATIVE

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.

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

- 7 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 28 metres measured along both channel lines of the major road Woodside 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. 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 road safety.

Ongoing Conditions

- 8 Notwithstanding any details shown on the approved plans, within three months of development first taking place a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that a suitable landscaping is introduced to the site in order to soften the development's visual impact on the open countryside.

Informatives

1. In order to prevent potential for noise nuisance to nearby residential properties during construction operating times for construction should be limited to:

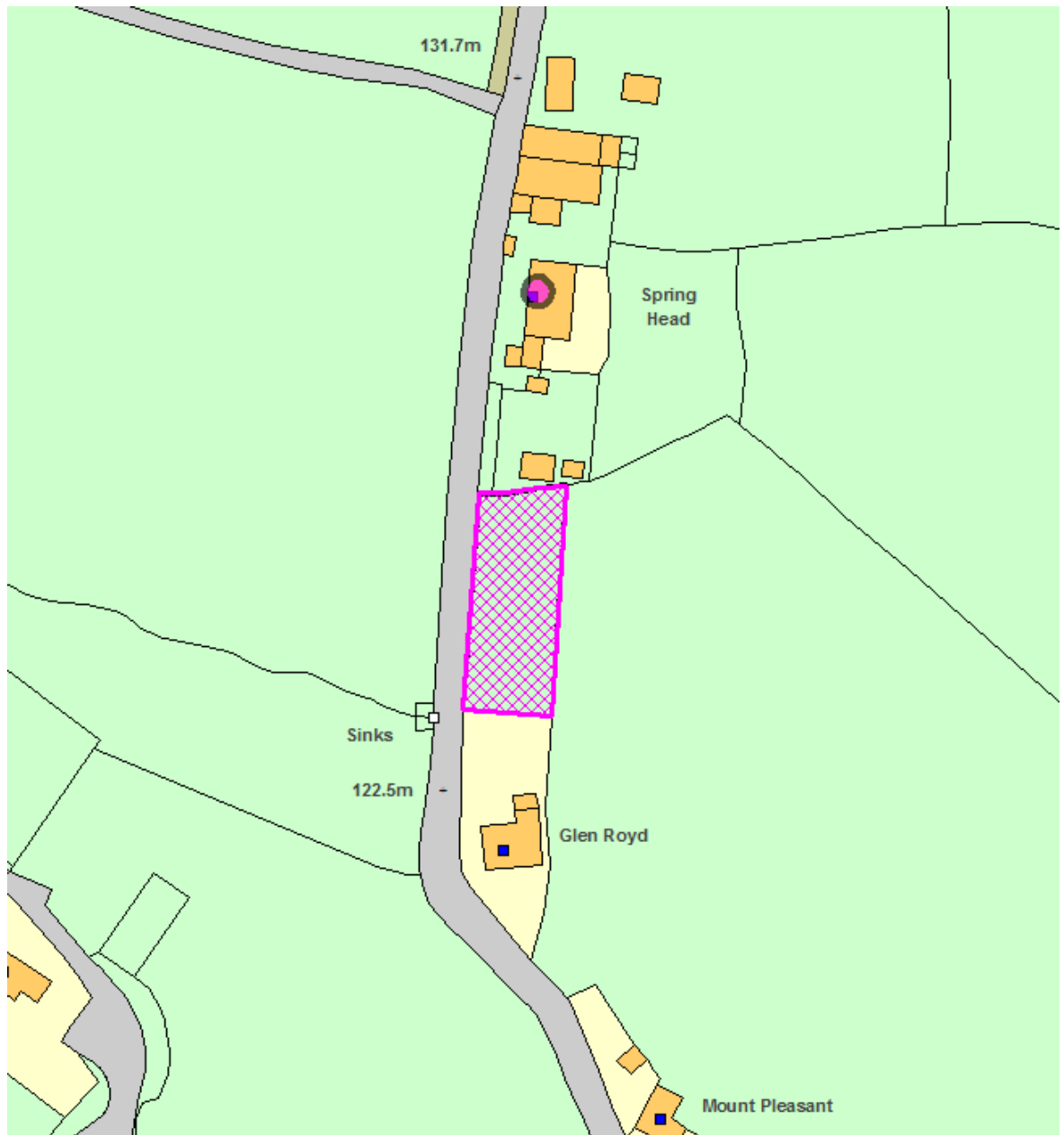
- 8:00am to 6:00pm Monday to Friday
- 8:00am to 1:00pm Saturday
- No Sunday or Bank Holiday working.

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. The applicant should adhere to the levels shown in the document and provide evidence to the Local Planning Authority of how the levels will be achieved if required to.
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 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.
5. 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@cravendc.gov.uk or can be downloaded from the District Council website

6. 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: 2018/18988/FUL

Proposal: Construction of 2 no detached dwellings

Site Address: Site North Of Glen Royd Woodside Lane Cononley BD20 8PE

On behalf of: Pinnacle View Homes

REPORT TO PLANNING COMMITTEE ON 11th March 2019

Application Number:	2018/19559/FUL
Proposal:	Full planning permission for erection of five two storey houses and one single storey house and works to boundary walls
Site Address:	Land At Grundy Farm Carla Beck Lane Carleton BD23 3DE
On behalf of:	Mrs Nancy Ellison & R N Wooler & Co
Date Registered:	23rd July 2018
Expiry Date:	17th September 2018
Case Officer:	Andrea Muscroft

This application is deferred to Planning Committee as it is a departure from the development plan in force and the recommendation is for approval.

1. Site Description
 - 1.1 The application site comprises land occupied by Grundy Farm and covers an area of approximately 0.5 hectares.
 - 1.2 The application site is rectangular in shape. Located along the western boundary is the former Workshop (granted approval for conversion to residential accommodation ref: 17/2012/13169 & 17/2016/17039), the Social Club, a residential dwelling and Silver Star Body Repair Centre. Beyond the body repair centre is a site that has also been granted approved for residential development ref: 17/2016/17560.
 - 1.3 To the south of the site beyond the bank of trees is agricultural land. Similarly, along the eastern boundary is agricultural land. To the north of the site is the original farm house (Grundy Farm) a Grade II listed building and barn with associated stone boundary wall with terrace dwellings to the northeast. The former barn has been granted approval for its conversion to form two residential units with an area to the south of the farmhouse also granted approval for the construction of three residential dwellings with associated off street parking (ref: 17/2009/9965 & 9980).
 - 1.4 Beyond the northern and western boundaries are further residential dwellings, plus a Public House, Primary School and local shop.
 - 1.5 The site is also located close to public transport, which provides services on the North Yorkshire Country Council via the no. 12 bus. In addition, there exists a pedestrian foot path from the site into the centre of Skipton.
 - 1.6 The level of the site slowly climbs to the south. The site does contain a farm building and some shrubs and trees along the eastern boundary.
 - 1.7 The far north part of the site is located within the development limits and Carleton Conservation Area. The top north western part of the site is also located within an Existing Housing Commitment Site on the Emerging Local Plan.
2. Proposal

- 2.1 The proposal is seeking approval for the construction of five two storey detached dwellings and one single storey dwelling with off street parking and associated works to facilitate the proposal.
- 2.2 **Officer note:** A previous application sought outline permission for the construction of 21 dwellings and highway access that included land identified as making a strong contribution to the area in the Conservation Area Appraisal 2016. However, following concerns expressed by Historic England, the Council's Conservation and Listed Building Consultant and Highways the applicant withdraw the original proposal and revised the application to reduce the number of dwellings from 21 to 6 dwellings and to address highway concerns.
- 2.3 The proposed dwellings are located in an area identified in the Conservation Area Appraisal as land only making some contribution to the character of the area and to also reduce the scale of plot 1 to create the perception of it as a converted agricultural shed.
- 2.4 Therefore, the current proposal is seeking planning permission for the construction of five two storey detached dwellings, one single storey dwelling all with off street parking, the creation of vehicle/pedestrian access directly off Carla Beck Lane.
3. Planning History
- 3.1 17/2008/9164 – Conversion of barn to 2no. residential units and construction of 3no. New dwellings with associated off street parking – Refused April 2009.
- 3.2 17/2009/9965 – Conversion of barn to 2no. residential units and construction of 3 no. new dwellings with associated off street parking (Resubmission of application 17/2008/9164) – Approved October 2009.
- 3.3 17/2009/9980 – Conversion of barn to 2no. residential units and construction of 3 no. new dwellings with associated off street parking – Approved November 2009.
- 3.4 Officers Note: Approvals 17/2009/9980 & 9965 have been implemented. Therefore, there remains an extant permission for the provision of 5 dwellings on this part of the site.
- 3.5 2018/19560/LBC - Listed building consent application for works to boundary walls – Not determined.
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. However, the submission draft is considered to be sound and the policies are consistent with the NPPF.
- 4.3 Craven District (Outside the Yorkshire Dales National Park) Local Plan
ENV1 – Development in the open countryside.
ENV2 – Requirements for development in open countryside.
H4 – Residential development within the development limits of villages.
T2 – Road Hierarchy
- 4.4 Submission Draft Craven Local Plan March 2018 – Emerging Local Plan (ELP).
SP1 – Meeting housing need.

SP11 – Strategy for Tier 4A and 4B villages with basic services and bisected villages with basic services.

ENV1 – Countryside and landscape.

ENV2 – Heritage

ENV3 – Good design.

INF4 – Parking provision.

4.5 National Policy

The National Planning Policy Framework

Planning Practice Guidance

4.6 Other documents of relevance

Carleton Conservation Area Appraisal August 2016

Carleton Conservation Area Appraisal 1979.

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 Carleton Parish Council: The Parish Council consider that the above planning application is totally inappropriate for the village for the following reasons: -

5.2 The village does not need the type of dwellings specified in the application. There are already approved applications for four similar large detached dwellings on land at Carla Beck (18073) and a further four on land adjacent to Park Lane (17560). What the village actually needs is a number of relatively low cost houses and bungalows to appeal to first time buyers and older people.

5.3 The proposed site is a green field site in a prominent raised position (the Design Statement actually says that the land rises steeply) on the southern edge of the village.

5.4 Any development would be most noticeable, spoil the approach to the village and destroy the visual amenity of those living in the vicinity. In addition, the proposed development would interfere with, and be out of keeping, with the setting of the Grade 2 Listed Building comprising the Grundy Farm Cottage and its attached barn.

5.5 The proposed new entrance to the site apparently does not meet the statutory sight lines specified by the North Yorkshire County Council and this is of paramount importance as the main road into the village can be very busy at morning and evening peak times with commuter traffic to Lancashire and school traffic to the village school. The Curtin Transport Report engaged by the developer vaguely leans on the new entrance being up to current standards but so far the NYCC have not issued their own assessment. The NYCC response to the previous application for this site entrance (17886) was that the application should be refused.

5.6 The wall between Street Houses and Grundy Farm is also designated as a Grade 2 Listed Building although of not any particular architectural significance. Should the entrance described in 3, above be constructed, it would completely remove the wall in its entirety and another piece of the village's heritage would be lost.

- 5.7 The CDC Planning Department must take into account the recommendations given in the following reports which are too numerous to list here:- Hinchliffe Heritage Advice to the Craven District Council 13 August 2018; the NYCC Lead Local Flood Authority 9 August 2018; Historic England Report 12 June 2017 and the CPRE Report 11 June 2017 (both the two latter reports are in relation to withdrawn application no 17886 for the same site but are still applicable to the above application).
6. Consultations
- 6.1 CDC Environmental Health: No comments received within the statutory consultation period.
- 6.2 **CDC Contamination Officer:** No known contamination issues identified with this site.
- 6.3 **CDC Heritage and Conservation Officer:** The revised proposal is welcomed and the proposed drawings provided a reasonably accurate indication of the impact of the development on the existing street view. Further details are required with regards to the conversion of the existing outbuilding to form garage. The use of reclaimed stone is welcome.
- 6.4 **CDC Tree Officer:** No objection to the proposal. The hard surfacing on the amended plans is at an acceptable distance to the Ash Tree (TPO 263 2017), on the adjacent land to the west. It is recommended that a condition is imposed requiring protective fencing for this tree.
- 6.5 **Historic England:** Based on the information provided the Council is advised that should approval be granted that conditions are imposed requiring details of choice and use of materials and landscaping.
- 6.6 **NYCC Designing out Crime:** No issues identified by this application.
- 6.7 **NYCC Highways:** Following the submission of the Transport Statement and speed survey results the highways authority have undertaken their own assessment of the information provided. As a consequence of the assessment the local highways authority has no objection to the proposed development subject to conditions being imposed relating to details on the road and footway layout/construction/surface water disposal, visibility splays, site works for highway, completion works for highway, mud prevention and details of on site storage and construction traffic.
- 6.8 **NYCC Suds:** If planning permission is to be granted then conditions relating to drainage design, runoff destination, rate and storage requirements, maintenance and exceedance flow routes.
- 6.9 **Yorkshire Water:** If planning permission is to be granted then conditions relating to the disposal of surface water.
7. Representations
- 7.1 The proposal was advertised on the 9th August 2018 in the Craven Herald with a Site Notice displayed within the surrounding area on the 6th August 2018. In addition, letters of notification were circulated directly to neighbouring properties. As a result of the publicity the Council received 38 letters of representation.
- 7.2 Comments summarised below:
- 7.3 **Policy**
Conflicts with local plan and national policy
- 7.4 **Heritage**
Unacceptable loss of listed wall
Disagree with the Council's heritage advice

Negative impact on the setting of adjacent listed buildings and conservation area.

Officers Note: *The proposal has been designed in consultation with the Council's Heritage Consultant with regards to its potential impact on the adjacent conservation area and street scene.*

7.5 **Visual impact**

The whole of the site should be developed.

Over development and out of character with the area.

Development too high.

Development of a greenfield.

More open space needed on development.

Concern over the potential impact on the conservation area.

Officers Note: *The proposal has been designed in consultation with the Council's Heritage Consultant and also to respond to comments original received from Historic England during the assessment of a previous application ref; 17886.*

7.5 **Amenity issues**

Too close to adjoining properties.

Loss of light

Concern over noise nuisance and loss of privacy

7.6 **Highway issues**

Concern over impact on highways

Officers Note: *The proposal has been designed in consultation with NYCC Highways in response to concerns expressed by local residents and the highways authority.*

Concern over pedestrian and driver's safety.

Inadequate parking provision and access.

Inadequate public transport provisions

Increased traffic movements.

Loss of parking.

7.7 **Flooding**

Increased danger of flooding

Officers Note: *The site is not in an area identified as being at flood risk zone as identified by the Environment Agency.*

Concern over increased surface water flooding on Park Lane

Officers Note: *The proposal does not trigger the requirements of section 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in that the proposal is not a major application and thus the provision of a sustainable drainage system is not required. Furthermore, NYCC Subs has been consulted on the proposal and consider that this can be adequately addressed by condition.*

Officers Note: *Photographs have been submitted ref the issue of surface water flooding. It is noted that the area show in the photographs lies to the east of the application site at a distance of approximately 763m.*

7.8 **Other issues**

Not enough info given on application

Missing information from plans

Inaccuracies within the submitted information.

Strain on existing community facilities

General dislike of proposal.

Conflict with a condition imposed on a 2009 application.

Officers Note: *It is also noted that objectors query whether the Council could grant approval for the works to the listed wall given that a restrictive condition was imposed on earlier permissions (ref: 17/2009/9965 & 17/2009/9980). The grant of an earlier permission does not preclude an applicant from submitting further proposals on a site, as each proposal received by the Council will be assessed and determined on its own individual merits.*

Proposal would affect local ecology.

Increase in pollution

No need for more housing within the village.

Where are the affordable dwellings?

Officers Note: *The proposal falls below the trigger for affordable housing.*

Potential contaminated land.

Bin Store.

Brownfield sites should be developed first.

Incorrect certification completed.

7.9 **Officers Note:** *Planning Law requires that an applicant applying for planning permission must complete, sign and date a declaration on the application form that they are either the owner of all the land/buildings which are the subject of the application or have served a formal notice on all owners of land/buildings the subject of the application.*

7.10 *To complete a false or misleading certificate is an offence, with a maximum fine of up to £5,000.*

7.11 *In this instance, the Council has no evidence that the certification completed and submitted as part of this application is incorrect.*

7.12 **Officers Note:** *The above is not intended to repeat every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <https://publicaccess.cravendc.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>*

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:

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;

- 8.2 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:

Principle of development

Visual impact

Heritage impacts

Amenity issues

Highway issues

Other issues

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. However, there are no saved policies relevant to the assessment of this proposal. Therefore, the NPPF will provide along with legislation the prevailing policy context under which this application is to be assessed.

9.3 **Principle of development.**

- 9.4 The application site lies for the majority, with the exception of the far northern area outside of the development limits of Carleton and as such saved Local Plan Policy ENV1 applies. Policy ENV1 seeks to protect the character and quality of the open countryside from being spoilt by sporadic development and restricts development to small scale proposals. These aims and objectives are broadly in line with the NPPF.

- 9.5 As the Local Plan was adopted in 1999 it was not prepared under the Planning and Compulsory Purchase Act 2004. Paragraph 213 of the NPPF states that policies not adopted in accordance with the 2004 Act need to be considered in terms of the due weight that should be given to them, according to their degree of consistency with the Framework.

- 9.6 The main thrust of the NPPF is an overarching presumption in favour of sustainable development. This guidance reaffirms that it is the Government's clear expectation that local planning authorities should deal promptly and favourably with applications that comply with up to date plans and that where plans are out of date, there will be a strong presumption in favour of sustainable development that accords with national planning policies.

- 9.7 One key objective of the NPPF is to widen the choice of high quality homes and to significantly boost the supply of housing.

- 9.8 In October 2018 the Council published a Housing Trajectory and Note on the Five Year Housing Land Supply Methodology and Report which sets out the Council's five-year land supply calculations. The report indicates that the Council can meet the required five year supply of housing site. In officer's opinion, the stated existence of the five-year housing land supply is not a reason by itself to justify refusal of a planning application. It is however, a material consideration in the planning judgement that can be given weight in

the decision making process. In effect, it is one of many planning issues that should be taken into account when determining a planning application.

