

CRAVEN DISTRICT COUNCIL

PLANNING COMMITTEE – SITE VISIT

9th April 2019

AGENDA

Please note that the Committee will visit the following site on Tuesday, 9th April 2019. Members are asked **to meet at the start of the access track to the site at 11.35am**, or alternatively at the Belle Vue Square Offices car park **no later than 11.15am**

2019/20084/FUL Installation of a slurry anaerobic digester, slurry separator, solid digestate storage building and slurry storage tower adjacent to existing agricultural buildings, Souber Dairy, Bank Newton BD23 3NT (Gargrave and Malhamdale).

Note : Members are asked to bring boots / wellingtons for this site visit.

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

Agenda Contact Officer: Chris Waterhouse

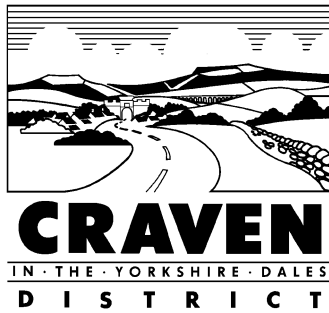
E-mail : cwaterhouse@cravendc.gov.uk

Tel. 01756 706235

29th 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 Tuesday, 9th April, 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

- Please note this meeting is being held on a Tuesday -

Comfort Break : Please note that a formal 15 minute comfort break may 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 and 25th March 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
29th 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 March 2019

Present – The Chairman (Councillor Sutcliffe) and Councillors Baxandall, Harbron, Heseltine, Ireton (substitute for Brockbank), Place, Rose, Shuttleworth, Thompson and Whitaker.

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

Ward Representatives : Councillor Brown (Applications 2018/19738/FUL and 2018/18988/FUL) and Councillor Dawson (Application 2018/20096/FUL).

Apologies for absence were received from Councillors Brockbank, Lis and Morrell.

Start: 1.30pm

Finish: 5.49pm

Councillor Baxandall left the meeting at 5.12pm

Note : The Committee took comfort breaks at 3.05pm and 5.12pm.

The minutes of the Committee's meeting held on 11th February 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.906

DECLARATIONS OF INTEREST AND LOBBYING

a. Declarations of Interest

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

b. Lobbying

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

Application 2019/20096/FUL : The Chairman and Councillors Ireton and Shuttleworth indicated that they had received lobbying against this application.

Application 2018/19738/FUL : Councillor Harbron indicated that he had received lobbying against this application, all other Members with the exception of Councillor Ireton who had not been lobbied indicated that they had received lobbying both for and against.

Application 2018/18988/FUL : The Chairman indicated that he had received lobbying both for and against this application.

Application 2018/19559/FUL : With the exception of Councillors Harbron and Whitaker, all Members indicated that they had received lobbying against this application.

Application 2018/19560/LBC : With the exception of Councillors Harbron and Whitaker, all Members indicated that they had received lobbying against this application.

PL.907

PUBLIC PARTICIPATION

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

Application 2019/20096/FUL	Councillor T Barrett (for Skipton Town Council) Mrs A Fowler (objector / for objectors) Mr J Everett (for the applicant)
Application 2018/19738/FUL	Councillor D Atkinson (for Farnhill Parish Council) Mr M Harris (for objectors) Mr A Coates (for the applicant)
Application 2018/19559/FUL	Councillor S Churcher (for Carleton Parish Council) Ms A Dowbiggin (objector / for objectors) Mr J Ellis (for the applicant)
Application 2018/19560/LBC	Councillor S Churcher (for Carleton Parish Council) Mr R Pringle (objector / for objectors)
Application 2018/19563/REM	Councillor E Jaquin (for Skipton Town Council) Mr P Thornton (for the applicant)

PL.908

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:-

2018/19013/LBC 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, Settle Railway Station - Approved with Conditions.

2018/19161/COU 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), Craven Barn, Gargrave – Application Withdrawn.

2018/19295/FUL Replacement of windows from white painted defective timber to heritage 'timber effect' UPVC, 24A Coach Street, Skipton – Approved with Conditions.

2018/19525/FUL New Craven College equine centre including associated car parking and change of use of existing building, Ganderine Laithe, Craven Cattle Marts – Approved with Conditions.

2018/19598/VAR Application for the removal of condition no. 4 (live/work restriction) on planning application reference number 31/2006/6193 granted 02 May 2006, Tipperthwaite Lodge, Giggleswick – Refused.

2018/19659/HH Application for retention of a summer house, Prospect Cottage, St Stephens Close, Skipton – Approved with Conditions.

2018/19661/CND Application for the discharge of condition no's 2i) and 2 iv) on the application reference Ref. 2018/19144/FUL granted 31.07.2018, Bank View, Low Bentham – Conditions satisfactorily discharged.

2018/19870/LBC Listed building application for re-roofing of existing dwelling, Well House, Bankwell Road, Giggleswick – Approved with Conditions.

2018/19882/FUL 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, Middletown Recreation Ground Off Pinhaw Road – Approved with Conditions.

2018/19886/CND Proposal: Application to discharge the requirements of condition 13 (Travel Plan) of previously approved application 12/2017/17952 permission given 4th July 2017, Restoration Barn, Skinner Ground Farm, Broughton – Condition satisfactorily discharged.

2018/19890/FUL 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, 11 Duke Street, Settle – Approved with Conditions.

2018/19897/CPE Application for a Certificate of Lawful development for the existing use of a property as a residential dwelling (use Class C3), Crag Side Farm Cottage, Dick Lane, Cowling – Application Withdrawn.

2018/19927/HH Two Storey side extension to create store, utility room and bedroom/study, 7 Consort Street, Skipton – Approved with Conditions.

2018/19941/VAR 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, 42-48 (Evans), Meadowcroft, Cononley – Approved with Conditions.

2018/19893/VAR 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, Higher Stone Head Farm, Cowling – Approved with Conditions.

2018/19950/MMA 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, land north of Rarber Top Lane, Ingleton – Approved with Conditions.

2018/19949/OUT Construction of detached house and garage, adjacent to 55 Green Lane, Glusburn – Approved with Conditions.

2018/19955/FUL 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, Town End Cottage, Burton in Lonsdale – Approved with Conditions.

2018/19956/LBC 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, Town End Cottage, Burton in Lonsdale – Approved with Conditions.

2018/19954/CND Application to discharge condition no. 3 (Landscaping Details) imposed by planning approval 12/2017/17952 granted 4th July 2017, Restoration Barn, Skinner Ground Farm, Broughton – Condition satisfactorily discharged.

2018/19972/HH Proposed two storey side extension and front porch, 12 Old Hall Way, Glusburn – Approved with Conditions.

2018/19965/FUL 2 no. extensions and new entrance door, Embsay Children's Centre, Embsay – Application Withdrawn.

2018/19970/FUL Proposed new unit to provide storage and staff welfare facilities for existing accommodation lodges, Bentham Golf Club – Approved with Conditions.

2018/19980/HH Proposed garage conversion, extension and external alterations, 2 West Bank Road, Skipton – Refused.

2018/19983/FUL Replace the existing timber box sliding windows in PVCU to the annexe that was built in approx. 1980, Thornton Hill Nursing Home – Approved with Conditions.

2018/19994/HH Erection of detached car port, 2 Bank View, Low Bentham – Approved with Conditions.

2018/20004/FUL Proposed new single storey dwelling with garage and parking area, Grasmere House, Bradley – Approved with Conditions.

2018/20009/HH Demolition of existing storage buildings, veranda and pergola and construction of a pool and gym, Station House, Thornton in Craven – Approved with Conditions.

2018/20015/HH Replacement garden shed, 18 Rowan Garth, Sutton-in-Craven – Approved with Conditions.

2018/20022/HH Proposed new dormer window, 1 Meadow Lea, Sutton-in-Craven – Approved with Conditions.

2018/20018/HH Proposed loft conversion including dormer window to rear elevation and 2 no. roof lights to front elevation (Re-submission of refused application no.2018/19809/HH), 20 Greenroyd Court, Sutton-in-Craven – Approved with Conditions.

2018/20025/AGRESS Conversion of existing agricultural building to form 1 no. dwelling, Agricultural building, Stainton Coates, Coniston Cold – Prior approval not required.

2018/20031/HH Replacement of existing defective timber windows and doors with new UPVC windows and doors. Colour finish - White, 22 Canal Street, Skipton – Approved with Conditions.

2018/20032/FUL Demolition of existing buildings and construction of new 2-bedroom dwelling, 22 Canal Street, Skipton – Approved with Conditions.

2018/20034/HH New lean to roof over existing flat roof, Old School House, Gargrave – Approved with Conditions.

2018/20036/HH Proposed two storey rear extension, 19 Crofters Mill, Sutton-in-Craven – Approved with Conditions.

2018/20039/FUL Change of use of agricultural land to C3 to for an extension to the existing garden, 33 Nan Scar, Cowling – Approved with Conditions.

2018/20040/NMA 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), The Old Shippon, Austwick – Approved with Conditions.

2018/20041/HH Proposed removal of existing white UPVC conservatory and erection of single storey living/dining extension at the rear of the property, White Hall, Ingleton – Approved with Conditions.

2018/2005/AGRRES Change the use of an agricultural building to form a single dwelling house (Prior Notification), Willowbeck Farm, Wigglesworth – Prior notification process not applicable.

2018/20044/HH Alterations to enlarge existing external door and enlarge existing window, Greenfoot Cottage, Settle – Approved with Conditions.

2018/20047/HH The uplifting of an existing path and construction of ramp access, low level retaining wall and hand railing, 1 Broughton Grove, Skipton – Approved with Conditions.

2018/20050/PNT Installation of electronic communications apparatus, Site No. 305454, Bend Gate Farm, Long Preston – Prior approval granted.

2018/2005/HH Single Storey extension at rear and porch extension at front, 103 New Village, Ingleton – Approved with Conditions.

2018/20052/CND Application to discharge condition no's 3, 4, 5, 6, 7 and 8 of planning approval referenced 2018/19386/FUL granted 27.09.2018, land to East of Laurel Croft, Embsay – Split Decision.

2018/20055/FUL Proposed new build detached replacement dwelling, 21 Park Road, Cross Hills – Approved with Conditions.

2019/20057/FUL 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, Unit 6, Ghyll Way, Airedale Business Centre, Skipton – Approved with Conditions.