- 9.9 It is acknowledged that whilst the majority of the site has not been identified as a preferred site the far northwest part of the site has been brought forward for housing within the Council's Emerging Local Plan. Notwithstanding this, the Council must consider the merits of the proposal with regard to the relevant national and saved LP policies currently in force.
- 9.10 As mentioned previously the northern part of the site has a history of planning approval for the conversion of the existing barn to form 2no. residential units and the construction of 3no. dwellings consisting of one detached and a pair of semi-detached dwellings (ref: 17/2009/9965 & 9980).
- 9.11 With respect to the NPPF and the suitability of the site for development in principle it is accepted that the majority of the site is located outside of development limits. However, the site does lie adjacent to the recognised development limits for Carleton with residential development to the northeast, north, northwest and east of the site. The site is within walking distance of the village centre with local facilities and services. In addition, the village is served by public transport connecting the village with neighbouring villages and towns. Furthermore, there is a pedestrian footpath connecting the site with the town of Skipton. It is therefore considered that the site is in a sustainable location suitable for residential development.
- 9.12 The NPPF identifies three dimensions to sustainable development, these being economic, social and environmental objectives. It is recognised that the proposal would provide economic benefits associated with new housing development including the provision of construction jobs and from future residents of the proposed dwellings. In addition, the proposal would provide some social benefits which would help to support the vitality of the rural community.
- 9.13 Turning to the environmental dimension of sustainable development it is acknowledged that the site would result in the partial development of an open grassed area to the south of Grundy Farm. However, the site has not been identified as being an important open space in the adopted local plan. Nor has the site been designated as Local Green Space within the emerging local plan. Therefore, whilst it is acknowledged that the partial loss of this grassed area would inevitably have an impact on the immediate surrounding area, it is considered that the impact is not so significant to justify refusal of the application.
- 9.14 In conclusion, with regards to this proposal, paragraph 11 of the NPPF is engaged which requires that housing applications should be considered in the context of the presumption in favour of sustainable development. This means granting planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits, or specific policies in the NPPF indicate that development should be restricted. The proposal is therefore subject to the planning balance test.
- 9.15 **Visual Impact of development.**
- 9.16 Proposals considered acceptable under ENV1 also need to be considered against saved Policy ENV2 which seeks to ensure that development does not have an adverse visual impact.
- 9.17 The NPPF acknowledges that good design is a key aspect of sustainable development. Paragraph 127 of the NPPF advising that proposals should function well, be visually attractive, sympathetic to local character, while not preventing or discouraging appropriate innovation or change. However, paragraph 130 does state that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area. Conversely, design should not be used by the decision-maker as a valid reason to object to development.

- 9.18 The application site is for the most part grassland, enclosed by housing/commercial buildings to the east, north and west. A stone boundary wall runs east to south with a number of shrubs/trees scattered along its length and located within close proximity to Grundy Farm is a metal agricultural building. The site is therefore well contained.
- 9.19 It is accepted that from some public vantage points along Carla Beck Lane parts of the site are visible, however, the majority of the site is screened by existing buildings with the principle view of the site from a gap between dwellings to the east of the site known as Street Terrace and the former agricultural barn.
- 9.20 The proposal would involve amendments to the existing stone boundary wall that fronts onto Carla Beck Lane and the construction of six dwellings with associated internal layout.
- 9.21 The planning officer and the Council's Listed Building and Conservation Area consultant expressed concerns in relation to the original scheme put forward. Consequently, there have been amendments to the scheme since its submission. The most notable amendment to the proposed scheme included a revision to the overall scale of plot 1 from a two storey dwelling to a single storey dwelling to allow for continued views from the public house towards open agricultural fields beyond the site. Furthermore, the proposal has seen the dwellings located outside of the area identified as making a strong contribution to the character and appearance of the area.
- 9.22 With regards to the design of the proposed new dwellings, it is considered that the proposed scale and appearance with a good solid to void ratio of the dwellings is acceptable when viewed in the context of the neighbouring properties. In addition, the proposed dwellings would be constructed using materials present within the existing street scene thus ensuring that the development is visually integrated with the character of the surrounding area. Furthermore, proposed landscaping in the form of hawthorn trees/hedges along the eastern site boundary and additional planting within the site would further reduce any visual impact arising from the development.
- 9.23 Therefore, taken overall, it is not considered that the general topography of the site, its location, and the significance of the land in the wider landscape setting of the village are such that a strong argument could be made to resist development on the grounds of visual impact.
- 9.24 **Impact of development on the setting and significance of designated heritage assets.**
- 9.25 The proposal is seeking amendments to the existing stone boundary wall that projects off Grundy Farm a Grade II Listed Building and the creation of new low level boundary walls that would front onto Carla Beck Lane.
- 9.26 The northern part of the site is located within the designated conservation area of Carleton with listed buildings located within close proximity to the site.
- 9.27 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".*
- 9.28 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty that special attention should be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 9.29 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.

- 9.30 Section 16 of the NPPF provides guidance relating to the conservation and enhancement of the historic environment. Paragraph 196 also states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposed building.
- 9.31 It is proposed to remove a section of stone boundary wall that projects of the eastern elevation of the former agricultural barn and reposition it to provide pedestrian/vehicle access onto land to the rear of Grundy Farm which is the subject of a separate planning application (ref: 2018/19599/FUL) for residential development. In addition, the proposal is seeking to repositioning and the removal of the agricultural access of the existing wall located to the west of Grundy Farm with further low level boundary walls constructed off the existing stone boundary wall which would then be returned to form front amenity areas.
- 9.32 Historic England have been consulted and have not objected to the proposal subject to conditions being imposed with regards to details of design, materials and landscaping.
- 9.33 The Council's Conservation and Listed Building Consultant has been consulted with regards to the revised proposal and has not raised any objection to the proposed alterations to the Grade II stone boundary walls.
- 9.34 Therefore, as the wall to the west is to be reinstated, and to a lesser extent the wall to the east which would be at a lower level would not be so significant that it would be seen to be harmful to the character and appearance of the wall. Thus the alterations to the existing wall in the manner proposed would not harm the special architectural or historic interest of the wall. Similarly, the proposal would not have an adverse impact on the setting or significance of the wall or Grundy Farm. It is also considered that the proposal would not negatively impact on the setting or significance of nearby listed building identified as The Swan Inn and Outbuildings located to the northwest or Southview located to the north.
- 9.35 Turning to the potential impact on the designated asset it is acknowledged that the development would have some limited visual impact on the conservation area. However, the revised scheme has repositioned the dwellings closely to the existing dwellings/commercial buildings that run along the western boundary of the site. Thus the dwellings would be seen in the context of the existing built form.
- 9.36 The dwellings would appear different to existing dwellings that front onto Carla Beck Lane. However, given that the proposed dwellings would be set behind existing buildings with limited views of the site, it is considered that the development of this site would not result in any unacceptable harm to the character and appearance of the conservation area.
- 9.37 In conclusion, it is considered that the proposed development would not result in any unacceptable harm to the character and appearance of the conservation area or the setting or significance of the Grade II listed wall and adjacent buildings. Thus the proposal complies with the requirements of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 9.38 **Impact of development on the amenity of neighbouring properties.**
- 9.39 Paragraph 127 (f) of the NPPF seeks to ensure that developments create spaces which are safe with a high standard of amenity for existing and future users.

- 9.40 The proposed internal layout has been designed to ensure that the existing neighbouring properties located along the terrace known as Street Houses would not experience any unacceptable loss of privacy due to the separation distance in excess of 20m. Similarly, due to the separation distances the proposed dwellings would not appear overbearing or result in any unacceptable overshadowing nor loss of natural light.
- 9.41 The proposed dwellings have been designed to provide sufficient residential accommodation to meet the future needs of the occupants of the dwellings. In addition, the separation distances, the orientation of the dwellings with the provision of private amenity areas would ensure that any future occupant of these dwellings would not suffer any unacceptable loss of privacy or amenity.
- 9.42 Concerns have been raised over the potential for noise nuisance arising from the development when residents use the gardens and as people access/exit their properties. Whilst it is accepted that the development may generate some degree of noise, it is not considered that this would be significantly over and above that which could potentially be created by existing residential dwellings located adjacent to the site and from the primary school located within close proximity to the site.
- 9.43 In conclusion, it is considered that the proposed development would not have an adverse impact on the amenity or privacy of existing neighbouring residents. In addition, the development would provide sufficient residential accommodation for any future occupant. The proposal therefore complies with the requirements of the NPPF.
- 9.44 **Highway Issues**
- 9.45 Saved Policies ENV2 & T2 are supportive of proposals provided they are appropriately related to the highway network and in particular; do not generate volumes of traffic in excess of the capacity of the highway network; does not lead to the formation of a new access or greater use of an existing access onto a primary, district or local distributor road unless the access is such that it is acceptable to the Council and its design achieves a high standard of safety; and have full regard to the highway impact on, and potential for improvement to the surrounding landscape.
- 9.46 Paragraph 108 of the NPPF contains guidance on transport and how to ensure it does not have an adverse impact on highway safety. Paragraph 109 also 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.
- 9.47 The proposal seeks to create a new access directly onto Carla Beck Lane with each dwelling benefiting from two > four off street parking spaces. This is considered to be sufficient to ensure no unacceptable increase in on street parking.
- 9.48 There are representations from local residents concerning traffic safety issues stemming from local road conditions and pedestrian safety. As a consequence of the concerns raised the applicant has undertaken a further highway assessment. NYCC Highways have reviewed the submitted information as well as undertaking their own assessment of the situation. As a consequence, of the assessment the highways authority have recommended conditional approval of the planning application and in the absence of any technical highway constraints the proposal accords with NPPF advice and saved Local Plan Policy T2 and would therefore be acceptable in terms of highway safety.
- 9.49 Representations have been made relating to the loss of on street parking. It is acknowledged that the proposal may result in some inconvenience for local residents who use the public highway for parking on a regular basis. However, parking on the public highway cannot be treated as 'private' parking spaces. If as a consequence of the loss of street parking congestion increases due to illegally parked vehicles on the road then this would be an infringement of traffic regulations and would not constitute sufficient grounds to refuse planning permission.

9.50 **Other Issues.**

9.51 Objectors have raised concerns over the potential impact upon local ecology. The site has been assessed using Natural England's Standing Advice Species sheet. Based on this assessment the Council is of the opinion that the proposal would not have a significant impact on species or habitats on the application site or the surrounding area. It is considered that there are no grounds to refuse planning permission over concerns relating to impact on ecology.

9.52 *Officers Note: It is proposed to attach an informative to remind the developer of the need to ensure that wildlife is considered throughout the development and to be aware of protected species.*

9.53 Comments regarding other services and local facilities that might be adversely impacted upon are noted but fall outside of the scope of matters on which a refusal of planning permission might be based.

9.54 Located on the western boundary is an Ash Tree which is the subject of a Tree Preservation Order. The proposal has been designed so that the development does not adverse impact on the root protection area. However, it is considered that should planning permission be granted that a condition be imposed requiring the construction of tree protection fencing prior to development commencing on site.

9.55 Concerns have been raised by residents on matters such as flooding. The site is not in an area identified as being at risk of flooding and no objections from the specialist consultees on this matter have been received.

9.56 **Conclusion**

9.57 This proposal has been considered in the context of the presumption in favour of sustainable development contained within paragraph 11 of the NPPF. Accordingly, there are no restrictive policies in force, then planning permission should be granted unless the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits.

9.58 The proposal would provide social and economic benefits by adding six dwellings to the mix and supply of housing. There would also be support for local services in the area and temporary employment benefits during the construction stage.

9.59 In environmental terms, the site is considered to be in sustainable location where occupants within easy reach of public transport links to neighbouring villages and towns.

9.60 The proposal is also considered acceptable in terms of visual, residential amenity and impact on heritage assets. Highways, drainage, landscaping can be adequately dealt with by conditions.

9.61 Having considered all matters, including representations received, it is considered that there are no adverse impact that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the NPPF as a whole. Planning permission should therefore be granted.

10. Recommendation

10.1 Approve with Conditions

Conditions

Time Limit for Commencement

- 1 Application for approval of reserved matters shall be made to the local planning authority not later than the expiration of three years from the date of this permission.

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.

Approved Plans

- 2 This permission relates to the following plans:

2644.4B Site/Roof plan
2644.5A Plots 1, 2, 3 & 4
2644.6A Plots 5 & 6
75006 - P02
SK 2645

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 Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

- a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
- b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
- c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

Reason: To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area and to comply with the requirements of the National Planning Policy Framework.

- 4 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal

Reason: To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety and to comply with the requirements of the National Planning Policy Framework.

- 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 in connection with the construction of the access road or building(s) or other works until:

(i) The details of the following off site required highway improvement works, works listed below have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority:

a. Relocation of flat top speed table on Carla Beck Lane.

(ii) A programme for the completion of the proposed works has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority.

Reason: To ensure that the details are satisfactory in the interests of the safety and convenience of highway users and to comply with the requirements of 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 shown on drawing 75006 Rev P02 are provided giving clear visibility of 26.5m to west and 27.4m to the east measured along the major road Carla Beck Lane, from a point measured 2.0m down the centre line of the access road. The eye height will be from 1.05m to 2m and the object height shall be from 0.6m to 2m. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In accordance with policy number and in the interests of road safety and the requirements of the National Planning Policy Framework.

- 7 There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.

Reason: In the interests of highway safety and to comply with the requirements of the National Planning Policy Framework.

- 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 following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

a. Detailed engineering drawings to a scale of not less than 1:500 and 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 the types of construction proposed for carriageways, cycleways and footways/footpaths or when requested 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 programme for completing the works.

The development shall only be carried out in full compliance with the approved drawings and details unless agreed otherwise in writing by the Local Planning Authority with the Local Planning Authority in consultation with the Highway 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 user and to comply with the requirements of the National Planning Policy Framework.

- 9 No development shall take place until a scheme for tree protection measures (both above and below ground) 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 hardstandings 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 the protection of a protected tree to meet the requirements of the National Planning Policy Framework.

During Building Works

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

Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

Reason: To ensure use of appropriate materials which are sympathetic to the character of the rural area and the site's surroundings in the interests of visual amenity in accordance with the requirements the National Planning Policy Framework.

- 11 Notwithstanding any details shown on the approved plan, the site's internal and external boundaries shall be enclosed in accordance with a detailed scheme and programme of implementation which shall first have been submitted to and approved by the Local Planning Authority. The programme shall ensure that the approved boundary treatments for the dwelling are completed prior to the occupation of that dwelling.

Reason: In the interest of visual amenity and to accord with the requirement of the National Planning Policy Framework.

Before the Development is Occupied

- 12 No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.

The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.

Reason: To ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents

Ongoing Conditions

- 13 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 2018, 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. 7

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

Reason: In the interest of visual amenity and to accord with the requirements of Saved Policy ENV2 of the Craven District (outside the Yorkshire Dales National Park) Local Plan and the requirements of the National Planning Policy Framework.

- 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. 8

- 16 Notwithstanding the provision of any Town and Country Planning (General Permitted Development) (England) Order 2018, 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.

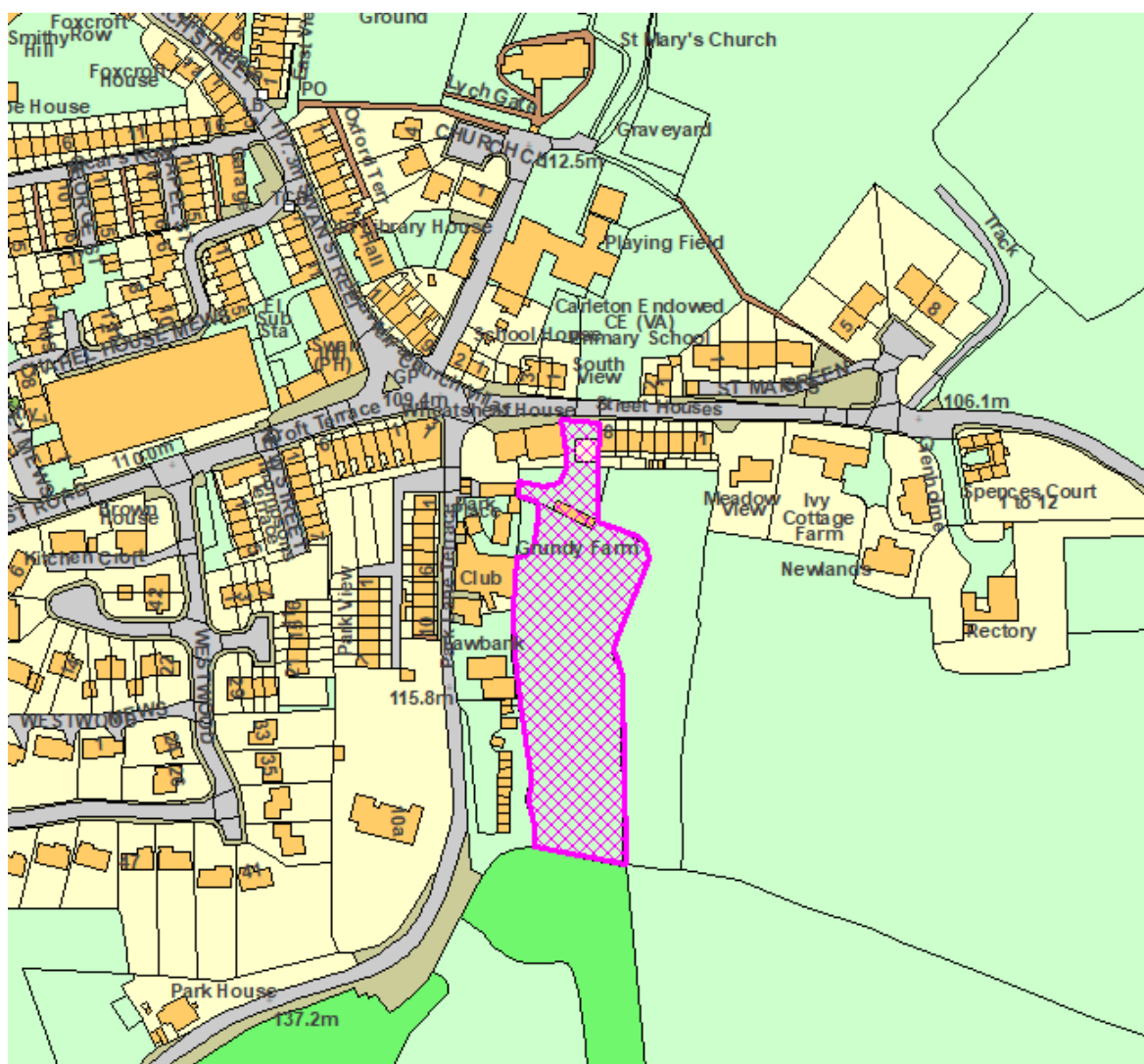
Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

Informatives

1. 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.
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. 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 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.
5. 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.
6. The applicant is advised it is the responsibility of the developer to 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. Supplier(s) details and confirmation on the source(s) of any topsoil materials brought on site should be made available for inspection at the request of the Council's Environmental Health Department
7. 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.