2019/20060/FUL Renovation works to the Hare & Hounds. Works to include: Front extension to create internal seating and dining area, and external terraced seating area, Hare and Hounds Inn, Lothersdale – Application Withdrawn.

2019/20061/TCA Reduce height and spread of 2 no. Maple by 20%, thin crowns and reshape, Craven Tor, Harewood Road, Skipton – Approved.

2019/20064/TPO Remove 7 no. Beech, 10 Grassington Road, Skipton – Approved Tree Work Under TPO.

2019/20062/HH Single Storey rear extension, Marl Hill Farm, Lothersdale – Approved with Conditions.

20129/20065/FUL Proposed increase in height of existing single storey building to provide first floor apartment, Dolly Tub Launderette, Sutton-in-Craven – Refused.

2019/20068/HH Proposed conservatory, porch and greenhouse extensions, Swallow Cottage, Dick Lane, Cowling – Approved with Conditions.

2019/2007/FUL Repair of existing window frames and sills and the incorporation of upgraded draft-proofing and new double glazed sashes to match existing, Well House, Giggleswick – Approved with Conditions.

2019/20077/TPO 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%, Deep Spring, Grange Road, Farnhill – Split Decision.

2019/20078/TCA Remove 2 no. Ash, Grass Verge at Side of Church Close, Carleton – Approved.

2019/20171/NMA 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, 1 Lane Top, Bradley – Approved with Conditions.

2019/20086/COU Change of use from tattoo parlour to physiotherapy clinic, 7 Victoria Square, Skipton – Approved with Conditions.

2019/20090/HH Construction of rear and side extensions for dining, utility, study and bedroom over, 2 Princes Drive, Skipton – Refused.

2109/20093/HH Porch with front extension and single storey rear extension, 15 Hall Avenue, Sutton-in-Craven – Approved with Conditions.

2019/20094/HH Erection of two storey side extension (amendment to approved scheme Ref: 2017/18556/HH, to allow garage to be used as domestic accommodation) 13 Princes Drive, Skipton – Approved with Conditions.

2019/20097/HH 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, 2 Pools Row, Settle – Approved with Conditions.

2019/20098/HH Extend existing garden room and install roof windows to main house roof, Meadow Cottage, 7 Bell Busk, Bell Busk – Approved with Conditions.

2019/20108/CND Application to discharge condition 3 (materials) imposed by planning approval 2018/19526/FUL permission given 24th September 2018, 31 Main Street. Cross Hills – Condition satisfactorily discharged.

2019/20110/TPO T1 - Hornbeam - reduce crown spread by 1m, 11 Gainsborough Court, Skipton – Approved.

2019/20116/HH Construction of front porch extension and alterations to roof to form first floor bedroom, Intake Head, Woodside Lane, Cononley - Approved with Conditions.

2019/20119/LHSHLD 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), 22 Hall Avenue, Sutton-in-Craven - Prior approval not required.

2019/20122/CND Application to discharge condition 5 (materials) imposed by planning approval 73/2016/16782 permission given 12th July 2016, Canal Wharf Yard, Priest Bank Road, Kildwick – Condition satisfactorily discharged.

2019/20137/NMA Non material amendment to original planning consent referenced 66/2015/15623 to omit the window to the attic bathroom and replace with a velux type rooflight on the west facing roof. To reposition the velux type rooflight over the attic stair from the east facing roof to the west facing roof. To remove the ground floor window to the east elevation to the kitchen/diner.1 Hazel Grove Road, Sutton-in-Craven – Non-material amendment approved.

b. Applications

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

Permission Granted

2018/19190/REM Approval of the appearance, landscaping, layout and scale as reserved by condition in outline consent referenced 08/2014/15067 for 16 dwellings, Felstead, Low Bentham Road, High Bentham – subject to the conditions listed below

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

Approved Plans

2. This 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.

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.

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.

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.

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.

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.

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:

- a. separate systems for the disposal of foul and surface water;
- b. details of the rate of surface water discharge from the site to any soakaway, watercourse or 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;
- c. details of any necessary flow attenuation measures, including the use of SUDS where appropriate;
- d. evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- e. details of flood exceedance routes (both on and off site);
- f. details of how surface water will be managed and pollution prevented during the construction phase;
- g. a timetable for implementation, including details of any phased delivery; and
- h. 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.

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:

- a. the numbers, type, tenure and location on the site of the affordable housing provision to be made as agreed with the District Council.
- b. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing.
- c. the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no affordable housing provider is involved.
- d. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing.
- e. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

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

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.

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.

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

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.

Informatives

1. 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.

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 shall adhere to the levels shown in the document and provide evidence to the Local Planning Authority of how the levels will be achieved.

3. 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.

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.

Delegated Authority

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 – the Strategic Manager for Planning and Regeneration was authorised to approve this application subject to the conditions listed below and subject also to the signing of a prior supplementary agreement encompassing the variations and amendments to the previously approved scheme

Conditions

Approved Plans

1. This permission relates to the following plans:

- 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 - Bempton & Hawthorne Semi Housetype plans and elevations received by the Local Planning Authority on the 23rd July 2018
- 1707-BEHA-TI .02 - Bempton & 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 .0P - 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 .01.0P - 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.

Before Development Commences

2. No part of the development to which this permission relates shall be constructed 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.

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.

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.

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.

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.

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.

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

a. Provision for compensatory flood storage as detailed in Sections 3.11-3.15 on page 16 of the FRA.

b. 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.

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.

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.

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.

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.

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

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.

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.

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

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.

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. 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.

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. (*)

Permission Refused

2019/20096/FUL Construct 6 no. detached dwellings with associated vehicular access and landscaping, Rockwood House, Park Wood Close, Skipton – the Planning Manager, to formulate appropriate reasons for refusal based on the following grounds:-

- a. overdevelopment of the site; and
- b. the proposed development would be overbearing in relation to neighbours / neighbouring property.

Statement of Positive Engagement : In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraph 38 of the National Planning Policy Framework. (*)

Note : On being put to the vote a motion to approve the above application was lost. Councillor Harbron abstained from voting on both that motion and the subsequent motion to refuse.

2018/19738/FUL Demolition of Fairmount and the construction of 3 no. properties, all with off street parking, Fairmount, Starkey Lane, Farnhill – the Planning Manager, to formulate appropriate reasons for refusal based on the following grounds:-

- a. overdevelopment of the site,
- b. adverse impact on the privacy and amenity of neighbouring property; and
- c. the proposed development would cause demonstrable harm to the Conservation Area.

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)(*)

2018/18988/FUL Construction of 2 no detached dwellings, site north of Glen Royd, Woodside Lane, Cononley – the Planning Manager, to formulate appropriate reasons for refusal based on grounds that the proposed development is outside development limits.

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)(*)

2018/19559/FUL Full planning permission for erection of five two storey houses and one single storey house and works to boundary walls, land at Grundy Farm, Carla Beck Lane, Carleton – the Planning Manager, to formulate appropriate reasons for refusal based on the following grounds:-

- a. the proposed development's effect on the listed structure.
- b. loss of a listed structure ie the wall.
- c. adverse impact on the Conservation Area.
- d. the sight lines envisaged are not possible because of on-street parking by neighbouring households who have no off street parking.
- e. the majority of the site is outside the development limits.

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. (*)

2018/19560/LBC Listed building consent application for works to boundary walls, land at Grundy Farm, Carla Beck Lane, Carleton – the Planning Manager, to formulate appropriate reasons for refusal based on grounds that approval would totally destroy a listed structure.

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. (*)

(*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.909

PLANNING ENFORCEMENT

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period 29th January 2019 to 26th February 2019.

Minutes for Decision

- None -

Chairman.

Note : Agenda Item 6 Planning Committee Participation Scheme - Because of the lateness of the hour this item was carried forward to the Committee's meeting on 9th April 2019 without debate. Councillor Jaquin had requested permission to speak on Item 6, having been given the Chairman's permission to make his views known under public participation, he drew attention to suggested possible changes in respect of speakers being required to register. He expressed the view that the scheme should not be diminished and hoped such changes as failing to register meaning a person may not be allowed to address the Committee would not be agreed.

PLANNING COMMITTEE

25th March 2019

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

Ward Representative – Councillor Moorby.

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

Apologies for absence were received from Councillors Baxandall, Lis and Thompson.

Note : Whilst not available at the meeting apologies from Councillor Heseltine had been received within the Democratic Services Office prior to the start of the meeting.

Start: 2.45pm

Finish: 4.05pm

Minutes for Report

PL.910

PUBLIC PARTICIPATION

The following persons were called to address the Committee:-

Parish Representative
Councillor Brian Hugill Hellifield Parish Council
Councillor John Goodall Long Preston Parish Council

On behalf of objectors
Roger Haffield
Katie Atkinson for CPRE

On behalf of the Applicant
Jo Steel

Note : The Chairman had relaxed the Committee's participation procedure to allow two persons to address the Committee for up to five minutes each on behalf of those who had submitted objections to the application. The applicant's spokesperson was allowed 10 minutes in total.

PL.911

LAND TO WEST OF HELLIFIELD – APPLICATION 42/2016/17496

The Strategic Manager for Planning and Regeneration submitted a report in respect of the following application for planning permission which the Committee was now asked to determine. A site visit had been held prior to the meeting.

42/2016/17496 Outline application for the development of a leisure centre, including swimming pool, hotel and visitor accommodation, including up to 300 lodges, a park and ride facility, pedestrian access to Hellifield Station, parking areas, bus and coach drop off point. Landscaping including ground modelling and water features, land to the west of Hellifield.

In presenting the report the Case Officer drew Members attention to relevant extant planning consents, policy considerations and the position in respect of the emerging Local Plan. An update to the summary of third party representations within the Officer's report was circulated at the meeting.

Following a brief discussion and, having heard the spokespersons for Hellifield and Long Preston Parish Councils, objectors and the applicant prior to that discussion, it was proposed, seconded and

Resolved – That application 42/2016/17496 is refused as recommended by the case officer, the reasons for refusal being as follows:

1. The proposed development which would be located in the open countryside as defined in the adopted Craven (outside the Yorkshire Dales National Park) Local Plan would:
 - a. Not be well screened by landforms and existing landscaping from roads, elevated viewpoints and other public spaces and would have an adverse effect on the character and appearance of the countryside,
 - b. Be out of scale in the context of its surroundings,
 - c. Would have an unacceptable impact on the character and setting of Hellifield,
 - d. The traffic generated by the development could not be satisfactorily accommodated on the local highway network.