8. The applicant is reminded that under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during the development all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Any works involving the destruction of a bat roost will require a European Protected Species Licence from Natural England.
9. The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided



Application Number: 2018/19559/FUL

Proposal: Full planning permission for erection of five two storey houses and one single storey house and works to boundary walls

Site Address: Land At Grundy Farm Carla Beck Lane Carleton BD23 3DE

On behalf of: Mrs Nancy Ellison & R N Wooler & Co

REPORT TO PLANNING COMMITTEE ON 11th March 2019

Application Number:	2018/19560/LBC
Proposal:	Listed building consent application for works to boundary walls
Site Address:	Land At Grundy Farm Carla Beck Lane Carleton BD23 3DE
On behalf of:	Mrs Nancy Ellison & R N Wooler & Co
Date Registered:	23rd July 2018
Expiry Date:	17th September 2018
Case Officer:	Andrea Muscroft

This application is deferred to Planning Committee as it is the companion to a full planning application which is also being considered by Planning Committee.

1. Site Description
 - 1.1 The application site relates to the boundary walls that front onto Carla Beck Lane.
 - 1.2 Located adjacent to the western boundary is the former Workshop (granted approval for conversion to residential accommodation), the Social Club, a residential dwelling and Silver Star Body Repair Centre. Beyond the body repair centre is a site that has also been granted approved for residential development.
 - 1.3 To the south of the site is the original farm house (Grundy Farm) a Grade II listed building and barn with associated stone boundary wall with terrace dwellings to the northeast. The former barn has been granted approval for its conversion to form two residential units with an area to the south of the farmhouse being granted approval for the construction of three residential dwellings with associated off street parking (ref: 17/2009/9965 & 9980).
 - 1.4 Beyond the northern and western boundaries are further residential dwellings, plus a Public House, Primary School and local shop.
2. Proposal
 - 2.1 The proposal is seeking listed building consent only for works to the boundary walls.
 - 2.2 The re-construction of the walls would be undertaken using the existing stone.
3. Planning History
 - 3.1 17/2008/9164 – Conversion of barn to 2no. residential units and construction of 3no. New dwellings with associated off street parking – Refused April 2009.
 - 3.2 17/2009/9965 – Conversion of barn to 2no. residential units and construction of 3 no. new dwellings with associated off street parking (Resubmission of application 17/2008/9164) – Approved October 2009.
 - 3.3 17/2009/9980 – Conversion of barn to 2no. residential units and construction of 3 no. new dwellings with associated off street parking – Approved November 2009.
 - 3.4 Officers Note: Approvals 17/2009/9980 & 9965 have been implemented. Therefore there remains an extant permission for the provision of 5 dwellings on this part of the site.

- 3.5 2018/19559/FUL - Full planning permission for erection of five two storey houses and one single storey house and works to boundary walls – Not determined.
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. However, the submission draft is considered to be sound and the policies are consistent with the NPPF.
- 4.3 Submission Draft Craven Local Plan March 2018 – Emerging Local Plan (ELP).
ENV2 – Heritage
- 4.4 National Policy
The National Planning Policy Framework
Planning Practice Guidance
- 4.5 Other documents of relevance
Carleton Conservation Area Appraisal August 2016
Carleton Conservation Area Appraisal 1979.
- 4.6 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 Carleton Parish Council: The Parish Council consider that the above planning application is totally inappropriate for the village for the following reasons: -
- 5.2 The village does not need the type of dwellings specified in the application. There are already approved applications for four similar large detached dwellings on land at Carla Beck (18073) and a further four on land adjacent to Park Lane (17560). What the village actually needs is a number of relatively low cost houses and bungalows to appeal to first time buyers and older people.
- 5.3 The proposed site is a green field site in a prominent raised position (the Design Statement actually says that the land rises steeply) on the southern edge of the village.
- 5.4 Any development would be most noticeable, spoil the approach to the village and destroy the visual amenity of those living in the vicinity. In addition, the proposed development would interfere with, and be out of keeping, with the setting of the Grade 2 Listed Building comprising the Grundy Farm Cottage and its attached barn.
- 5.5 *Officers Comments*
- 5.6 *Comments received in relation to the potential visual and heritage impacts are considered to be relevant to this application.*

- 5.7 The proposed new entrance to the site apparently does not meet the statutory sight lines specified by the North Yorkshire County Council and this is of paramount importance as the main road into the village can be very busy at morning and evening peak times with commuter traffic to Lancashire and school traffic to the village school. The Curtin Transport Report engaged by the developer vaguely leans on the new entrance being up to current standards but so far the NYCC have not issued their own assessment. The NYCC response to the previous application for this site entrance (17886) was that the application should be refused.
- 5.8 *Officers Comments*
- 5.9 *The above comments received in relation to sight lines are considered not to be relevant to this application as the application is only seeking listed building consent.*
- 5.10 The wall between Street Houses and Grundy Farm is also designated as a Grade 2 Listed Building although of not any particular architectural significance. Should the entrance described in 3, above be constructed, it would completely remove the wall in its entirety and another piece of the village's heritage would be lost.
- 5.11 *Officers comment*
- 5.12 *Comments received in relation to the potential impact of the development on heritage assets are considered to be relevant to this application.*
- 5.13 The CDC Planning Department must take into account the recommendations given in the following reports which are too numerous to list here:- Hinchliffe Heritage Advice to the Craven District Council 13 August 2018; the NYCC Lead Local Flood Authority 9 August 2018; Historic England Report 12 June 2017 and the CPRE Report 11 June 2017 (both the two latter reports are in relation to withdrawn application no 17886 for the same site but are still applicable to the above application).
- 5.14 *Officer comment: The above comments received in relation to the previous withdrawn full application (ref: 17/2017/17886) with the exception of Historic England and J Hinchcliffe Heritage Advice are not relevant to this assessment of this application which is seeking listed building consent.*
- 5.15 In conclusion, there is a substantial opposition in the village against the application, there is no evidence of a requirement for this type of development and if the proposed entrance does not meet the required criteria, it effectively stops the application in its tracks
6. Consultations
- 6.1 CDC Heritage and Conservation Officer: The revised proposal is welcomed and the proposed drawings provided a reasonably accurate indication of the impact of the development on the existing street view. Further details are required with regards to the conversion of the existing outbuilding to form garage. The use of reclaimed stone is welcome.
- 6.2 Historic England: Based on the information provided there is no requirement to consult with us on this application.
7. Representations
- 7.1 The proposal was advertised on the 9th August 2018 in the Craven Herald with a Site Notice displayed within the surrounding area on the 3rd August 2018. In addition, letters of notification were circulated directly to neighbouring properties. As a result of the publicity the Council received 39 letters of representation.
- 7.2 Comments summarised below:
- 7.3 Policy

- Conflicts with local plan and national policy
- 7.4 Heritage
 - Unacceptable loss of listed wall
 - Disagree with the Council's heritage advice with regards to the loss of the wall.
- 7.5 Visual impact
 - The whole of the site should be developed.
 - Over development and out of character with the area.
 - Development too high.
 - Development of a greenfield.
 - Concern over the potential impact on the conservation area.
- 7.6 Amenity issues
 - Too close to adjoining properties.
 - Loss of light
 - Concern over noise nuisance and loss of privacy
- 7.7 Highway issues
 - Concern over impact on highways
 - Inadequate parking provision and access.
 - Inadequate public transport provisions
 - Increase in traffic movements.
- 7.8 Flooding
 - Increased danger of flooding
- 7.9 Other issues
 - Not enough info given on application
 - Missing information from plans
 - Inaccuracies within the submitted information.
 - Strain on existing community facilities
 - General dislike of proposal.
 - Conflict with a condition imposed on a 2009 application.
 - Proposal would affect local ecology.
 - Increase in pollution
 - No need for more housing within the village.
 - Where are the affordable dwellings?
 - Potential contaminated land.
- 7.10 *Officers Note: A number of the objections outlined above relate to the companion planning application and are matters that are not a material consideration with regards to this application which is seeking listed building consent only.*
- 7.11 *Officers Note: It is also noted that objectors query whether the Council could grant approval for the works to the listed wall given that a restrictive condition was imposed on earlier permissions (ref: 17/2009/9965 & 17/2009/9980). The grant of an earlier*

permission does not preclude an applicant from submitting further proposals on a site, as each proposal received by the Council will be assessed and determined on its own individual merits.

8. Summary of Principal Planning Issues

- 8.1 Paragraph 11 of the 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;
- 8.3 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:
- Whether the proposal would have an unacceptable impact on the historical fabric or detailing of the Grade II listed building, its setting or significance.

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. However, there are no saved policies relevant to the assessment of this proposal. Therefore, the NPPF will provide along with legislation the prevailing policy context under which this application is to be assessed.

9.3 **Impact of development on a designated heritage asset.**

- 9.4 The proposal is seeking amendments to the existing stone boundary wall that projects off Grundy Farm a Grade II Listed Building.
- 9.5 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:
- 9.6 "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".
- 9.7 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty that special attention should be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 9.8 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.

- 9.9 Section 16 of the NPPF provides guidance relating to the conservation and enhancement of the historic environment. Paragraph 196 also states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposed building.
- 9.10 It is proposed to remove a section of stone boundary wall that projects of the eastern elevation of the former agricultural barn and reposition it to provide pedestrian/vehicle access onto land to the rear of Grundy Farm which is the subject of a separate planning application (ref: 2018/19599/FUL) for residential development.
- 9.11 Historic England have been consulted but given the scale of development have no comments to make with the exception that the proposal should be determined in accordance with national and local policy guidance.
- 9.12 The Council's Conservation and Listed Building Consultant has been consulted with regards to the revised proposal and has not raised any objection to the proposed alterations to the Grade II stone boundary walls.
- 9.13 Therefore, as the wall to the west is to be reinstated, and to a lesser extent the wall to the east which would be at a lower level would not be so significant that it would be seen to be harmful to the character and appearance of the wall. Thus the alterations to the existing wall in the manner proposed would not harm the special architectural or historic interest of the wall. Similarly, the proposal would not have an adverse impact on the setting or significance of the Wall or Grundy Farm. It is also considered that the proposal would not negatively impact on the setting or significance of nearby listed building identified as The Swan Inn and Outbuildings located to the northwest or Southview located to the north.
- 9.14 In conclusion, it is considered that the proposed amendments to the listed boundary wall comply with the requirements of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990

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 comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Approved Plans

- 2 This consent relates to the following plans:

2644.4B Proposed site/roof plan

The development hereby approved shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise.

Reason: To specify the terms of the permission and for the avoidance of doubt

- 3 No works shall commence on the boundary walls until such time as a sample panel of walling, of at least 2m² area, showing the natural stone to be used, the method of pointing and style and colour of mortar to be used has been constructed on site and inspected and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those approved details.

Reason: In order to safeguard the historic interest of the heritage asset and to comply with the requirements of the Listed Building and Conservation Act 1990 and the National Planning Policy Framework.

During Building Works

- 4 Prior to the commencement of works to the boundary walls full details of the proposed works including scaled elevations have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

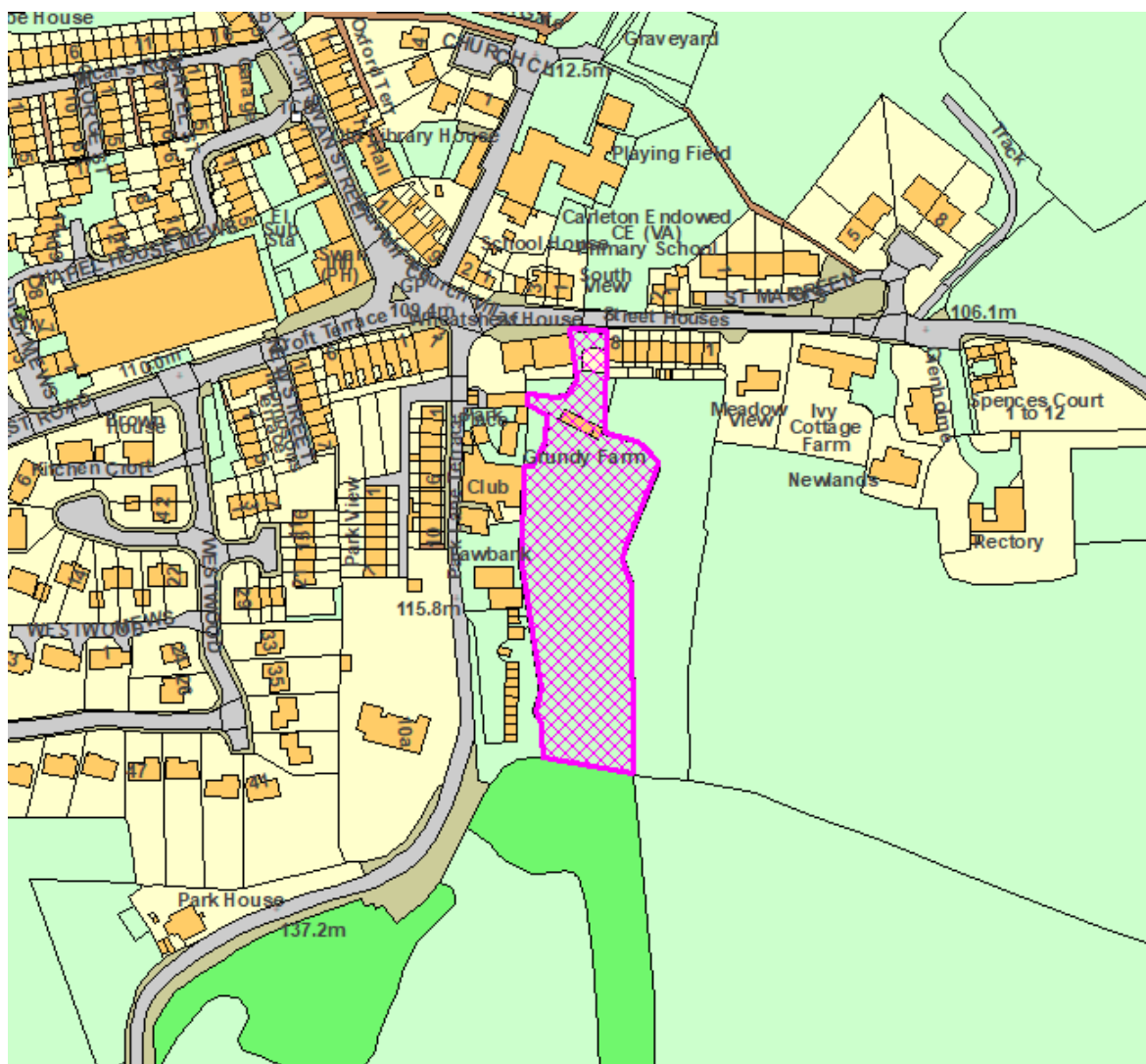
Reason: To ensure the satisfactory preservation of this listed building and to comply with the requirements of the National Planning Policy Framework

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. This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.



Application Number: 2018/19560/LBC

Proposal: Listed building consent application for works to boundary walls

Site Address: Land At Grundy Farm Carla Beck Lane Carleton BD23 3DE

On behalf of: Mrs Nancy Ellison & R N Wooler & Co

REPORT TO PLANNING COMMITTEE ON 11th March 2019

Application Number:	2018/19563/REM
Proposal:	<p>Revised description 188 dwellings with associated internal roads, parking and landscaping alongside highways and drainage infrastructure for this development and the wider development site.</p> <p>The original outline application was EIA development and an Environmental Statement was submitted to the planning authority at that time.</p>
Site Address:	Land North Of A629 And West Of Carleton Road Skipton BD23 3BT
On behalf of:	Henry Boot Developments Ltd & Bellway Homes Ltd (Yorkshire)
Date Registered:	23rd July 2018
Expiry Date:	22nd October 2018
Case Officer:	Andrea Muscroft

Members deferred consideration of this application at the meeting on the 11th February 2018 for further clarification on whether

- **Conditions to ensure that the infrastructure is constructed first.**

Officers advice. The highway conditions imposed on the original outline permission ref: 63/2015/15792 were to ensure that the highway infrastructure was implemented prior to the commencement of works on site.

A subsequent application ref: 2017/18136/VAR allowed for the **phasing** of the development (stage 1 – Highway Infrastructure, stage 2 – Residential and stage 3 – Employment) without removing the requirement that highway infrastructure works are implemented prior to the commencement of works on the different phases of development.

Therefore, conditions imposed at the outline stage which have been the subject of consultation and deemed acceptable with the issue of the planning approval still remain in place until such time as the conditions are discharged.

- **Movement of construction vehicles**

Officers advice. Condition 14 imposed on the original outline permission ref: 63/2015/15792 and again on application 2017/18136/VAR requires that the submission of a Traffic Management Plan to be submitted. Whilst details are to be approved by NYCC Highways a plan provided by Bellway Homes show vehicle access would be from the A629 bypass.

Conclusions

It is concluded that the reasons Members cited referral have now been provided and the report and recommendation to the Committee on the 11th February 2019 remains your Officers advice.