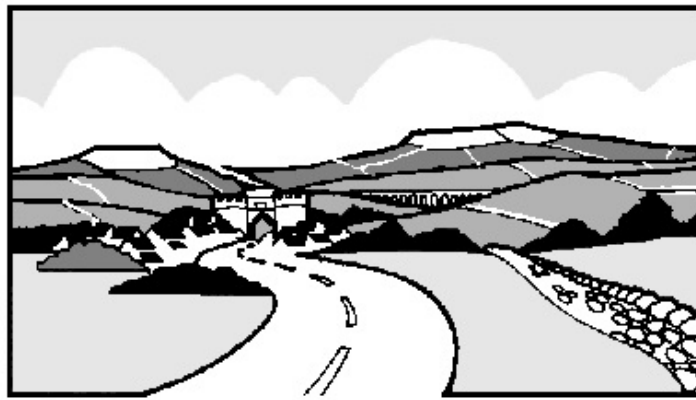
For the above reasons the proposal would conflict with saved Local Plan policies ENV1 and EMP16 and national planning policy as set out in the National Planning Policy Framework.

2. The proposed development would give rise to significant traffic movements that would exceed the parameters of the existing access and immediate highway contrary to the requirements of saved Local Plan Policy T2: Road Hierarchy and the national planning policy requirements as set out in paragraphs 108 to 109 of the National Planning Policy Framework.

Declarations of Lobbying

The Chairman indicated that he had received lobbying both for and against the application; all other members indicated that they had received lobbying against. Councillor Shuttleworth drew the Committee's attention to his membership of the RSPB which had submitted representations.

Chairman.



CRAVEN

IN · THE · YORKSHIRE · DALES

D I S T R I C T

PLANNING COMMITTEE AGENDA

DATE: Tuesday, 9th April 2019

INDEX OF PLANNING APPLICATIONS

Item No.	Application Reference No.	Name of Applicant	Site Address	Page No's
1	2019/20084/FUL	Mr John Dodgson	Souber Dairy, Bank Newton.	2 - 11
2.	2018/18918/FUL	Mr & Mrs R J Mason	Land North West Of, St Marys Green, Carleton. Withdrawn from Agenda	
3.	2018/20056/VAR	Mr Jon Cawood	Milton Park Luxury Lodges, Marton Road, Gargrave.	27 - 35
4.	2019/20102/FUL	Mr Sam Persson	Land Adjacent To Dove Cote Gardens, Kildwick Grange, Kildwick.	36 - 43

REPORT TO PLANNING COMMITTEE ON 9th April 2019

Application Number: 2019/20084/FUL

Proposal: Installation of a slurry anaerobic digester, slurry separator, solid digestate storage building and slurry storage tower adjacent to existing agricultural buildings

Site Address: Souber Dairy Bank Newton Skipton BD23 3NT

On behalf of: Mr John Dodgson

Date Registered: 11th January 2019

Expiry Date: 8th March 2019

EOT Date, if applicable: N/A

Case Officer: Mr Sam Binney

This application is referred to Planning Committee at the request of Councillor Myers due to public interest.

1. Site Description

- 1.1 Souber Dairy is an established family run dairy farm located at Bank Newton, with a holding extending to 260 hectares (642 acres), and a herd of 500 milking cattle. The original farm stead and house is located on the southern edge of the village, but the application site is located in open countryside some 400 metres to the south east, on the opposite side of the Leeds Liverpool Canal. It forms land adjacent to the site of a large dairy parlour.
- 1.2 Access is by an existing farm track from the Bank Newton to East Marton Road, adjacent to the Grade II listed road 'over-bridge' crossing the canal (described as "public road bridge, c. 1790. Robert Whitworth, engineer. Dressed stone. Single elliptical arch with rusticated voussoirs, band and solid parapet with curved abutments)". This bridge currently has weight restriction due to its structural condition.

2. Proposal

2.1 The application seeks planning permission for:

- The construction of a slurry store. The slurry store will be cylindrical with a diameter of 35m. It will be constructed of 50 identical concrete panels each measuring 6m and 2m in width. The slurry store will have a cone-shaped poly-evrathone roof measuring 5.35m above the proposed slurry store wall. The slurry store is proposed to be set 1.5m above ground level resulting in the overall height of the building to be 9.85m above ground level.
- The construction of a dried matter separator storage building. The building will project 12.19m from the south-east elevation of the existing agricultural building and to a width of 13.72m. It will have a lean-to roof with a 12.5° slope with the eaves 4.92m above ground level and the ridge 7.62m above ground level. The building will have concrete panel walls with brown Yorkshire boarding above, fibre-reinforced concrete roof sheets and 4 No. perspex roof lights. The storage building will be open on the south-west elevation.

- The construction of a slurry anaerobic digester. This will take the form of two adjoining structures. One building will be a cylindrical building with a conical top. It will have a diameter of 15.6m and will have eaves 4m above ground level and a peak 9m. The second structure will be a cuboid shape. It will have a footprint of 4.5m x 7.3m and a height of 2.6m. The cabin will have a projecting torch through the roof to a total height of 4m above ground level.

3. Planning History

- 3.1 05/2011/11581: Agricultural building to house a new dairy parlour, collecting yard, cubicle housing and bedded penning area for an established working dairy farm. Approved 18/07/2011.
- 3.2 05/2011/11899: Discharge of condition 4 to previous approval 05/2011/11581. Approved 25/08/2011.
- 3.3 05/2013/13304: Agricultural building for storage of grass silage. Approved 08/05/2013.
- 3.4 05/2013/13626: Farm workers dwelling. Approved 30/07/2013.
- 3.5 05/2013/13826: Full Planning Permission to regularise an Agricultural Feed Bunker. Approved 01/10/2013.
- 3.6 05/2014/14447: Discharge Of Conditions No. 4 And No. 7 To Previous Planning Application Ref: 05/2013/13626 For Farm Workers Dwelling. Approved 18/03/2014.
- 3.7 05/2015/15467: Construction of steel portal frame extension to dairy building. Approved 13/04/2015.
- 3.8 05/2015/15758: Construction of steel portal frame building to provide loose housing for dairy cows. Approved 13/07/2015.
- 3.9 2017/18554/PNAG: Application for proposed agricultural building (Prior Notification). Prior Approval Not Required 13/10/2017.
- 3.10 2017/18765/FUL: To erect an extension to an existing agricultural building, being a steel portal frame mono-pitch structure, for the purpose of storing dry cattle feeds. Approved 09/02/2018.
- 3.11 2017/18766/FUL: Steel portal frame agricultural building to be used for the purpose of storing grass silage. Approved 09/02/2018.

4. Planning Policy Background

4.1 Saved Local Plan Policies:

- 4.2 ENV1: Development in the Open Countryside.
- 4.3 ENV2: Requirements for Development in Open Countryside.
- 4.4 ENV10: Protection of Trees and Woodlands.
- 4.5 ENV13: New Agricultural Buildings and Structures
- 4.6 SRC12: Protection of Public Rights of Way.
- 4.7 T2: Road Hierarchy.

4.8 Submission Draft Local Plan policies:

- 4.9 SD1: The Presumption in Favour of Sustainable Development
- 4.10 ENV1: Countryside and Landscape
- 4.11 ENV2: Heritage
- 4.12 ENV3: Good Design
- 4.13 ENV12: Footpaths, Bridleways, Byways and Cycle Routes
- 4.14 INF4: Parking Provision

- 4.15 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.
- 4.16 National Planning Policy Framework (NPPF).
- 4.17 National Planning Practice Guidance.

5. Parish/Town Council Comments

- 5.1 **Bank Newton Parish Meeting:** While not necessarily objecting to the scheme, some concerns and queries have been raised in particular to traffic movements and visual impact of the proposal. A summary is outlined below:

- Request that consideration is given to the distance of the 191ha of land is in relation to the 69ha at the application site.

Officer's Note: The location of the additional 191ha of land is considered to be irrelevant in the determination of this planning application.

- Noise disturbance from traffic movements.
- Damage to the Grade II listed canal bridge.
- Request that the approach to Changeline Bridge is straightened and restriction placed on the weight, width and length of vehicles crossing.
- Request that a condition is imposed, if approved, that restricts the anaerobic digester to only hold slurry for the farmstead's own cattle.

Officer's Note: The applicant's agent has confirmed by email on 12th February 2019 that they are happy with this condition to be imposed. However, it is considered that this condition is not enforceable so has not been attached to the permission as it does not pass the 6 tests of planning conditions.

- Concern the odour from the torch will detrimentally impact the nearby homes, and users of the close canal towpath and Pennine Way.

Officer's Note: The torch will be located 230m to the north-east of the nearest residential property 'Grange Laithe', 210m north-east of the canal, and in excess of 450m to the west of the Pennine Way. Due to the topography of the site, the torch will be screened from Grange Laithe and the canal. Additionally, Environmental Health has not raised any concerns regarding odour.

- Request for a condition for the creation of a passing place in the highway.

Officer's Note: This condition is not considered to be enforceable. The only area within the site where a passing place can be created is from the access track to the north-east of the Leeds-Liverpool Canal. A passing place in this location will not help the impact upon the highway as it is a private track so therefore fails the 'reasonable' element of the 6 tests for planning conditions. A passing place could be created through land to the south-west of the Leeds-Liverpool Canal extending from the original farmstead of Crossgates Farm. However, this is outside the site area so would fail the 'relevant to the development to be permitted' element of the 6 tests for planning conditions. Additionally, the planning practice guidance states that there are some specific circumstances where conditions should not be used which includes "Conditions requiring land to be given up: Conditions cannot require that land is formally given up (or ceded) to other parties, such as the Highway Authority." On this basis, this condition will not be attached to any planning permission granted.

- Concern over access to other properties that use the bridge.
- Request for the Council ensures construction is done in a manner least likely to cause disruption to others.

Officer's Note: There is little scope for how the construction can and will take place. There is only way to access and egress the site and materials and construction vehicles can be accommodated within the site. Other than imposing the standard time limit condition on an approval, there is no facility to restrict the disruption to others.

- Request for landscaping to screen the proposed development.
- Request that the planning application is determined by planning committee as the parish meeting does not have sufficient information to consider the proposal fully.

Officer's Note: The application will strictly follow the scheme of delegation and, if the procedure deems it necessary to be heard at planning committee, it will be considered at the next available meeting. Otherwise, the application will be determined under delegated authority.