1. Site Description

- 1.1 The application site is located to the southern edge of the main built up area of Skipton which has been granted outline consent for a mixed development consisting of residential dwellings and an industrial estate with associated infrastructure (ref: 2017/18136/VAR).
- 1.2 The application site extends to 17.66 hectares gross and currently comprises a number of agricultural fields which were used for the grazing of sheep, although at the present time some clearing of land has occurred.
- 1.3 The application site is bounded to the south/south west by the A629. Carleton Road and Skipton Crematorium & Waltonwrays Cemetery lie to the east of the site. There is a mix of employment land (predominantly on Ings Lane and Engine Shed Lane), grazing land and the playing pitches associated with Sandylands Sport Centre to the north. Skipton Town Centre lies approximately 1.3km to the north east of the application site.
- 1.4 Skipton Conservation Area lies immediately to the east of the application site (The cemetery and the Carleton Road frontage to the site).
- 1.5 The whole site is outside the development limit of Skipton
2. Proposal
- 2.1 The application is a Reserved Matters application for approval of the appearance, landscaping, layout and scale with the principle and access already sought and granted outline planning approval under ref: 2017/18136/VAR on the 1st March 2018.
- 2.2 The proposed appearance and scale of the dwellings are of modern two storey dwellings in a mixture of detached with integral garages, semi-detached and terrace dwellings with separate detached garages and off street parking.
- 2.3 The proposed landscaping to the residential area includes grassed areas to the private amenity areas of the dwellings.
- 2.4 The proposed layout includes turning areas and off street parking.
- 2.5 **Officers Note:** It should be noted that in respect of the outline planning permission, the principle, and highway details have been accepted by the Council and it is only the specific detail in terms of the layout, scale, appearance of the buildings and the landscaping that are now being considered.
- 2.6 The wider impacts of the proposed dwellings on matters such as the local highway network, drainage, impact on conservation area and infrastructure have been considered and conditions attached to the outline permission would mitigate such impacts.
3. Planning History
- 3.1 63/2013/14114 – Mixed use development including employment, supermarket, hotel, public house and hot food takeaway – Refused April 2014.
- 3.2 63/2015/15792 – Outline application for mixed use development comprising business/employment floorspace (use classes B1, B2 & B8) and residential dwellings (use class C3) with access from the A629 and Carleton Road, provision of infrastructure and associated landscaping – Approved March 2016.
- 3.3 2017/18136/VAR – Application to vary conditions 1, 5, 7, 8, 9, 10, 13, 15, 16, 21, 24, 26, 27 & 28 of outline consent ref 63/2015/15792 – Approved March 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. However, the submission draft is considered to be sound and the policies are consistent with the NPPF.
- 4.3 Saved Policies of 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 & Woodland.
- BE2: Protection of Road Approaches to Skipton.
- T2: Road Hierarchy
- T6: Encourage provision of effective Public Transport Services.
- SRC2: Provision of Recreation Space in housing development.
- 4.4 **Submission draft Local Plan 2018.**
- 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
- ENV2: Heritage.
- ENV3 – Good Design.
- ENV6: Flood Risk.
- ENV12: Footpaths, Bridleways, Byways and Cycle Routes.
- H2: Affordable Housing.
- INF1: Planning Obligations
- INF3: Sport, Open Space and Recreation Facilities.
- INF4: Parking Provision
- INF5: Communications Infrastructure.
- 4.5 **National Planning Policy**
- The National Planning Policy Framework 2018.
- Planning Practice Guidance – PPG.
5. Parish/Town Council Comments
- 5.1 Skipton Town Council: The amenity space adjacent to the crematorium is dangerously sited being only accessible across a potentially very busy highway. Members believe that the idea of positioning a play area/amenity space in the proposed location must be reassessed and the developer should consider using other area(s) central to the development or make enhancements to other recreational areas in the vicinity. Also the TC asks whether it will be expected to maintain any of these areas and, if so, hope to receive appropriate funding for this.
- 5.2 Members feel that there is insufficient allocation of affordable housing proposed.

- 5.3 The current infrastructure at this location will be strained as no extra healthcare providers, education facilities or public transport provision are proposed (could NYCC be asked to run its bus service to and from Carlton through this estate?).
- 5.4 Further observations include the lack of solar panels and electric vehicle charging points to be established and ask whether the sports ground has granted the developer permission to install the footpath link from their new housing.
- 5.5 Request previous concerns are made available to the developer.
- 5.6 House numbers have increased, thus space has been found for these houses, but not for a relocated Recreation Ground in the same area.

6. Consultations

- 6.1 CDC Assets and Commercial Services: No comments received within the statutory consultation period.
- 6.2 CDC Contamination Officer: Details forwarded to York Council who have confirmed no objection to the proposal, but recommend that if planning permission is granted that a condition requiring a Remediation Strategy is imposed.
- 6.3 CDC Environmental Health Officer: No comments within the statutory consultation period.
- 6.4 CDC Sport Officer: After reviewing the proposal against policy requirements, it is considered that the contribution and the on-site provision fully accords with policy SRC2.
- 6.5 CDC Strategic Housing: A revised layout plan has been submitted that shows a better integration of both market and affordable homes. Therefore, based on the submitted details there is no objection to the proposal.
- 6.6 CDC Tree Officer: Details are considered acceptable, however, would make the following recommendation against the use of Horse Chestnut trees in play areas due to the rising problem of canker and leaf minors. Beech may also struggle if ground is regularly wet and therefore recommend these species are replaced with Hornbeam and Red Maple which can tolerate wet soils and provide autumn colour.
- 6.7 Environment Agency: No objection but advise the applicant/agent that the previously agreed volumes and levels detailed at the outline stage still apply and will need to be complied with.
- 6.8 NYCC Crime Design Officer: A number of potential issues are highlighted which if approved it is recommended that a condition is imposed requiring further details to be submitted to the Council for consideration.
- 6.9 NYCC Highways: No objection to the proposal.
- 6.10 NYCC Suds: Comments relating to outline permission remain relevant and thus if planning permission is granted a condition should be attached ref details for design, management and maintenance plan relating to surface water.

7. Representations

- 7.1 The application was published in the Craven Herald on the 16th August 2018 and a Site Notice was posted adjacent to the site on the 10th August 2018. In addition, notification letters were circulated to neighbouring properties.
- 7.2 As a consequence of the publicity the Council received 3 letters of representation observation in relation to the proposal.

Amenity

Concern over potential noise nuisance affecting residents of future dwellings

Flooding

Concern over potential flooding.

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;
- 8.3 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
- 8.4 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;
- 8.5 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:

Principle of development.

Design, including appearance, layout, scale and landscaping.

Other matters

9. Analysis

9.1 **Principle of Development.**

- 9.2 The principle of a mixed use development on this site has been established by virtue of the outline planning application ref: 63/2015/15792 and a further application ref: 2017/18136/VAR approved on 1st March 2018.

9.3 **Design, appearance and scale.**

- 9.4 The proposed dwellings would have a mixture of traditional and modern designed dwellings consisting of terrace, semi-detached and detached dwellings fronting onto proposed road network.
- 9.5 The dwellings feature a mixture of roof forms and detailing is provided in the form of stone cills, stone detailing above windows, drip courses, porches, bay windows. Materials suggested include stone construction under a grey roof with UPVc rainwater goods. In addition, details provided indicate the use timber fencing. It is considered that the appearance, design and scale of the proposed dwellings would result in a high standard of development and are therefore considered acceptable.

9.6 **Surfacing and boundary treatments**

- 9.7 Details provided show that along the southwest boundary of the site, boundary treatments would consist of stone wall, with timber fencing along the remaining boundaries to the site. Defining the plots would be mixture of stone boundary walls and timber fencing. With regards to surfacing tarmac would be used for the main spine road but block paving for cul-de-sacs and off shots. It is considered that these details would provide an acceptable appearance to the development and are therefore considered acceptable.

9.8 **Layout**

- 9.9 The access point onto Carleton Road has been approved with the proposed layout providing a main spine through the site linking access points to the proposed road network that would serve the employment element of the scheme and connect up with Carleton Road. The internal layout also includes cul-de-sacs. The use of cul-de-sacs does mean a lack of connectivity across the development, although these are small and within short

distance from the main route which provides good connectivity around the site. Connectivity to the town is provided by a pedestrian link along the south and southeast boundary to the site.

- 9.10 As outlined previously, the proposal includes detached, semi-detached and terrace dwellings. These dwellings would front onto site entrances, road and thus would create a strong street scene. In addition, due to the positioning of dwellings there would be an open feel to the development. Buildings are set back with varying sized front gardens. Parking is provided to the site and front areas, although this is broken by landscaped areas. Dwellings have also been sited to ensure that there would be no harmful impact upon the outlook or privacy of any neighbouring properties or on any future occupants of the proposed dwellings.
- 9.11 Overall, the layout is considered to create a high quality and attractive layout providing active frontages and is therefore considered acceptable.
- 9.12 **Landscaping**
- 9.13 A landscape master plan has been submitted which provides for the key landscaping to the open space which would be located to the rear of Skipton Crematorium. The proposal shows the retention of existing trees/shrubs along the boundaries of the site. In addition, details submitted propose the planting of new trees within the open space areas to provide structural landscaping and the creation of grassed and wildflower areas with wetland grass areas around the pond. In addition, details have been submitted which show soft landscaping to the residential area of the development. Based on the information provided it is considered that the proposed soft landscaping would result in a high quality form of development that would not result in any visual harm.
- 9.14 **Other matters**
- 9.15 With regards to any potential impact on the conservation area and cemetery it is considered that the proposed residential development and associated landscaping would not result in any unacceptable harm to these heritage assets sufficient to outweigh the benefits of the development.
- 9.16 The Town Council has raised a number of issues. In terms, of the NYCC providing a bus service through the residential estate this is outside of the scope of this reserved matters application, and cannot be considered. With regards to charging points as this is a matter that relates to design, it is considered reasonable to impose an informative in relation to renewables.
- 9.17 With regards to affordable housing, 20% would be provided and the house sizes are generally in accordance with current need. The houses would be integrated across the development which is considered acceptable.
- 9.18 The outline permission secured other policy requirements in the form public open space. Conditions on the outline permission covered highway improvements, affordable housing, flooding, SUDs, drainage and contamination.
- 9.19 Third party representation received raised issues relating to matters which were fully considered and decided upon at the outline stage.
- 9.20 **Conclusion**
- 9.21 Paragraph 11 of the NPPF advises that LPA's should be '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 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.

- 9.22 For reasons outline above, the details submitted with regards to the reserved matters are considered to be acceptable and would provide a high quality development in line with the outline permission and is therefore recommended for approval.

10. Recommendation

- 10.1 Deferred subject to Legal Agreement

Conditions

Approved Plans

- 1 The approved plans comprise of the following:
- 1707.01 Rev S - Planning Layout Plan received by the Local Planning Authority on the 17th January 2019.
- 1707.02 Rev A - Location Plan received by the Local Planning Authority on the 8th January 2019.
 - 1707.SS.01 Street Scenes received by the Local Planning Authority on the 23rd July 2018
 - 1707.A1.T1.01 - A1 House type plans and elevations received by the Local Planning Authority on the 23rd July 2018
 - 1707.A2.T1.01 - A2 House type plans and elevations received by the Local Planning Authority on the 23rd July 2018
 - 1707.A2.T1.02 - A2 House type plans and elevations received by the Local Planning Authority on the 23rd July 2018
 - 1707.A2.T1.03 - A2 House type plans and elevations received by the Local Planning Authority on the 23rd July 2018
 - 1707.A2.T1.04 - A2 House type plans and elevations received by the Local Planning Authority on the 23rd July 2018
 - 1707.A2.T1.05 - A2 House type plans and elevations received by the Local Planning Authority on the 23rd July 2018
 - 1707.A3.T1.01 - A3 House type plans and elevations received by the Local Planning Authority on the 23rd July 2018
 - 1707.ACAC.T1.AS - Acacia House type plans and elevations received by the Local Planning Authority on the 23rd July 2018
 - 1707.ACAC.T1.OP - Acacia House type plans and elevations received by the Local Planning Authority on the 23rd July 2018
 - 1707.ACAC.T2.AS - Acacia House type plans and elevations received by the Local Planning Authority on the 23rd July 2018
 - 1707.ACAC.T1.AS - Acacia House type plans and elevations received by the Local Planning Authority on the 23rd July 2018
 - 1707.ACAC.T2.OP - Acacia House type plans and elevations received by the Local Planning Authority on the 23rd July 2018
 - 1707.ADDI.T1.AS - Addingham House type plans and elevations received by the Local Planning Authority on the 23rd July 2018
 - 1707-AFI .01 — AFI Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
 - 1707-AFI .02 — AFI Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
 - 1707-AFI .03 — AFI Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018

- 1707-ALDE-TI .AS — Ader Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-ALDE-TI.OP Alder Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-ALDE-T2.AS — Alder Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-ALDE-T2.OP — Alder Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-ALDE-T3.OP — Alder Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-BEHA-TI .01 — Bampton & Hawthorne Semi Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-BEHA-TI .02 — Bampton & Hawthorne Semi Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-BESW-TI.OI - Beswick Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-BESW-T2.01 -Beswick Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-HAMB-TI .AS - Hambleton Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-HAMB-TI .OP - Hambleton Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-HAWT-TI .AS - Hawthorne Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-HAWT-TI .OP - Hawthorne Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-KETT-TI .OP - Kettlewell Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-KETT-T2.OP - Kettlewell Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-MILT-TI .01 — Milton Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-MILT-T1.02 - Milton Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-MTI .03 — Milton Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-MULB-TI AS — Mulberry Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-MULB-TI .OP — Mulberry Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-SAND-TI .01 AS — Sandringham Housetype floorplan received by the Local Planning Authority on the 23rd July 2018
- 1707-SAND-TI .01.OP — Sandringham Housetype floorplan received by the Local Planning Authority on the 23rd July 2018
- 1707-SAND-TI .02.AS — Sandringham Housetype elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-SAND-TI .02.OP — Sandringham Housetype elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-T_DGI — Double garage elevation received by the Local Planning Authority on the 23rd July 2018
- 1707-T_SG2 — Single garage elevation received by the Local Planning Authority on the 23rd July 2018

- 1707-T TGI — Twin garage elevation received by the Local Planning Authority on the 23rd July 2018
- 1707-WILL-TI AS — Wickham Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-WILL-TI .0P — Wickham Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- Road and Drainage Infrastructure
- 12407 - GA - 1002 - Rev I - Foul Water Pump Station-Compound Layout Detail received by the Local Planning Authority on the 23rd July 2018
- 12407 - GA - 1002 - Rev I - Foul Water Pump Station-Control Panel Kiosk Detail received by the Local Planning Authority on the 23rd July 2018
- 12407 - GA - 1002 - Rev I - Foul Water Pump Station-Elevation View received by the Local Planning Authority on the 23rd July 2018
- 12407 - GA - 1002 - Rev I - Foul Water Pump Station-Plan View received by the Local Planning Authority on the 23rd July 2018
- 12407 - GA - 1002 - Rev I - Foul Water Pump Station-Storage Kiosk Detail received by the Local Planning Authority on the 23rd July 2018
- 12407 - GA - 1002 - Rev I - Foul Water Pump Station-Zoning Detail received by the Local Planning Authority on the 23rd July 2018
- WVP-BWB-HDG-XX-DR-D-101-S1-P2 Site Location Plan received by the Local Planning Authority on the 23rd July 2018
- WP-BWB-HDG-XX-DR-D-501-S1-P9 Proposed Drainage Overview received by the Local Planning Authority on the 23rd July 2018
- WVP-BWB-HDG-XX-DR-D-504 SI-P5 Proposed Basin Layout received by the Local Planning Authority on the 23rd July 2018
- WVP-BWB-HDG-XX-DR-D-564-S1-P4 Headwall to Existing Ditch Details and Sections received by the Local Planning Authority on the 23rd July 2018
- WVP-BWB-HML-SMI-DR-C-I OO-S1-P5 A629 Roundabout General Arrangement received by the Local Planning Authority on the 23rd July 2018
- WVP-BWB-HML-SM2-DR-C-100-S1-P4 Carleton Road Mini Roundabout GA received by the Local Planning Authority on the 23rd July 2018
- WVP-BWB-HML-SM3-DR-C-100 SI-P5 spine Road GA Sheet 1 of 2 received by the Local Planning Authority on the 23rd July 2018
- WVP-BWB-HML-SM3-DR-C-101 SI-P5 spine Road GA Sheet 2 of 2-SM3-DR-C-101 received by the Local Planning Authority on the 23rd July 2018
- WP-BWB-HML-SM4-DR-C-100-S1-P5 spur Road General Arrangement received by the Local Planning Authority on the 23rd July 2018
- WVP-BWB-HML-SM5-DR-C-100-S1-P5 Carleton Road General Arrangement received by the Local Planning Authority on the 23rd July 2018
- WVP-BWB-GEN-XX-DR-C-630_Proposed Phase 1 Earthworks Strategy PI received by the Local Planning Authority on the 23rd July 2018
- WP-BWB-HML-XX-DR-C-SKI 16-PI Foul ps and Substation plan received by the Local Planning Authority on the 23rd July 2018
- C3993892 REV B - IOOOkVA Unit sub UDE prefabricated received by the Local Planning Authority on the 23rd July 2018
- DE 166 L 001 Rev D- Landscape Master Plan received by the Local Planning Authority on the 24th October 2018
- DE 166 L 020 Rev B- Landscape Elevations received by the Local Planning Authority on the 24th October 2018
- DE 166_P 001 Rev A - Landscape Play Equipment detail received by the Local Planning Authority on the 24th October 2018
- P18-1345.001 Rev C received by the Local Planning Authority on the 9th January 2019

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

Reason: To specify the permission and for the avoidance of doubt

- 2 No part of the development to which this permission relates shall be brought into use until the carriageway and any footway/footpath from which it gains access has been constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.

The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before any part of the development is brought into use.

Reason: To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of prospective users of the highway.

- 3 No development shall take place until details of the proposed means of disposal of foul water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority.

Reason: To ensure that the development can be properly drained

- 4 A detailed remediation scheme to bring the site to a condition suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

During Building Works

- 5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must 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, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 6 Prior to the first installation of any external lighting for the industrial units details shall be submitted for the written approval of the Local Planning Authority and thereafter the development shall be carried out in accordance with the approved scheme.
- Reason: To ensure that residential properties are protected from light nuisance.
- 7 No external lighting equipment shall be used during construction other than in accordance with details previously approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- Reason: In the interests of highway safety and visual amenity.
- 8 The development hereby permitted shall only be carried out in accordance with the approved Flood Risk assessment (FRA) by BWB dated February 2015 and the following mitigation measures detailed within the FRA
1. Provision for compensatory flood storage as detailed in Sections 3.11-3.15 on page 16 of the FRA
 2. Finished floor levels that are set no lower than 96.67 m. above Ordnance Datum and no lower than 300 mm. above the 1 in 100 year flood level The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.
- Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and to reduce the risk of flooding to the proposed development and future occupants.
- 9 The approved remediation scheme must be carried out in accordance with its terms and a verification report that demonstrates the effectiveness of the remediation carried out for that sub area must be produced and is subject to the approval in writing of the Local Planning Authority.
- Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems.
- 10 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the landscaping scheme for the site shown on approved plans shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with the details shown on the approved plan. 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 enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of Craven District (outside the Yorkshire Dales National Park) Local Plan, and the National Planning Policy Framework.
- 11 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 buildings 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 surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of saved Policies within the Craven District (outside the Yorkshire Dales National Park) Local Plan and the National Planning Policy Framework.