- 5.2 **Gargrave Parish Council:** "The Parish Council wish to oppose this application if it leads to materials from other farms being imported thereby creating increased large vehicle movement along Marton Road and over various bridges. A condition would need to be attached to the application to prevent this from happening."

Officer's Note: The requested condition will not be attached to any planning permission, if granted, as it is considered that it is not enforceable and therefore does not meet the 6 tests for planning conditions.

6. Consultations

- 6.1 **NYCC Highways Authority:** No objection to the scheme and recommend a condition regarding wheel washing facilities.

- 6.2 **Officer's Note:** The applicant's agent has confirmed in an email on 12th February 2019 that they are agreeable to a condition regarding wheel washing facilities.

- 6.3 **CDC Environmental Health:** No objections.

- 6.4 **Canal and River Trust:** "unable to make a substantive response...due to absence of...details of the potential vehicle movements upon Changeline Bridge that could be generated by the proposal". It has also been stated that "any intensification of traffic movements by heavy good vehicles above the bridge could result in significant additional harm to the bridge, which could result in substantial damage to the listed structure". A condition has been requested for a method statement to safeguard the bridge from damage from construction vehicles.

- 6.5 **Officer's Note:** Notwithstanding the above, the applicant has stated that exact details of vehicle movements is not possible as the proposal will have an impact on several areas of the business but would lead to an overall decrease in the number of vehicles accessing and egressing the site.

7. Representations

- 7.1 Site Notice dated 18th January 2019.

- 7.2 Press Notice not required.

- 7.3 1 neighbour notification has been sent.

- 7.4 6 letters of representation have been received. A summary of the objections are outlined below:

- Increase in volumes of farm traffic.
- Increase in delivery wagons as farm size increases.
- Highway already dangerous and increase in volume of traffic makes it hazardous.

Officer's Note: The application has stated that if approved there would be an overall reduction in vehicular movements accessing and egressing the site.

- Potential use not agricultural and subbed out to slaughter houses.

Officer's Note: The applicant has confirmed that the proposal is to be used for agricultural purposes only.

- Farm vehicles already cause residents concern through speeding.

Officer's Note: This is not a material planning consideration.

- The slurry store will make the buildings more prominent.
- Request for landscape screening to the south-east of the site.
- Request that the application, if approved, is conditional upon the remediation of damage to the bridge.
- Concern over emissions from the anaerobic digester.
- Concern over informatics on previous permissions not being enforceable.
- Concern over impact of the potential damage to the bridge could have on other users of the bridge.
- Request for specific details on numbers of cattle at the site.

Officer's Note: This is not considered to be relevant to the determination of this application.

- Queries relating to the full extent of the agricultural land that is used but not owned by the applicant.

Officer's Note: This is not considered to be relevant to the determination of this application.

- Request for a passing place.

Officer's Note: This condition is not considered to be enforceable. The only area within the site where a passing place can be created is from the access track to the north-east of the Leeds-Liverpool Canal. A passing place in this location will not help the impact upon the highway as it is a private track so therefore fails the 'reasonable' element of the 6 tests for planning conditions. A passing place could be created through land to the south-west of the Leeds-Liverpool Canal extending from the original farmstead of Crossgates Farm. However, this is outside the site area so would fail the 'relevant to the development to be permitted' element of the 6 tests for planning conditions. Additionally, the planning practice guidance states that there are some specific circumstances where conditions should not be used which includes "Conditions requiring land to be given up: Conditions cannot require that land is formally given up (or ceded) to other parties, such as the Highway Authority." On this basis, this condition will not be attached to any planning permission granted.

- Request that not just immediate neighbours are notified of the proposal.

Officer's Note: In addition to neighbour notification a site notice was erected near to the changeline bridge and the access track into the site.

8. Summary of Principal Planning Issues

8.1 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 Saved Local Plan policies ENV1 and ENV2 are supportive of appropriate development in the open countryside in particular that which is essential for the efficient operation of agriculture and is undertaken in such a way that there is no unacceptable impact on the landscape and where the

design relates to the setting. Other criteria under the saved policies require that there should be no adverse impact on public views, that the highway network can accommodate traffic generated by the development and infrastructure is in place to accommodate the development.

- 9.2 Saved Local Plan policy ENV13 allows for new agricultural buildings provided they are located adjacent to an existing group of buildings, are of an appropriate scale and construction, do not impact upon sites of nature or conservation value and incorporate landscaping where necessary. In addition ENV13 requires that proposals should not have an unacceptable impact on the character of local settlements or the amenity of existing residents and that there is no conflict with other Local Plan policies or highway safety issues.
- 9.3 Under the NPPF there is a general presumption in favour of all forms of sustainable development and more specifically a requirement to support economic growth in rural areas by taking a positive approach to sustainable new development. In addition there are more general policy requirements that development should be of a good design and not adversely impact upon the amenity of the occupiers of neighbouring properties. Paragraph 127 of the NPPF states that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- 9.4 In terms of the degree of consistency of Saved Local Plan Policies with the NPPF, Saved Policy ENV1's definition of development limits is no longer material as they were defined in 1999, and are out dated. However, the contents of Saved Policy ENV1 with reference to seeking to maintain or enhance landscape character, as well as the contents of Saved Policies ENV2 and ENV13, are considered to be consistent with the aims of the NPPF in seeking to achieve sustainable development.
- 9.5 The submitted Design & Access Statement details the requirements for the proposal. It is considered that there is a functional need for the proposed development, and that it is necessary for the efficient operation of agriculture on the holding. The proposal is considered to be consistent with Saved Local Plan Policies ENV1, ENV2 and ENV13 and the NPPF and is therefore acceptable in principle.