Before the Development is Occupied

- 12 No dwelling shall be occupied until details of the design and layout of ball stop netting or fencing in relation to the cricket field have been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England.
The ball stop netting or fencing shall be designed to meet the requirements of a risk assessment undertaken by a suitably qualified consultant and will be constructed and completed in accordance with the approved details before the dwellings are first occupied.

Reason: To enable the cricket field to be used for sport without causing nuisance to the amenity of the occupants of the proposed residential development.

- 13 No development shall be brought into use until the associated approved vehicle access, parking, manoeuvring and turning areas approved under condition number 9 have been constructed in accordance with the approved drawing. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development

- 14 Unless otherwise approved in writing by the local planning authority, no buildings in any sub area shall be occupied or brought into use prior to completion of the approved foul drainage works for that sub area.

Reason: To ensure that no foul water discharges take place until proper provision has been made for its disposal

Ongoing Conditions

- 15 Amended condition 9. Unless alternative details are first submitted to and approved in writing by the Local Planning Authority the development shall be implemented in accordance with on site facilities that were approved under discharge of conditions application 2018/19584/CND to meet the requirements of condition 9 of 2017/18136/VAR
- 16 Amended condition Unless alternative details are first submitted to and approved in writing by the Local Planning Authority the development shall be implemented in accordance with highway safety details that were approved under discharge of conditions application 2018/19584/CND to meet the requirements of condition 8 of 2017/18136/VAR
- 17 Unless alternative details are first submitted to and approved in writing by the Local Planning Authority the development shall be implemented in accordance with highway construction details that were approved under discharge of conditions application 2018/19584/CND to meet the requirements of condition 5 of 2017/18136/VAR
- 18 The proposed flood plain compensation must be designed such that there is no net loss of available floodplain capacity on the proposed site.

Reason: To ensure no loss of available floodplain capacity.

- 19 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

- 20 Amended condition: Unless alternative details are first submitted to and approved in writing by the Local Planning Authority the development shall be implemented in accordance with Site Investigation Reports that were approved under discharge of conditions application 2018/19584/CND to meet the requirements of condition 26 of 2017/18136/VAR
- 21 Amended condition: Unless alternative details are first submitted to and approved in writing by the Local Planning Authority the development shall be implemented in accordance with the approved on site play open space and equipment details that were approved under discharge of conditions application 2018/19584/CND to meet the requirements of condition 24 of 2017/18136/VAR
- 22 Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.

Reason: In the interest of satisfactory drainage

- 23 Amended condition Unless alternative details are first submitted to and approved in writing by the Local Planning Authority the development shall be implemented in accordance with management of surface water details that were approved under discharge of conditions application 2018/19584/CND to meet the requirements of condition 19 of 2017/18136/VAR

Informatives

1. The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.
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 the NPPF.
3. The applicant/developer is advised that the grant of this permission is subject to conditions attached to the outline permission ref: 63/2015/15792 (and related Discharge of Conditions applications refs 2018/19241/CND 2018/19584/CND). Please refer to the outline permission to ensure compliance with all conditions.



Application Number: 2018/19563/REM

Proposal: Revised description 188 dwellings with associated internal roads, parking and landscaping alongside highways and drainage infrastructure for this development and the wider development site.

The original outline application was EIA development and an Environmental Statement was submitted to the planning authority at that time.

Site Address: Land North Of A629 And West Of Carleton Road Skipton BD23 3BT

On behalf of: Henry Boot Developments Ltd & Bellway Homes Ltd (Yorkshire)

REPORT TO PLANNING COMMITTEE ON 11th March 2019

Application Number:	2018/19190/REM
Proposal:	Approval of the appearance, landscaping, layout and scale as reserved by condition in outline consent referenced 08/2014/15067 for 16 dwellings
Site Address:	Felstead Low Bentham Road High Bentham LA2 7BP
On behalf of:	Carr & Stocks Developments Ltd
Date Registered:	4th May 2018
Expiry Date:	3rd August 2018
Case Officer:	Mr Sam Binney

This application is referred to Planning Committee as it is a reserved matters application to an outline permission which was determined by Planning Committee.

1. Site Description
 - 1.1 The application site lies between High and Low Bentham on the south side of Low Bentham Road. It originally comprised a large detached residential property on the northern part of the site fronting Low Bentham Road and a large commercial shed structure on the southern part of the site. These structures have subsequently been demolished and the site is presently vacant.
 - 1.2 There is an existing access to the site located to the north.
 - 1.3 The commercial premises was originally an agricultural building and was subsequently occupied by E and SJ Pearson who ran a manufacturing company fabricating trailers for HGV's and other commercial vehicles including livestock wagons and horseboxes. There is no record of a planning permission for this use however it is apparent that the business had operated on the site since approximately 1979 and it is therefore considered that the lawful use of the site falls within B2 'General Industry' of the Use Classes Order.
 - 1.4 The site lies within open countryside as defined in the adopted Local Plan and is outside of the development limits for both High and Low Bentham.
 - 1.5 To the east and west of the application site is 'green wedge' as defined by Saved Local Plan Policy BE3 although the site itself is not within the area covered by this policy.
 - 1.6 There is a ribbon of residential development located on the opposite side of the road to the north west of the site and a residential barn immediately to the south. Notwithstanding, the site is generally situated in a fairly prominent position with an open rural aspect.
 - 1.7 Although there were a number of trees originally on the site these have been removed. The site does not have any other distinguishing features or characteristics.
2. Proposal

- 2.1 A planning application for the development of this site for residential development was submitted in outline with access the only matter considered. The proposal was granted planning permission by Planning Committee in April 2015 (Ref: 08/2014/15067).
- 2.2 Matters reserved for consideration and approval comprise of the appearance, landscaping, layout and scale. The application is seeking approval for these reserved matters.
- 2.3 The development would seek construction of 16 dwellings in the site comprising a mix of detached, semi-detached and terraced properties arranged around a single access road connected to Low Bentham Road at the northern end of the site.
- 2.4 The proposed dwellings would be two-storeys and the configuration would be a terraced row of four properties fronting the main road, a pair of semi-detached houses immediately to the rear of those and the remainder of the development comprised of detached properties.
- 2.5 The proposed housing mix would be:
 - 4 x 2 bedroom
 - 4 x 3 bedroom
 - 8 x 4 bedroom
- 2.6 It is proposed to provide a 25% affordable housing contribution comprising 4 dwellings (units 1-4).
- 2.7 The housing would be constructed from a mix of materials including stone, render and slate roofing. Windows would be grey upvc set within stone surrounds.
- 2.8 It is proposed to provide 50 vehicle parking spaces across the development which includes 6 visitor spaces. Parking would be a mix of hard standing and garaging.
- 2.9 The development would incorporate tree planting and landscaping with rear garden boundaries defined by timber fencing.
3. Planning History
- 3.1 5/8/161: Change of use from hatchery to storage. Approved May 1978
- 3.2 5/8/161/A: Erection of prefabricated scout hut. Approved October 1978
- 3.3 08/2000/524: Construction of new access and stopping up of existing access. Withdrawn
- 3.4 08/2000/843: Alterations and change of use of out-barn to provide farm holiday accommodation and construction of new access. Approved March 2001.
- 3.5 Officer Note: This permission relates to a barn to the south of the application site with new access adjacent to the site.
- 3.6 08/2004/4964: Erection of block of six flats and eleven houses, demolition of existing house and workshop, construction of new vehicular access. Refused April 2005.
- 3.7 Also of relevance to the east of the application site is NY/2010/0504/FUL: Erection of a new primary school including change of use of land currently in agricultural use to provide ancillary sports facilities and formation of new vehicular and pedestrian access. The school has now been constructed.
- 3.8 08/2011/11560: Outline planning permission for residential development Approved 23.8.2011.
- 3.9 08/2014/15067: Residential development. Approved April 2015.
- 3.10 08/2017/17887: Demolition of existing dwelling and industrial unit and erection of a residential development of 16 dwellings comprising of detached, semi detached and

terraced houses, including 6 affordable homes. Planning Committee resolved to grant delegated authority to grant planning permission subject to the applicant first entering into a S106 Planning Obligation. 08/08/2017. (S106 Agreement not signed).

4. Planning Policy Background

4.1 Saved Policies of the Craven (Outside the Yorkshire Dales National Park) Local Plan:

4.2 ENV1: Development in Open Countryside

4.3 ENV2: Requirements for Development in Open Countryside

4.4 BE3: Green Wedges

4.5 EMP7: Change of Use from Industrial to Non-Industrial

4.6 T2: Road Hierarchy

4.7 Submission Draft Local Plan Policies:

4.8 SD1: The Presumption in Favour of Sustainable Development

4.9 SP1: Meeting Housing Need

4.10 SP3: Housing Mix and Density

4.11 SP4: Spatial Strategy and Housing Growth

4.12 SP7: Strategy for Bentham – Tier 2

4.13 ENV1: Countryside and Landscape

4.14 ENV3: Good Design

4.15 ENV13: Green Wedges

4.16 H2: Affordable Housing

4.17 INF1: Planning Obligations

4.18 INF4: Parking Provision

4.19 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. However, the submission draft is considered to be sound and the policies are consistent with the NPPF.

4.20 The National Planning Policy Framework.

4.21 National Planning Policy Guidance

5. Parish/Town Council Comments

5.1 Bentham Town Council: No comments received within statutory consultation period.

6. Consultations

6.1 **District Valuer:**

6.2 The applicants have submitted a reserved matters application for the development of 16 dwellings including the provision of 4 affordable homes, equating to 25% onsite provision.

6.3 Craven District Council sought the independent opinion of the viability information provided by the applicants to the extent to which the accompanying appraisal is far and reasonable and whether the assumptions made are acceptable and can be relied upon to determine the viability of the scheme.

6.4 The report concluded that:

6.5 The policy compliant scheme with 6 affordable housing units and £46,204 S106 contribution is unviable.

- 6.6 The scheme with 4 affordable housing units (25%) and £46,204 S106 contribution is viable.
- 6.7 **CDC Trees Officer:**
- 6.8 The tree officer has confirmed that the comments remain the same as the previous comments received for full application 08/2017/17887 which states:
- “The site has been almost completely cleared of any trees at some point in the recent past, some of which appeared to be decent quality, medium/ large specimens visible from along the road. The only tree left on site is a small cherry tree on the western boundary which is of relatively low quality and not worthy of a Tree Preservation Order. Protective fencing should still be installed to BS 5837 (2012) to retain this established tree during construction.*
- The site sits between two open fields along the main road in Bentham and is therefore a relatively high impact site visually. Should the application be granted permission request that landscaping plans are conditioned which include some high quality trees including some large trees planted along the boundaries to lessen the impact from along the road and from the open countryside to the south.”*
- 6.9 **Officer’s Note:** The above comment makes reference to a small cherry tree which is of relatively low quality and not worthy of protection. This tree has since been removed which therefore makes the protective fencing condition redundant. Notwithstanding this, the recommended condition for a landscaping scheme is considered to be appropriate and will be attached to the permission.
- 6.10 **CDC Sports Development Officer:**
- 6.11 “No impact of the revision upon SRC2 policy and so no need to amend anything in relation to this”.
- Officer’s Note:** This response is in regard to the comments previously submitted for application 08/2017/17887. That comment was as follows:
- “The application triggers the saved policy requirement under SRC2 for the provision of play and recreation to meet the needs generated by the development. There is no on-site POS proposed as part of the scheme but there is an identified local quality deficiency. The SDO considers that this application is acceptable in relation to saved Local Plan Policy SRC2 subject to an off-site contribution of £46,000 to address the quality deficiency in play and recreation provision in Bentham”.
- 6.12 **NYCC Highways:** No local highway authority objections.
- 6.13 **CDC Planning Policy:** No comments received within statutory consultation period.
- 6.14 **NYCC Planning:** “No comments”.
- 6.15 **NYCC SuDS Officer:**
- 6.16 “The submitted documents are limited and the LLFA recommends that the applicant provides further information before any reserved matter permission is granted by the LPA. The following should be submitted and approved by the Local Planning Authority;
- Drainage Strategy Document
 - Indicative Drainage Layout”
- 6.17 **Officer’s Note:** Notwithstanding the above recommendation, the details submitted are identical to those submitted for full application 08/2017/17887 and, as this consultation response highlights, surface water drainage is not a reserved matter. The conditions attached to application 08/2017/17887 are considered to be a material consideration. It is therefore proposed that the condition from that application pertaining to surface water drainage is attached to this permission for future discharge.

- 6.18 **United Utilities:** No response has been received. However, the following comment was received for previous application 08/2017/17887:
- 6.19 No objections. Recommend conditions to ensure details of surface water drainage are satisfactory and appropriately managed.
- 6.20 It is considered appropriate to attach the same conditions to this application.
- 6.21 **NYCC Police Designing Out Crime Officer:**
- 6.22 No objections subject to a condition that requires approval of any crime prevention measures that are to be incorporated into the development.
- 6.23 **CDC Environmental Health:**
- 6.24 No objections but recommend conditions regarding construction hours, noise levels, dust, asbestos, and clean topsoil.
7. Representations
- 7.1 Site Notice dated 18th May 2018.
- 7.2 Press Notice published 17th May 2018.
- 7.3 Notification letters sent to 14 neighbouring properties.
- 7.4 No letters of representation have been received.
8. Summary of Principal Planning Issues
- 8.1 Principle of development.
- 8.2 Scale, design and impact on the character of the area and the green wedge.
- 8.3 Residential amenity.
- 8.4 Highway safety.
- 8.5 Drainage.
9. Analysis
- Principle of development**
- 9.1 The application site has been cleared of the house and commercial buildings that were originally sited there. There have been no changes in local or planning policies since the issuing of planning permission reference 08/2014/15067 and therefore the principle of residential development of the site has already been established and does not need to be re-considered. However, the NPPF was amended in July 2018 though is still supportive of sustainable residential development.
- 9.2 In terms of the principle of development there are no specific policy restrictions that would limit the numbers of dwellings within the site. It is also noted that the NPPF advocates that there is a presumption in favour of all forms of sustainable development particularly where it can be demonstrated that development constitutes an effective re-use of previously developed land as is the case here. The only matters for consideration in respect of the current proposal are therefore the impacts arising from the changes to the scheme, principally from the increase in the number of houses from 7 to 16 and the changes to the proposed housing mix.
- 9.3 In terms of a comparison to planning permission 08/2014/15067 there is no doubt that the current application represents an intensification of the development of the site by the proposed increase of 9 houses. It is considered that this represents a more efficient use of land whilst also providing an opportunity to provide a broader mix of housing across the site i.e. 2, 3 and 4 bedroom properties. It is also necessary to consider the fact that, unlike the outline consent, the current scheme triggers requirements for affordable

housing and public open space whilst making a greater contribution towards the Council's housing land supply.

- 9.4 On balance, it is considered that the proposed development of the site, and more specifically the intensification of the land use, does not raise any issues in terms of the principle of development.

Scale, design and impact on the character of the area and the green wedge

- 9.5 The application site comprises a previously developed site located in open countryside which originally featured a large dwelling house and a fairly substantial commercial building both of which were prominent and clearly visible from Low Bentham Road. Although partially screened by existing tree and shrub planting the buildings on the site were visible from long range views and were much larger in relation to the surrounding built development. The site was also generally unkempt and had various scrap vehicles and waste materials stored throughout, although this is not in itself material to consideration of this application. It is also necessary to consider that the site has now been cleared and therefore is relatively featureless.
- 9.6 Of particular note is the fact that, in addition to the location of the site in open countryside, it is located between, but not within, the open land between Low and High Bentham classed as 'green wedge' under Saved Local Plan policy BE3. The purpose of the 'green wedge' is to maintain and reinforce the individual character of the nearby settlements and to prevent their physical coalescence by restricting developments that might compromise the gap between them.
- 9.7 In this case it has to be acknowledged that the site is previously developed and therefore remains potentially available for commercial re-development. It is the case that whether re-developed or developed in accordance with the outline consent the site would remain a physical, visual barrier which would appear as a pocket of developed land located within the allocated green wedge areas. It could be reasonably argued that residential development, suitably designed and laid out, would be less visually intrusive than commercial development of the site and also that the proposals would have negligible impact in terms of undermining the purposes of the designated 'green wedge'. It is also noted that the criteria upon which this site must be assessed would not apply to the adjacent land, which is 'green wedge' and therefore granting permission has not set a precedent in relation to policy BE3. In summary, it is not considered that the proposal would be contrary to the aims and objectives of Saved Local Plan policy BE3.
- 9.8 In consideration of the details of the proposal it is necessary to draw comparisons with the outline consent although in doing so it is also important to recognise that the outline planning permission only sought approval for the principle of development and access and therefore only included illustrative plans. The relevant point is that more development on the site would arguably have a greater visual impact and it is this matter that consequently bears some consideration.
- 9.9 The proposed development, with the exception of the terraced row fronting the main road, would be arranged around the periphery of the site and facing inwards towards a shared access road. The development would also be two-storeys throughout and therefore of a scale that would be appropriate in the wider street scene.
- 9.10 The proposals show some small pockets of landscaping to the southern and western boundaries but otherwise the site boundaries would be defined by dry stone walling to the eastern boundary, post and wire fencing to the southern and eastern boundaries 0.9m high stone walling to the north elevation. Notwithstanding, it is considered that the layout would represent good design that would not be visually intrusive or result in any adverse impact in the wider landscape that would warrant refusal of planning permission.
- 9.11 In coming to this view it is considered that the detailed proposals in the current scheme would have no significantly greater visual impact than the outline permission. In addition

it is proposed to include conditions that would require approval of building materials, boundary treatments and landscaping which would allow detailed consideration of these matters in order to ensure the development would be in keeping with the surroundings. In summary it is considered that the proposal is acceptable in terms of scale, design and visual impact.

Residential amenity

- 9.12 The development site is located such that the nearest residential properties are located to the northern side of Low Bentham Road (Burrow Barn) and to the south (Bellfleckers Barn). Neither of these properties would be adversely impacted upon by the proposed development and would not suffer any significant loss of outlook, privacy or loss of light. The increased number of houses would arguably result in more activity and noise than the smaller outline consent but this is not considered to be a factor that would constitute grounds for refusal of planning permission.

Highway safety

- 9.13 No objections to the application have been raised by the Highways Authority and it is considered the proposed development is acceptable in terms of highway safety. In coming to this view it is noted that the proposal is a more intensive development than permission 08/2014/15067. Notwithstanding, it is not considered that the increased number of houses would give rise to any significantly adverse cumulative impacts on highway safety. Accordingly, the proposal is considered to be acceptable in this respect.

Drainage:

- 9.14 No objections have been raised in regard to surface water drainage. The Lead Local Flood Authority (LLFA) has been consulted on the scheme and has no objections to the scheme and seeks further information regarding a drainage strategy document and an indicative drainage layout. These details will be covered by condition which will require later discharge. United Utilities did not respond to the consultation. However, a condition is to be attached which was used on full application 08/2017/17887. Subject to the aforementioned conditions, the drainage details are considered to be acceptable.

- 9.15 Conclusion

- 9.16 Paragraph 11 of the NPPF advises that LPA's should be:

“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

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

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.”

- 9.17 The proposal seeks re-development of a site comprising previously developed land. Notwithstanding its location outside development limits and sandwiched between a ‘green wedge’ part of which has now been developed for a school, it is considered that the proposed residential development can be justified in terms of the principle of developing a site in open countryside. Moreover, the proposal is considered to be acceptable in terms of amenity issues and highway safety.

- 9.18 On balance, it is considered that there are no adverse impacts arising from the proposed development that would significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 11 of the NPPF, and therefore there are no grounds to withhold planning approval.

10. Recommendation

10.1 Approve with Conditions

Conditions

Time Limit for Commencement

- 1 The development must be begun not later than the expiration of two 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 The permission relates to the following plans:
- Drawing No. (02) 001 "Site Location Plan" received 10th April 2018.
 - Drawing No. (02) 003 Rev C "Proposed Site Plan" received 10th April 2018.
 - Drawing No. (02) 010 "Floor Plans 2 Bed 4 Person Affordable" received 10th April 2018.
 - Drawing No. (02) 011 "Floor Plans 3 Bed 5 Person Affordable" received 10th April 2018.
 - Drawing No. (02) 012 "Floor Plans 3 Bed 5 Person" received 10th April 2018.
 - Drawing No. (02) 013 "Ground Floor Plan 4 Bed 8 Person Sheet 1" received 10th April 2018.
 - Drawing No. (02) 014 "First Floor Plan 4 Bed 8 Person Sheet 2" received 10th April 2018.
 - Drawing No. (02) 015 "Ground Floor Plan 4 Bed 8 Person - Executive Sheet 1" received 10th April 2018.
 - Drawing No. (02) 016 "First Floor Plan 4 Bed 8 Person - Executive Sheet 2" received 10th April 2018.
 - Drawing No. (02) 020 "Elevations 2 Bed 4 Person Affordable" received 10th April 2018.
 - Drawing No. (02) 021 "Elevations 3 Bed 5 Person Affordable" received 10th April 2018.
 - Drawing No. (02) 022 "Elevations 3 Bed 5 Person" received 10th April 2018.
 - Drawing No. (02) 023 "Elevations 4 Bed 8 Person" received 10th April 2018.
 - Drawing No. (02) 024 "Elevations 4 Bed 8 Person - Executive" received 10th April 2018.
 - Drawing No. (02) 025 "Proposed Development Images" received 10th April 2018.
 - Drawing No. (90) 001 "Proposed Site Plan Boundary Treatments" received 03rd May 2018.
 - Drawing No. (90) 002 "Boundary Details" received 03rd May 2018.
 - Planning Statement received 10th April 2018.
 - Design & Access Statement received 03rd 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.

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

During Building Works

- 3 Notwithstanding any details shown on the approved plans and supporting documentation of this permission, no above ground works shall take place until details of all windows and doors have been submitted to and approved in writing by the Local Planning Authority. Such details

shall include their design, materials (including sill and lintel treatments), finishes, colour treatment, reveals and opening profile. The windows and doors shall be installed in accordance with the duly approved details before any of the dwellings are first occupied and shall be retained as such thereafter.

Reason: To ensure use of appropriate materials which are sympathetic to the character of the building and its surroundings in the interests of visual amenity in accordance with the National Planning Policy Framework.

- 4 Notwithstanding any description of materials in the approved plans and supporting documentation of this permission, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the buildings 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 and the street scene in accordance with the requirements of the National Planning Policy Framework.

- 5 Notwithstanding any details shown on the approved plans of this permission, within three months of development first taking place 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 enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of the National Planning Policy Framework.

- 6 Prior to any above ground works, details of a surface water drainage scheme, which unless demonstrated as not being reasonably practicable is based on Sustainable urban Drainage Principles (SuDS), shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall comprise: -

- Full technical details of the proposed surface water drainage solution.
- Details of the organisation responsible for the SuDS (unless demonstrated that SuDS is not practicable).
- Arrangements for how SuDS will be maintained in perpetuity (unless demonstrated that SuDS is not practicable).

The development shall be implemented strictly in accordance with the approved scheme and retained in accordance with its provisions thereafter.

Reason: To ensure satisfactory drainage and that SuDS are used where reasonable practicable.

Informative: Full details of the information required to meet the terms of the above condition can be found on the website of the Lead Local Flood Authority (North Yorkshire County Council). <http://www.northyorks.gov.uk/article/25991/Flooding-and-drainage>

- 7 No above ground works shall take place until full written details of how the issues raised by the Police Designing Out Crime Officer in both this and previous reports, are to be addressed. These measures shall be agreed in writing by the Local Planning Authority in consultation with North Yorkshire Police.

The details shall provide rationale and mitigation in relation to any suggestions made in this report that are not to be incorporated.

Reason: To satisfy Paragraphs 58 and 69 of the National Planning Policy Framework and to enable the Local Planning Authority to discharge its functions in accordance with Section 17 of the Crime & Disorder Act 1998.

- 8 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 approved in writing with the Local Planning Authority, the scheme shall include:

- (i) separate systems for the disposal of foul and surface water;
- (ii) details of the rate of surface water discharge from the site to any soakaway, watercourse or surface water sewer for the 1 in 1 year and 1 in 100 year rainfall events (including an appropriate allowance for climate change), which shall not exceed the pre-development rate;
- (iii) details of any necessary flow attenuation measures, including the use of SUDS where appropriate;
- (iv) evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- (v) details of flood exceedance routes (both on and off site);
- (vi) details of how surface water will be managed and pollution prevented during the construction phase;
- (vii) a timetable for implementation, including details of any phased delivery; and
- (viii) details of a management and maintenance plan for the drainage system after completion, including any arrangements for adoption by an appropriate public body or statutory undertaker.

The scheme shall be implemented in accordance with the duly approved details before any of the dwellings hereby approved are first occupied, and maintained as such thereafter.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of the National Planning Policy Framework.

- 9 No above ground works shall take place 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:

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

- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing.
- iii) 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.
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing.
- v) 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.

Reason: To make provision for affordable housing in accordance with the requirements of the National Planning Policy Framework.

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

- 10 Prior to the commencement of construction works, the developer shall submit a Dust Management Plan in writing for the approval of the Local Planning Authority. The Dust Management Plan shall identify all areas of the site and the site operations where dust may be generated and further identify control measures to ensure that dust does not travel beyond the boundary. Once in place, all identified measures shall be implemented, retained and maintained for the duration of the approved use.

Reason: To safeguard the living conditions of nearby residents particularly with regard to the effects of dust.

Before the Development is Occupied

- 11 No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation. The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.

Reason: In order to ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.

- 12 No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas have been constructed in accordance with the approved drawings and are available for use unless otherwise approved in writing by the Local Planning Authority.

Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

Ongoing Conditions

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) the garages hereby approved shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason: To ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and 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. During construction there is a potential for noise nuisance to nearby residential properties.

Operating times for construction shall be limited to:

- 8:00am to 6:00pm Monday to Friday
- 8:00am to 1:00pm Saturday
- No Sunday or Bank Holiday working.

Reason: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise.

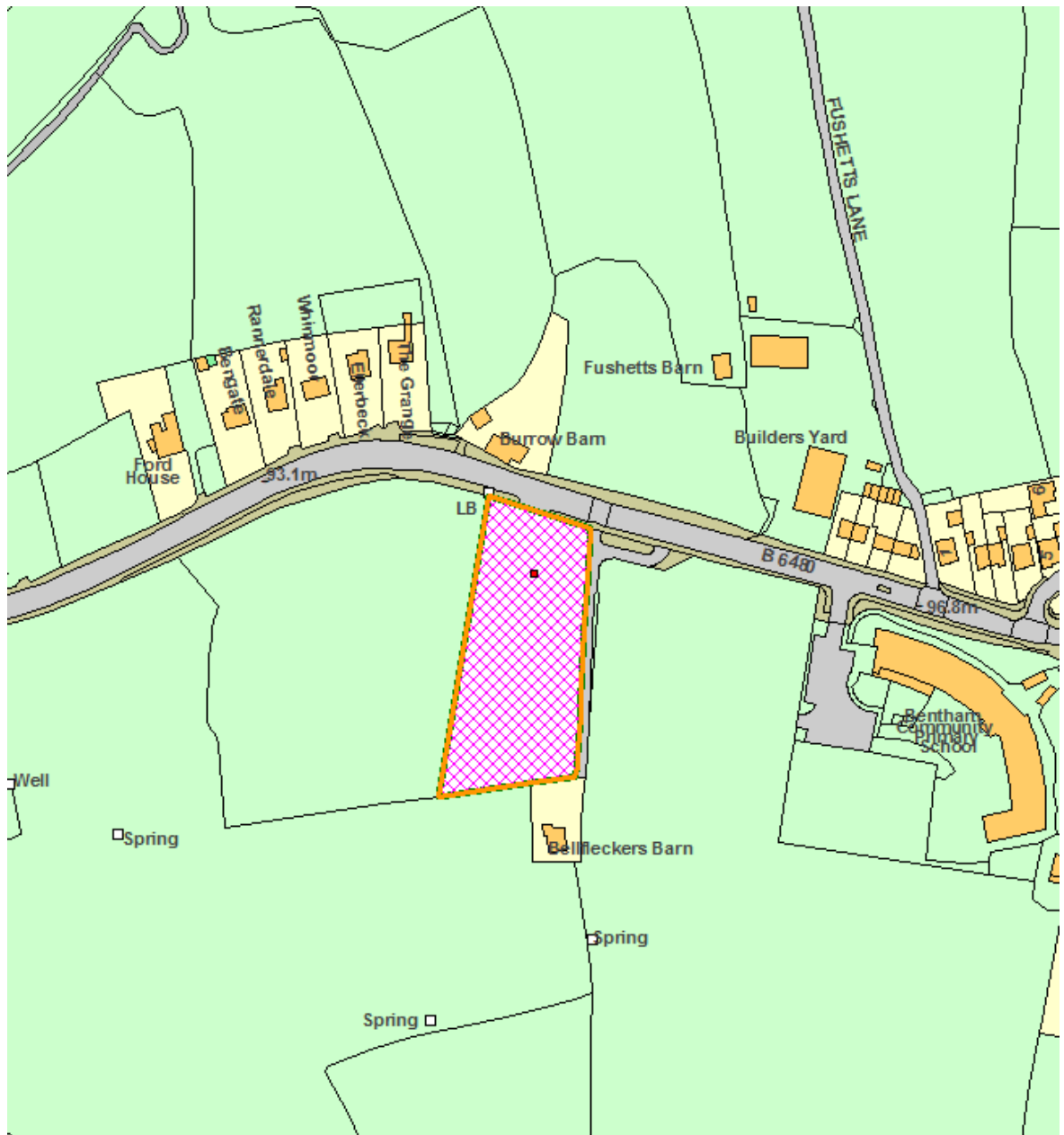
3. The applicant needs to have regard to the BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings which presents guideline noise levels for both inside and outside dwellings. The applicant shall adhere to the levels shown in the document and provide evidence to the Local Planning Authority of how the levels will be achieved.

Reason: To safeguard the living conditions of residents particularly with regard to the effects of noise.

4. The applicant shall 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 shall be supplied within 21 days of any request being received.

Reason: To ensure that no contaminated materials are brought onto site.

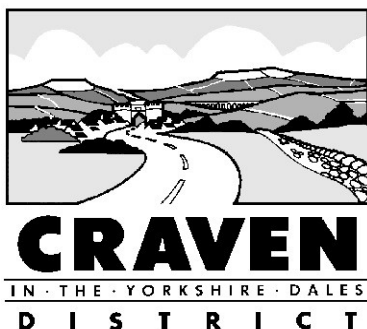


Application Number: 2018/19190/REM

Proposal: Approval of the appearance, landscaping, layout and scale as reserved by condition in outline consent referenced 08/2014/15067 for 16 dwellings

Site Address: Felstead Low Bentham Road High Bentham LA2 7BP

On behalf of: Carr & Stocks Developments Ltd



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 – 01.02.2019 to 28.02.2019

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

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19013/LB C	Northern Railway, Arriva Rail North Ltd	Settle Railway Station Station Road Settle BD24 9AA	Application for listed building consent for the provision of two Customer Information Screens (CIS), replacement Ticket Vending Machine (TVM), refurbishment of platform 2 waiting room, and Personal Address (PA) and CCTV on platforms.	Approve with Conditions	21.02.2019
2018/19161/CO U	Marsden AES	Craven Barn Church Street Gargrave Skipton BD23 3QY	Change of use of portal framed building and adjacent yard from agriculture / equestrian use to a base for an Agricultural Contracting and Environmental Conservation Business (Sui Generis)	Application Withdrawn	22.02.2019
2018/19295/FU L	Mr D C Mills	24A Coach Street Skipton BD23 1LH	Replacement of windows from white painted defective timber to heritage 'timber effect' UPVC	Approve with Conditions	21.02.2019
2018/19525/FU L	Craven College	Ganderine Laithe Craven Cattle Marts Gargrave Road Skipton BD23 1UD	New Craven College equine centre including associated car parking and change of use of existing building	Approve with Conditions	14.02.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19598/VA R	Mr & Mrs Beanlands	Tipperthwaite Lodge Paley Green Lane Giggleswick Settle BD24 0DZ	Application for the removal of condition no. 4 (live/work restriction) on planning application reference number 31/2006/6193 granted 02 May 2006	Refuse	14.02.2019
2018/19659/HH	Miss Diane Price	Prospect Cottage 1 Prospect Terrace St Stephens Close Skipton BD23 1PA	Application for retention of a summer house.	Approve with Conditions	20.02.2019
2018/19661/CN D	K&R Developments Ltd	Bank View Doctors Hill Low Bentham Lancaster	Application for the discharge of condition no's 2i) and 2 iv) on the application reference Ref. 2018/19144/FUL granted 31.07.2018	DOC satisfactory	05.02.2019
2018/19739/CO U	Mr Simon	9 - 11 Court Lane Skipton BD23 1DD	Change of use from retail to a microbar	Approve with Conditions	19.02.2019
2018/19870/LB C	Mrs Scott	Well House Bankwell Road Giggleswick Settle BD24 0AP	Listed building application for re-roofing of existing dwelling.	Approve with Conditions	08.02.2019
2018/19882/FU L	Skipton Town Council	Middletown Recreation Ground Off Pinhaw Road Skipton	Project to install a new access road for Middle town allotment plot holders the new access road will run down the side of Pinhaw Rd. There is currently already a footpath this is to be widened to allow for vehicular access terminating in a small 13 space car park.	Approve with Conditions	08.02.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19886/CN D	Broughton Custodian Fund	Restoration Barn Skinner Ground Farm Old Lane (north) Broughton Skipton BD23 3AH	Proposal: Application to discharge the requirements of condition 13 (Travel Plan) of previously approved application 12/2017/17952 permission given 4th July 2017.	DOC satisfactory	04.02.2019
2018/19890/FU L	Mark Davison and Kara Seddon	11 Duke Street Settle BD24 9DU	Change of use from A3 (Restaurants and Cafes) to A1 (Shop) and refurbish of existing shop front; Demolition of existing rear extension and erection of new two storey extension with balcony providing additional residential floor area at upper level.	Approve with Conditions	20.02.2019
2018/19897/CP E	Mr Ben Airlie	Crag Side Farm Cottage Dick Lane Cowling Keighley BD22 0JZ	Application for a Certificate of Lawful development for the existing use of a property as a residential dwelling (use Class C3)	Application Withdrawn	13.02.2019
2018/19927/HH	Doctors Cullen and	7 Consort Street Skipton BD23 1HR	Two storey side extension to create store, utility room and bedroom/study	Approve with Conditions	22.02.2019
2018/19941/VA R	Accent Housing Ltd	42 - 48 (Evens) Meadowcroft Cononley BD20 8ND	Application to remove condition 3 (Affordable Housing) of previously approved application references 21/2014/14335 and 21/2014/14963 and enter into a S106 agreement.	Approve with Conditions	27.02.2019
2018/19893/VA R	Mr P Baldwin	Higher Stone Head Farm Cowling Keighley BD22 0LZ	Application to vary wording of condition no's. 4,5 and 6 (windows and cart openings) of planning approval referenced 22/2014/14903 and condition nos. 4 and 6 of planning approval referenced 22/2014/14892	Approve with Conditions	04.02.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19950/MMA	Mr J Rucastle	Land North Of Rarber Top Lane Ingleton Carnforth LA6 3DN	Minor material amendment application: variation of condition 2 of outline approval (45/2017/18062 - APP/C2708/w/17/3190127) for minor amendments to the scale and external appearance of dwellings	Approve with Conditions	06.02.2019
2018/19949/OUT	Mr Wilson	Adjacent To 55 Green Lane Glusburn Keighley BD20 8RU	Construction of detached house and garage.	Approve with Conditions	13.02.2019
2018/19955/FUL	Mr Tim Cooke	Town End Cottage High Street Burton In Lonsdale Carnforth LA6 3JP	Subdivision of 6-bed Grade II listed dwelling to 1 No. 3-bed property and 1 No. 1-bed flat including internal and external alterations	Approve with Conditions	28.02.2019
2018/19956/LBC	Mr Tim Cooke	Town End Cottage High Street Burton In Lonsdale Carnforth LA6 3JP	Subdivision of 6-bed Grade II listed dwelling to 1 No. 3-bed property and 1 No. 1-bed flat including internal and external alterations	Approve with Conditions	28.02.2019
2018/19954/CND	Broughton Custodian Fund	Restoration Barn Skinner Ground Farm Old Lane (north) Broughton Skipton BD23 3AH	Application to discharge condition no. 3 (Landscaping Details) imposed by planning approval 12/2017/17952 granted 4th July 2017.	DOC satisfactory	04.02.2019
2018/19972/HH	Mr Oliver	12 Old Hall Way Glusburn Keighley BD20 8RA	Proposed two storey side extension and front porch	Approve with Conditions	20.02.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19965/FUL	Embsay Children's Centre	Embsay Childrens Centre Pasture Road Embsay Skipton BD23 6RQ	2 no. extensions and new entrance door	Application Withdrawn	07.02.2019
2018/19970/FU L	Wenningdale Leisure Ltd	Bentham Golf Club Robin Lane High Bentham Lancaster LA2 7AG	Proposed new unit to provide storage and staff welfare facilities for existing accommodation lodges.	Approve with Conditions	05.02.2019
2018/19980/HH	Mr & Mrs Green	2 West Bank Road Skipton BD23 1QT	Proposed garage conversion, extension & external alterations	Refuse	08.02.2019
2018/19983/FU L	Mr Mike Brannen	Thornton Hill Nursing Home Church Road Thornton In Craven Skipton BD23 3TN	Replace the existing timber box sliding windows in PVCu to the annexe, that was built in approx 1980.	Approve with Conditions	01.02.2019
2018/19994/HH	Mr Steve Parry	2 Bank View Doctors Hill Low Bentham Lancaster LA2 7DZ	Erection of detached car port	Approve with Conditions	22.02.2019
2018/20004/FU L	Mr James Lampkin	Grasmere House College Road Bradley Keighley BD20 9DT	Proposed new single storey dwelling with garage and parking area	Application Withdrawn	13.02.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/20009/HH	Mr Raymond Hundsdoerfer	Station House Booth Bridge Lane Thornton In Craven Skipton BD23 3TE	Demolition of existing storage buildings, verandah and pergola and construction of a pool and gym.	Approve with Conditions	12.02.2019
2018/20015/HH	Mr James Alderson	18 Rowan Garth Sutton-in-craven Keighley BD20 8DA	Replacement garden shed.	Approve with Conditions	22.02.2019
2018/20022/HH	Mr Stephen Bielby	1 Meadow Lea Sutton-in-craven Keighley BD20 8BY	Proposed new dormer window.	Approve with Conditions	15.02.2019
2018/20018/HH	Mr & Mrs M Egan	20 Greenroyd Court Sutton-in-craven Keighley BD20 7NY	Proposed loft conversion including dormer window to rear elevation and 2 no. roof lights to front elevation (Resubmission of refused application no.2018/19809/HH)	Approve with Conditions	11.02.2019
2018/20025/AG RRES	SST Holdings Ltd	Agricultural Building Stainton Cotes Moorber Lane Coniston Cold BD23 4EN	Conversion of existing agricultural building to form 1 no. dwelling.	Prior Approval Not Required	08.02.2019
2018/20031/HH	Mr & Mrs N Hudson	22 Canal Street Skipton BD23 1LB	Replacement of existing defective timber windows and doors with new upvc windows and doors. Colour finish - White.	Approve no conditions	04.02.2019
2018/20032/FU L	Mr & Mrs N	22 Canal Street Skipton BD23 1LB	Demolition of existing buildings and construction of new 2 bedroom dwelling	Approve with Conditions	19.02.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/20034/HH	Mr Haken	Old School House Church Street Gargrave Skipton BD23 3NE	New lean to roof over existing flat roof	Approve with Conditions	12.02.2019
2018/20036/HH	Mr & Mrs J Moran	19 Crofters Mill Sutton-in-craven Keighley BD20 7EW	Proposed two storey rear extension	Approve with Conditions	05.02.2019
2018/20039/FU L	Mr Ainsley Ashby	33 Nan Scar Cowling Keighley BD22 0DL	Change of use of agricultural land to C3 to form an extension to the existing garden.	Approve with Conditions	04.02.2019
2018/20040/NM A	Blaithwaite Developments Ltd	The Old Shippon Eldroth Road To Willow Tree Austwick Lancaster LA2 8AH	Application for non-material amendment to original planning permission referenced 2017/18173/FUL for 1) Change the 800mm wide window on the South elevation to an 800mm wide door (cottage door style) 2) Add 4 x solar PV panels to the roof of the South elevation (total combined size 4m x 1.7m which is approx. 7 square metres) 3) Add a flue for a wood burning stove (within PD dimensions)	Approve with Conditions	05.02.2019
2018/20041/HH	Mr Darius Darwell	White Hall Uppergate Ingleton Carnforth LA6 3BD	Proposed removal of existing white UPVC conservatory and erection of single storey living/dining extension at the rear of the property.	Approve with Conditions	13.02.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/20045/AG RRES	Mrs Sherri Vaux	Willowbeck Farm Jack Lane Wigglesworth Skipton BD23 4RJ	Change the use of an agricultural building to form a single dwelling house (Prior Notification).	PN Process Not Applicable	12.02.2019
2018/20044/HH	Mr & Mrs J Ashcroft	Greenfoot Cottage 8 The Green Settle BD24 9HL	Alterations to enlarge existing external door and enlarge existing window	Approve with Conditions	05.02.2019
2018/20047/HH	Mr Mark Whitley	1 Broughton Grove Skipton BD23 1TL	The uplifting of an existing path and construction of ramp access, low level retaining wall and hand railing	Approve with Conditions	20.02.2019
2018/20050/PN T	Arquiva Ltd	Site No. 305454 Bend Gate Farm Flat Lane Long Preston BD23 4QR	Installation of electronic communications apparatus	Prior Approval Granted	04.02.2019
2018/20051/HH	Mr & Mrs Steve Hammond	103 New Village Ingleton Carnforth LA6 3DJ	Single storey extension at rear and porch extension at front.	Approve with Conditions	25.02.2019
2018/20052/CN D	Snell Developments Ltd	Land To East Of Laurel Croft Laurel Croft Embsay BD23 6RF	Application to discharge condition no's 3, 4, 5, 6, 7 and 8 of planning approval referenced 2018/19386/FUL granted 27.09.2018	Split Decision	27.02.2019
2018/20055/FU L	Mr & Mrs Bell	21 Park Road Cross Hills Keighley BD20 8BG	Proposed new build detached replacement dwelling	Approve with Conditions	05.02.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20057/FU L	Yesss Electrical	Unit 6 Ghyll Way Airedale Business Centre Skipton BD23 2TZ	Sub-division of existing unit into two units and change of use of eastern industrial unit to a B8 use (storage and distribution) with an ancillary trade counter use. Alteration to front elevation to form new trade counter entrance doors, warehouse and fire escape door	Approve with Conditions	04.02.2019
2019/20060/FU L	Mr John Sipling	Hare And Hounds Inn Dale End Lothersdale Keighley BD20 8EL	Renovation works to the Hare & Hounds. Works to include: Front extension to create internal seating and dining area, and external terraced seating area.	Application Withdrawn	07.02.2019
2019/20061/TC A	Mr Gazzard	Craven Tor Harewood Road Skipton BD23 1QR	Reduce height and spread of 2 no. Maple by 20%. Thin crowns and reshape	Approve Tree Works in Conservation Area	27.02.2019
2019/20064/TP O	Dr David Clements	10 Grassington Road Skipton BD23 1LL	Remove 7 no. Beech	Approved Tree Work under TPO	27.02.2019
2019/20062/HH	Mr Chris Chilton	Marl Hill Farm Marl Hill Lane Lothersdale Keighley BD20 8HJ	Single storey rear extension	Approve with Conditions	21.02.2019
2019/20065/FU L	Mr Deen	Dolly Tub Launderette 39 Gordon Street Sutton-in-craven Keighley BD20 7EU	Proposed increase in height of existing single storey building to provide first floor apartment.	Refuse	26.02.2019
2019/20068/HH	Mrs H Chambers	Swallow Cottage Dick Lane Cowling Keighley BD22 0JZ	Proposed conservatory, porch and greenhouse extensions	Approve with Conditions	13.02.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20071/FU L	Rosie Scott	Well House Bankwell Road Giggleswick Settle BD24 0AP	Repair of existing window frames and sills and the incorporation of upgraded draft-proofing and new double glazed sashes to match existing.	Approve with Conditions	25.02.2019
2019/20072/LB C	Rosie Scott	Well House Bankwell Road Giggleswick Settle BD24 0AP	Listed Building Consent application to repair of existing window frames and sills and the incorporation of upgraded draft-proofing and new double glazed sashes to match existing.	Approve with Conditions	25.02.2019
2019/20077/TP O	Croft Building	Deep Spring Grange Road Farnhill Keighley BD20 9AE	Fell 11 no. Sycamore, 4 no. Cypress, 3 no. Lime, 2 no. Birch & 1 no. Horse chestnut. Crown reduce 2 no. Lime by 20%. Selectively thin group G29 by up to 70%.	Split Decision	27.02.2019
2019/20078/TC A	Mrs Anne Nolan	Grass Verge At Side Of Church Close Carleton Skipton BD23 3DF	Remove 2 no. Ash	Approve Tree Works in Conservation Area	27.02.2019
2019/20171/NMA	Mr & Mrs Brian Dobson	1 Lane Top Jacksons Lane Bradley Keighley BD20 9HG	Non material amendment to original planning consent referenced 2018/19050/FUL to enlarge W2 and W3, reclaim local to stone to three elevations, render panel of wall to rear elevation and formation of an access for the disabled in south elevation.	Approve with Conditions	20.02.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20086/COU	Physio	7 Victoria Square Skipton BD23 1JF	Change of use from tattoo parlour to physiotherapy clinic	Approve with Conditions	07.02.2019
2019/20090/HH	Mr Mike Foalkes	2 Princes Drive Skipton BD23 1HL	Construction of rear and side extensions for dining, utility, study and bedroom over	Refuse	19.02.2019
2019/20093/HH	Mr Richard Moore	15 Hall Avenue Sutton-in-craven Keighley BD20 7NL	Porch with front extension and single storey rear extension.	Approve with Conditions	22.02.2019
2019/20094/HH	Mrs Nicola Lumsde	13 Princes Crescent Skipton BD23 1HH	Erection of two storey side extension (amendment to approved scheme Ref: 2017/18556/HH, to allow garage to be used as domestic accommodation)	Approve with Conditions	26.02.2019
2019/20097/HH	Mr Martyn Thomas	2Pools Row Ingfield Lane Settle BD24 9HW	Replacement of existing wooden double glazed units for similar in UPVC. Size of windows and style of window frames will be the same. Existing window frames rotting due to rubble walls of cottage.	Approve with Conditions	25.02.2019
2019/20098/HH	Mr Craig Keenan	Meadow Cottage 7 Bell Busk Bell Busk BD23 4DT	Extend existing garden room and install roof windows to main house roof	Approve with Conditions	25.02.2019

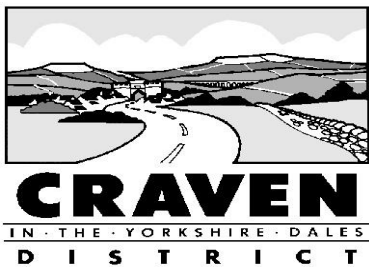
2019/20108/CND	London Investments	31 Main Street Cross Hills Keighley BD20 8TA	Application to discharge condition 3 (materials) imposed by planning approval 2018/19526/FUL permission given 24th September 2018.	DOC satisfactory	04.02.2019
2019/20110/TPO	Ms Sally Goodman	11 Gainsborough Court Skipton BD23 1QG	T1 - Hornbeam - reduce crown spread by 1m.	Approved Tree Work under TPO	27.02.2019
2019/20116/HH	Mr J Woodward	Intake Head Woodside Lane Cononley Keighley BD20 8PE	Construction of front porch extension and alterations to roof to form first floor bedroom.	Approve with Conditions	26.02.2019
2019/20119/LH SHLD	Mrs Emma Bishop	22 Hall Avenue Sutton-in-craven Keighley BD20 7NL	Proposed single storey rear extension measuring 3.8m beyond the rear wall; 3.4m in height from ground level; 2.2m in height to eaves from ground level (Prior Approval Notification).	Prior Approval Not Required	18.02.2019
2019/20122/CN D	Mr David Cocks	Canal Wharf Yard Priest Bank Road Kildwick Keighley	Application to discharge condition 5 (materials) imposed by planning approval 73/2016/16782 permission given 12th July 2016.	DOC satisfactory	08.02.2019
2019/20137/NM A	Mrs Sue Chatfield	1 Hazel Grove Road Sutton-in-craven Keighley BD20 7QT	Non material amendment to original planning consent referenced 66/2015/15623 to omit the window to the attic bathroom and replace with a velux kitchen/diner.	Non-material amendment approved	22.02.2019

Planning Committee Report of New Complaints Registered **From 29/01/2019 to 26/02/2019**

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/02998/2019	Rusting agricultural machinery	Town End Barn Colne Road Glusburn Keighley BD20 8PL	Glusburn
ENF/02999/2019	Installation of UPVC in a listed building	1 Cob Castle Ingfield Lane Settle BD24 9HN	Settle And Ribble Banks
ENF/03000/2019	Unauthorised balcony	27 Brook Street Skipton BD23 1PP	Skipton North
ENF/03001/2019	Unauthorised balcony	29 Brook Street Skipton BD23 1PP	Skipton North
ENF/03002/2019	Grey brick safe building to the rear of the bank	Natwest Market Place Settle BD24 9EF	Settle And Ribble Banks
ENF/03003/2019	Dust and waste materials	Land South Of Wigglesworth Row Plantation	Settle And Ribble Banks
ENF/03004/2019	Large concrete structure.	Land Off Old Lane Thornton In Craven Skipton BD23 3TE	West Craven
ENF/03005/2019	Single storey extension to rear on existing two storey extension	122 Burnside Crescent Skipton BD23 2BU	Skipton West

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03006/2019	Alleged new access track	Scaleber Farm Back Lane Low Bentham Lancaster LA2 8NZ	Bentham
ENF/03007/2019	Unauthorised signs	Land At Bell Busk	Gargrave And Malhamdale
ENF/03008/2019	Extractor fan having been installed on the roof.	Hare And Hounds Inn Dale End Lothersdale Keighley BD20 8EL	Aire Valley With Lothersdale
ENF/03009/2019	Large amounts of rubble/ bricks/ wood chippings and logs outside the property domestic curtilage.	18 West Lane Embsay Skipton BD23 6RN	Embsay-with-Eastby
ENF/03010/2019	New replacement caravan with decking being lived in.	Land Adjacent To Nuttercote Barn Church Road Skipton North Yorkshire BD23 3TT	West Craven
ENF/03011/2019	Development not carried out in accordance with approved plans (and working outside of approved hours)	Land To East Of Moorgarth Hall Rarber Top Lane Ingleton Carnforth LA6 3DN	Ingleton And Clapham
ENF/03012/2019	Not carried out Tree Protection of TPO trees	Land To East Of Moorgarth Hall Rarber Top Lane Ingleton Carnforth LA6 3DN	Ingleton And Clapham
ENF/03013/2019	Working outside the operating hours (up to 10.00pm Thursdays?)	Unit 5 Off Roundell Drive West Marton Skipton BD23 3UL	West Craven

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03014/2019	Untidy property at the rear	9 Park Avenue Gargrave Road Skipton BD23 1PN	Skipton North
ENF/03015/2019	Erection of garage- in breach of condition no. 3 of planning application ref: 22/2016/17178.	Fleet Farm Cottage Pad Cote Lane Cowling Keighley BD22 0FA	Cowling
ENF/03016/2019	Erection of dormer window	42 East Lane Embsay Skipton BD23 6QD	Embsay-with-Eastby
ENF/03017/2019	Erection of dormer window - not carried out in accordance with approved plans	42 Manse Way Sutton-in-craven Keighley BD20 8BX	Sutton-in-Craven



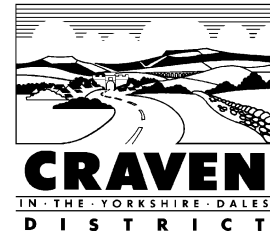
Planning Enforcement
 Craven District Council
 1 Belle Vue Square
 Broughton Road
 SKIPTON
 North Yorkshire
 BD23 1FJ
 Telephone: 01756 706254

Planning Committee Report of Cases Closed **From 29/01/2019 to 26/02/2019**

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/02777/2017	5th December 2017	30th January 2019	Case Closed	Extension not built in accordance with approved plans 63/2016/17615 - Installation of grey windows	33 The Close Skipton BD23 2BZ	Skipton West
ENF/02900/2018	20th July 2018	7th February 2019	Case Closed	Potential change of use from butchers to cafe/ takeaway bakery.	39 Main Street Cross Hills Keighley BD20 8TA	Glusburn
ENF/02943/2018	17th October 2018	30th January 2019	Case Closed	Running a business from home?	2 Raines Road Giggleswick Settle BD24 0AQ	Penyghent
ENF/02958/2018	14th November 2018	5th February 2019	No Breach	Potential change of use from commercial to domestic.	Highgate Barn Gaylands Lane Earby BB18 6JR	West Craven

Planning Committee – 11th March 2019

Participation Scheme



Report of the Democratic Services Manager

Ward(s) affected: Not applicable.

1. **Purpose of Report** – To review the Committee's arrangements for public participation.
2. **Recommendation** – The Committee is asked to consider possible amendments to it's public participation scheme.
3. **Report**
 - 3.1 The Committee's public participation scheme was last reviewed in September 1999. A copy of that scheme is appended to this report and as Members will be aware the scheme enables spokespersons for parish councils / meetings, objectors and applicants to address the Committee on development control matters under consideration at the meeting in question.
 - 3.2 Bearing in mind the period which has elapsed since the scheme was last reviewed, introduction of the Openness of Local Government Bodies Regulations and experience gained in a number of meetings in respect of major applications which generated significant public interest and attendance, a review of the participation scheme and advisory information on attendance at the Committee is perhaps overdue.

Note : The Openness of Local Government Bodies Regulations extended the rights of members of the public so that they may film, audio-record, take photographs and use social media to report the proceedings of all meetings that are open to the public. A protocol for audio/visual recording and photography at meetings was adopted by Council on 24th February 2015. Reference to this will need to be included within updated advisory information on attendance at the Committee.
 - 3.3 Whilst an option is of course to simply retain the existing scheme but with updates to the advisory information to reflect the current situation; if Members are minded to introduce changes the following paragraphs present a number, albeit not an exhaustive list, of options for consideration.
 - 3.4 In simple terms the public participation scheme is comprised of five minutes for each spokesperson representing the relevant town / parish council or parish meeting, those who have made representations and the applicant. A number of the

proposals listed below would assist officers in managing meetings, whereas others would formally introduce discretion and some flexibility in recognition of experience gained since the scheme was last reviewed.

a. Should it be formally written into the scheme that when the Committee is considering a major, controversial application, which has generated a considerable number of representations, or there are exceptional circumstances, the Chairman should have discretion to (a) extend the time period allocated to each party and (b) to allow more than one person representing objectors / applicants to speak by splitting the time allocated.

b. The total time allowed for speaking by a spokesperson(s) for a parish council / meeting, objectors and applicants is five minutes. If more than one person representing parish councils / meetings, objectors or an applicant has given notice of their wish to speak those persons should either reach agreement between themselves or the time (five minutes in total) will be split equally between the first two speakers to have registered.

c. Where potential spokespersons for those making representations cannot reach agreement on who will speak, the speakers(s) should be selected on a "first come first served" basis to avoid any risk of bias.

d. Introduce discretion for the Chairman to ask questions of the applicant or agent for clarification on a matter of fact when the case officer is not able to provide an answer. The ability to seek clarification during debate may avoid a need to defer consideration.

e. Should spokespersons be required to register their intention to speak prior to the date of the meeting ie. noon on the last working day before the meeting date? If yes, also include provision which states that "in the absence of extenuating circumstances which may enable discretion to be exercised, failure to register will prohibit a person addressing the Committee?

f. The approach, if any, to be adopted to spokespersons wishing to circulate additional information eg photographs or use visual aids at the meeting. Should speakers be required to submit any such information to the case officer in advance of the meeting eg noon on the last working day before the meeting date, and it be made clear in the scheme that the use or circulation of handouts, photographs or props at the meeting by spokespersons will not be permitted ?

g. Insofar as spokespersons for those making representations are concerned, whether only those persons who have made representations, or their representatives, should be permitted to address the Committee under the participation scheme.

j. With the passage of time and changes in the delegation arrangements for enforcement matters, inclusion of enforcement within the scheme is no longer relevant.

k. Inclusion of a statement to indicate that determination of an application will not be delayed because an individual who has indicated a wish to speak is not present / not ready to do so when the application is announced by the Chairman.

l. Inclusion of statements within the advisory information:-

i. reminding those addressing the Committee of the laws relating to slander (eg inclusion of a statement along the lines of “Speakers should bear in mind that in making their presentations to Committee they have no protection from the laws governing defamation.”) and drawing attention to the Protocol for audio/visual recording and photography at meetings.

ii. reminding those attending that meetings of the Planning Committee are open for members of the public to attend but they are not public meetings, and

iii. stating that that dialogue between those attending and the Committee is limited to those persons speaking under public participation on behalf of the parish council / meeting, objectors and the applicant.

3.5 Ultimately the process to be followed has to be fair and avoid the risk of bias. Members instructions are requested.

4. **Implications**

4.1 **Financial and Value for Money (vfm) Implications** – None.

4.2 **Legal Implications** – The public participation scheme is designed to ensure that the Planning Committee is fully appraised on applications before it, and to ensure that those addressing the committee receive a fair hearing.

4.3 **Contribution to Council Priorities** – Not applicable.

4.4 **Risk Management** – Not applicable.

4.5 **Equality Analysis** – No equality issues arising from changes proposed.

5. **Consultations with Others** – Legal Services and Planning Department.

6. **Access to Information : Background Documents** – None.

7. **Author of the Report** – Chris Waterhouse, Committee Officer. Tel 01756 706235
e-mail cwaterhouse@cravendc.gov.uk

8. **Appendices** –

Appendix A : Copy of Planning Advice Leaflet “Addressing the Planning Committee”.

Appendix B : Practice Guidance Note – Public Speaking in Planning Committees.

Dealing with Planning Applications - Committee Procedure

- The Planning Committee decides all applications which cannot be dealt with under the Scheme of Delegation.
- All applications which are to be decided by the Committee are included in the Plans List, which forms part of the Committee Agenda.
- The Plans List is subdivided into three areas - Skipton, South Craven and North Craven.
- The Plans List contains an officer's report and recommendation for each application.
- The Plans List is dealt with by Committee in order, although the Chairman has discretion to bring items forward if required.
- The Chairman will state which application is being dealt with and ask the officer if there is anything to be added to the report. Normally, the officer will only refer to any representations or consultation responses not dealt with in the report.
- Representations are usually summarised in the officer's report. For some applications information packs, containing copies of all representations and consultation replies, are sent to members with the agenda papers. This, however, is an exceptional procedure.
- After the officer has spoken, the Chairman will ask if anybody representing the parish council/meeting, objector or applicant wishes to address the meeting. If so, they will be asked to speak in that order.
- Following this public participation session the Chairman will open the Committee debate. Applicants, parish councils/meetings and objectors may not participate in this debate.

- Following the debate the Committee will determine the application; defer it for consideration at a future meeting (e.g. to allow for a Committee site visit or to obtain amendments or further information) or give delegated authority to the Head of Planning Services to deal with the application in a particular way (e.g. to allow for amendments to be negotiated).

Guidelines for Applicants, Parish Councils/Meetings and Objectors wishing to address the Planning Committee

- i. Only applications which are to be considered by Committee will be subject to presentations by applicants, parish councils/meetings and objectors.
- ii. Parish councils/meetings, one objector (representing all objectors where there are more than one) and applicants will each be allowed up to 5 minutes to address the Committee, and will appear in the stated order.
- iii. One person representing all who wish to make representations in favour will be allowed 5 minutes to address the Committee only if the applicant does not wish to address it.
- iv. Any person or parish council/meeting entitled to address the Committee may elect to be represented by an agent.
- v. Each person or parish council/meeting entitled to address the meeting shall have only one opportunity to do so in respect of any application being considered. The Chairman may allow a further opportunity to speak to any or all of the persons entitled to speak. This provision is entirely at the Chairman's discretion and will be put into effect only where the Chairman considers that the circumstances are so exceptional that this course of action can be justified.
- vi. Where the matters raised by a person or parish council/meeting addressing the Committee are

clearly not capable of being taken into account as planning considerations, the Chairman shall have the discretion to intervene and if necessary, disqualify that person from speaking further.

- vii. Applicants (via their agents where applicable), objectors and parish councils/meetings will be notified of their rights to be heard by the Planning Committee by standard letter dispatched at the same time as the Committee Agenda is published.
- viii. The Chairman of the Committee may, at his/her discretion, extend the period of time for addressing the Committee in exceptional circumstances, but will extend the time equally to all persons entitled to speak.

Guidelines for Procedure on Trees and Woodland Applications

The guidelines given for addressing the Committee on planning applications should be followed for tree and woodland applications.

Guidelines for Procedure on Enforcement Items

In the case of enforcement items, the people entitled to address the Committee will not fall within the usual applicant/objector categories. Those entitled to address the Committee on enforcement items will be:

- Any third party affected by the unauthorised development/breach of planning control.
- The parish council/meeting.
- The person who has carried out the unauthorised development or breach of planning control.

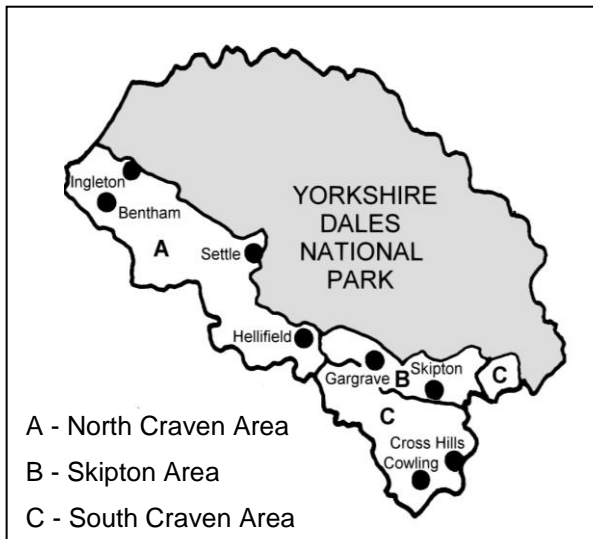
Each of the above will be allowed up to 5 minutes to address the Committee, before the item is debated by the Committee.

Guidelines for Procedure on Other Agenda Items Including Items to be Taken in Private

The public participation procedures also apply to any other items on the Planning Committee agenda. The persons entitled to address the Committee may vary depending on the nature of the item to be debated, but will normally include a person wishing to raise objections to an item/proposal, the parish council/meeting and either an applicant or a person wishing to make representations in support of an item/proposal. Each person or parish council/meeting entitled to address the Committee will be allowed 5 minutes to address the Committee before the item is debated by the Committee.

Additionally, in any case where the Committee's deliberations might be in private, for example where it has been recommended by officers that a report be taken in private, the parish council/meeting, an objector (or a representative of objectors, if there is more than one) and the applicant or a person wishing to make representations in support of an item/proposal will be given the opportunity to make their views known to the Committee (limited to 5 minutes each) before the Committee goes into private session.

Development Control Areas



Contact Names and Numbers

Head of Planning Services

(01756) 706440

Planning Manager

(01756) 706450

Local Plans and Conservation

Planning Officer

(01756) 706462

Planning Assistant

(01756) 706232

Development Control

Skipton Area Planning Officer

(01756) 706452

South Craven Area Planning Officer

(01756) 706446

North Craven Area Planning Officer

(01756) 706465

Assistant Planning Officers

(01756) 706449

(01756) 706453

Enforcement/Trees Officer

(01756) 706447

Office Hours

Monday - Thursday	8.45 am - 5.15 pm
Friday	8.45 am - 4.45 pm

PLANNING ADVICE LEAFLET No. 3



Addressing the Planning Committee

INTRODUCTION

The Council's Planning Committee has resolved that applicants, parish councils/meetings and objectors will be given the opportunity to speak directly to the members of the Committee with regard to planning applications which are to be decided by the Committee.

Additionally, on 13th September 1999, the Planning Committee resolved to extend the Public Participation Scheme to all other Committee Agenda items.

Applications which are decided under the Council's Scheme of Delegation (see Planning Advice Leaflet No. 2) will not be subject to the procedures detailed in this leaflet.

Overleaf are the Council's guidelines for applicants, parish councils/meetings and objectors addressing the Planning Committee.

Practice Guidance Note 1

Public Speaking in Planning Committees

The POS Development Management Practice Project works with a group of local authorities to address issues in development management where there is a lack of published guidance. The group examines the range of approaches across the authorities to identify good practice, and this is drawn together as a practice guidance note.

Introduction

- 1 It is generally considered good practice to provide the opportunity for objectors and supporters to address a Committee which is making decisions on controversial or important planning applications. It creates the opportunity for people to feel more involved in the decision making process by being able to articulate their concerns before a decision is taken.
- 2 Initial concerns that public speaking could lead to over lengthy meetings have not generally been borne out, particularly where authorities have high levels of officer delegation and limit the number of speakers. In these cases the time available to elected members to focus on major or controversial decisions is judged to have brought about better management of performance, and better public satisfaction.
- 3 Objectors are more likely to feel due weight is given to their views, and supporters or promoters are able to respond to issues raised, if “public speaking” is allowed. The planning authority shows itself open to listening to differing views before a decision is taken.
- 4 However the process has to be fair and avoid the risk of bias, and therefore procedural rules have to be established, publicly available and followed.
- 5 Many individual authorities have worked out detailed procedural schemes, but no general guidance has been published comparing schemes and advising authorities on establishing or reviewing “public speaking” arrangements. This guidance note has been drawn from discussions on best practice and is intended to provide such guidance.

Published procedures

- 6 The procedures to be followed need to be carefully worked out to ensure fairness and to avoid any risk of actual or perceived bias by the decision making body. The procedures should be freely available to all. Many authorities advise on their public speaking opportunities and procedures when consulting on or notifying planning applications. This demonstrates openness on the part of the authority and avoids last minute requests to speak. It also gives all parties time to consider if and how they might wish to participate in “public speaking”, well before a meeting.

Registration

- 7 Objectors or supporters (including applicants where relevant (see below)) must advise the authority in good time to allow appropriate administrative arrangements to be put in place to ensure all parties are aware of who is to speak. Authorities should require registration at the latest by noon on the working day prior to the Committee. Many require earlier registration which allows more time for those of opposing views to prepare to speak, especially if they had not anticipated speaking until becoming aware of the request from a speaker of the opposing view. It also allows the authority more time to contact all those wishing to speak for or against, and for those of the same viewpoint to agree amongst themselves who will act as a spokesperson and avoid repetition or duplication.

Choice of speaker(s)

- 8 Where there is a limit on the number of speakers, the authority should not choose those who will be allowed to speak. Adequate time between registration and Committee allows parties of a like mind time to compare views and decide who should represent views where it is not practical or desirable for all who might wish to speak. The authority should seek the agreement of anyone indicating they may wish to speak to share their contact details with others of the same general view to facilitate this. Where this is not acceptable or where the parties cannot reach agreement, speakers should be selected on a “first come first served” basis to avoid any risk of bias.

Number of speakers and time limits

- 9 Authorities should ensure equal time to those wishing to speak for or against a proposal to ensure fairness. Most authorities limit the time available to speakers to ensure fairness for all, and to avoid excessively lengthy meetings running the risk of affecting the quality of decision making. Many use a timed automatic system. Whilst this may risk appearing unwelcoming, it does ensure fairness for opposing parties. A time limit of 3 or 5 minutes per speaker is common. Many authorities limit the number of speakers to one or two for and the same against a proposal. In some cases procedures allow Chairs the discretion to allow extended times or numbers speaking in respect of complex or major controversial applications. However extended times risk unfairness if not evenly applied and should be treated with care. When dealing with major complex proposals at the pre-application stage, it may be helpful to identify the likely level of public interest and to ask the developer to make arrangements for a public presentation or forum, which could be chaired by the Authority to reinforce its independent role, and allow a wide range of views to be heard at a formative stage. An example of such a process is Enquiry by Design promoted by the Princes Trust.

Purpose of speaking

- 10 Most authorities only allow those who have made written representations or submitted the proposal to speak. Therefore the views of the parties and the material points arising are already available to the authority and included in the Committee report. It is helpful if the authority’s published advice to those contemplating public speaking makes this clear, and states that any previous representations will be available to the Committee. Published advice can helpfully explain that the purpose of the speaking opportunity is not to seek to explain all points expressed (as the authority is already aware of these), but to emphasise important points before a decision is taken. It is important to convey that public speaking is not an adversarial opportunity, and to explain the limited time available and how the public speaking opportunity relates to the Committee procedure and decision making process as a whole. It is also useful for published advice to explain that questions of other parties or the Council are not appropriate and clarifications should be sought of the officers or other parties prior to the meeting. Published advice should explain that after each party has spoken the Councillors may want to clarify any points raised, and then the Committee will proceed to determine the application without further public speaking opportunities.

Order of speaking

- 11 Most authorities regard the public speaking as part of the Committee meeting, and have standing orders allowing public speaking immediately before the Committee debates a particular application. Once the planning officer has set the scene and updated the meeting on any late matters not dealt with in the published report, in most cases objectors are invited to speak first, followed by the applicant or supporters. The officer’s introduction needs to be brief, but is found helpful to objectors and supporters giving them any update before they speak. (Officers do not need to balance material considerations or explain the published recommendation at this point. Their comments on material considerations or recommendations can be made at the appropriate point in the Committee’s subsequent deliberations.)

- 12 Some authorities only allow applicants or supporters to address a committee if objectors have requested to speak, or if the officer recommendation is one of refusal. However this needs careful consideration as it may risk being unfair to a party wishing to speak. Parish Councils have no rights to address a Committee as a consultee, but where an authority wishes to allow a Parish Council representative to speak this should be subject to the same procedural rules as for other parties, and be heard during the public speaking process. Ward Councillors (not members of the decision making committee) are either heard as part of the public speaking, or as part of the subsequent committee debate, depending on the authority's standing orders.

Late plans, photos, or circulation of further written submissions

- 13 The circulation of materials should not normally be accepted during the meeting. The public speaking opportunity is an opportunity to highlight important points already made in representations. One party submitting late material may be unfair to other parties who have not had a chance to peruse that material or comment on inaccurate or misleading information. It will often not be reasonable for such late submissions to be read by decision makers. The risk of unnecessary deferral may therefore arise. However, if new or further material is to be allowed by public speakers, depending on the method of projecting or circulating information to the Committee, it is desirable to require any further submissions such as photos, plans, models, or written materials to have been received far enough in advance of the meeting to be circulated to members by the set date, and to specify the number of copies required. Speakers should be advised that a copy of any such material will need to be kept by the authority, for the record.
- 14 Some authorities have discretion for the chair or a senior officer to allow such submissions only if they are requested and provided prior to the committee and are necessary to update the representations made. This allows consideration of any fresh material considerations raised late by objectors or supporters/agents to be considered and decisions taken on whether they are of such significance that deferral needs to be considered, and to ensure members have all the necessary information to determine the application at the meeting. It is helpful if published advice explains this and any procedures to ensure fairness in circulating late information from objectors or supporters.

Conduct of Committee meetings

- 15 Speakers should not be allowed to engage in discussion with members of the Committee during public speaking or the Committee deliberations, to avoid any risk of accusation of bias or personal interest.

Public Speaking & Delegated Applications

- 16 Most authorities do not have public speaking opportunities on delegated applications, for good reason. In most cases public speaking opportunities are only available on applications which are not delegated to the officers. Some authorities only allow public speaking on major applications. Other authorities, which have delegation schemes allowing members to request minor applications to be referred to a Committee if judged controversial, provide for public speaking on such cases. A request for public speaking from an objector should not transfer a delegated application to a Committee item. It is helpful for delegation schemes and published advice on public speaking to explain how delegated applications will be handled.

The project

The Development Management Practice Project is sponsored by the Planning Officers Society, and is run on its behalf by POS Enterprises and Trevor Roberts Associates. The local authorities involved in the project are Arun, Ashford, Barnsley, Bournemouth, Broadland, Caradon, Chiltern, Hambleton, Hampshire, Lichfield, Portsmouth, Redcar & Cleveland, Richmond, Suffolk, Swindon and Wycombe. The project will run for a year in the first instance, from April 2007 to March 2008. Finalised guidance is published on the POS & TRA web sites and circulated direct to Society members.