Visual impact;

- 9.6 The proposed development would be located to the south-east of the existing buildings. Due to the isolated location of the site, there are limited public viewpoints of the site. The site is screened from the street scene to the south-west and north-west due to the topography of the site. Other public viewpoints can be achieved from 2 Public Rights of Way. They both originate from Scaleber Hill to the north-east of the site. One track extends west toward Ivy End by Bank Newton Locks to the north of the site while the other extends south-west toward East Marton to the south of the site. The proposed development is 280m from the PROW to the north and in excess of 350m from the PROW to the south-east. The view of the proposal will be seen in the context of the adjoining agricultural enterprise so is considered to be visually acceptable.
- 9.7 The development encroaches further onto agricultural land to the south-east of the existing agricultural buildings so will be the closest development to the Pennine Way from this section of buildings at the farmstead. Due to the mix of development proposed with the application, there is a mix of materials. The most prominent structures will be the slurry store to the south-east of the site and, due to its elevated position, the anaerobic digester plant further to the north-west. The materials for these 2 structures do not match the materials used on the adjacent farm buildings which visually are most prominently concrete and vertical timber boarding. The proposed development will be seen against the backdrop of the existing agricultural buildings. It is therefore considered that a landscaping condition is attached to ensure that the proposed buildings would not detract from the visual appearance of the rest of the site from public viewpoints.
- 9.8 Subject to the inclusion of a landscaping condition, the proposal is considered to be acceptable in terms of the visual impact upon the open countryside.

Impact on Neighbouring Amenity;

- 9.9 The buildings provide a variety of functions for the agricultural enterprise and would overall provide for improved efficiency at the holding including production of electricity to the building, provision of bedding material on site, less vehicular movements requiring in and out of the site, and production of fertiliser on the site.
- 9.10 There are several potential ways this form of development could pose a detrimental impact upon neighbouring amenity include noise and odour. The site is in an isolated location with the nearest residential property in excess of 230m from the site. In addition to the nearest neighbouring property, there is also the Pennine Way in excess of 370m to the south-east of the nearest part of the site.
- 9.11 Environmental Health has been consulted and they have no objections to the scheme. It is considered that due to the existing agricultural enterprise at the site and the separation distance for residential properties and the Pennine Way, the proposal is considered to be acceptable in terms of impact upon neighbouring amenity.

Highway Issues;

- 9.12 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:
- 9.13 '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'.
- 9.14 The proposal will utilise the existing access from the south-west from the bridge across the Leeds-Liverpool canal. The Highways Authority has stated that they have no objections to the application but have recommended a condition to prevent mud from being brought onto the highway. This condition is considered to be reasonable and will be attached to the permission, if approved.
- 9.15 Concerns have been raised by local residents and consultees over the potential for further damage to the grade II listed changeline bridge. It is evident that damage has occurred to the bridge which is required for access to this site and other properties. The main concern stems from intensification of use of the highway. The applicant has clearly stated that the proposal, if approved, would result in the overall decrease of traffic using the highway (and by extension crossing the changeline bridge). While specific numbers of vehicles and the movement patterns have not been provided, it is considered that if a proposal results in the overall decrease in vehicular movements using the highway toward the site this will be beneficial.
- 9.16 For the aforementioned reasons, it is considered that the impact of the proposal upon the highway will be no greater than the existing situation at the site. Therefore, the proposal is acceptable in terms of highway safety.

Conclusion

- 9.18 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."
- 9.19 On balance, it is considered that there are no adverse impacts arising from the 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 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 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

- 2 The permission relates to the following plans:
- Location Plan received 11th January 2019.
 - Site Plan received 11th January 2019.
 - Drawing No. TD-CD127-1 'Lean-to Digestate Store Elevations' received 11th January 2019.
 - Drawing No. TD-CD127-2 'Lean-to Digestate Store Floor Plan/Plan View' received 11th January 2019.
 - Drawing No. TD-CD128-1 'Slurry Store Elevations' received 11th January 2019.
 - Drawing No. AQ43054X-60-50-1001-2 Rev A 'General Layout. Wall/Base details' received 11th January 2019.
 - Drawing titled 'Reactor S4-H Rev A' received 11th January 2019.

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.

Before you Commence Development

- 3 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.

- 4 Prior to the commencement of development, a Method Statement shall be submitted to and approved in writing by, the Local Planning Authority to detail measures to safeguard Changeling Bridge from damage from construction vehicles entering and leaving the site. Thereafter, construction works shall take place in accordance with the approved details.

Reason: In order to prevent damage to the grade II listed Changeline Bridge.

- 5 Prior to any above ground works taking place, a scheme of soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of boundary planting, planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment): schedule of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; and an implementation programme.

The approved scheme of landscaping shall be carried out in the first planting season following the first use of the development. Any trees or plants that within a period of 5 years die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar species (unless otherwise agreed in writing with the Local Planning Authority).

Reason: To achieve a satisfactory standard of landscaping in the interests of the amenities of the area.

Ongoing Conditions

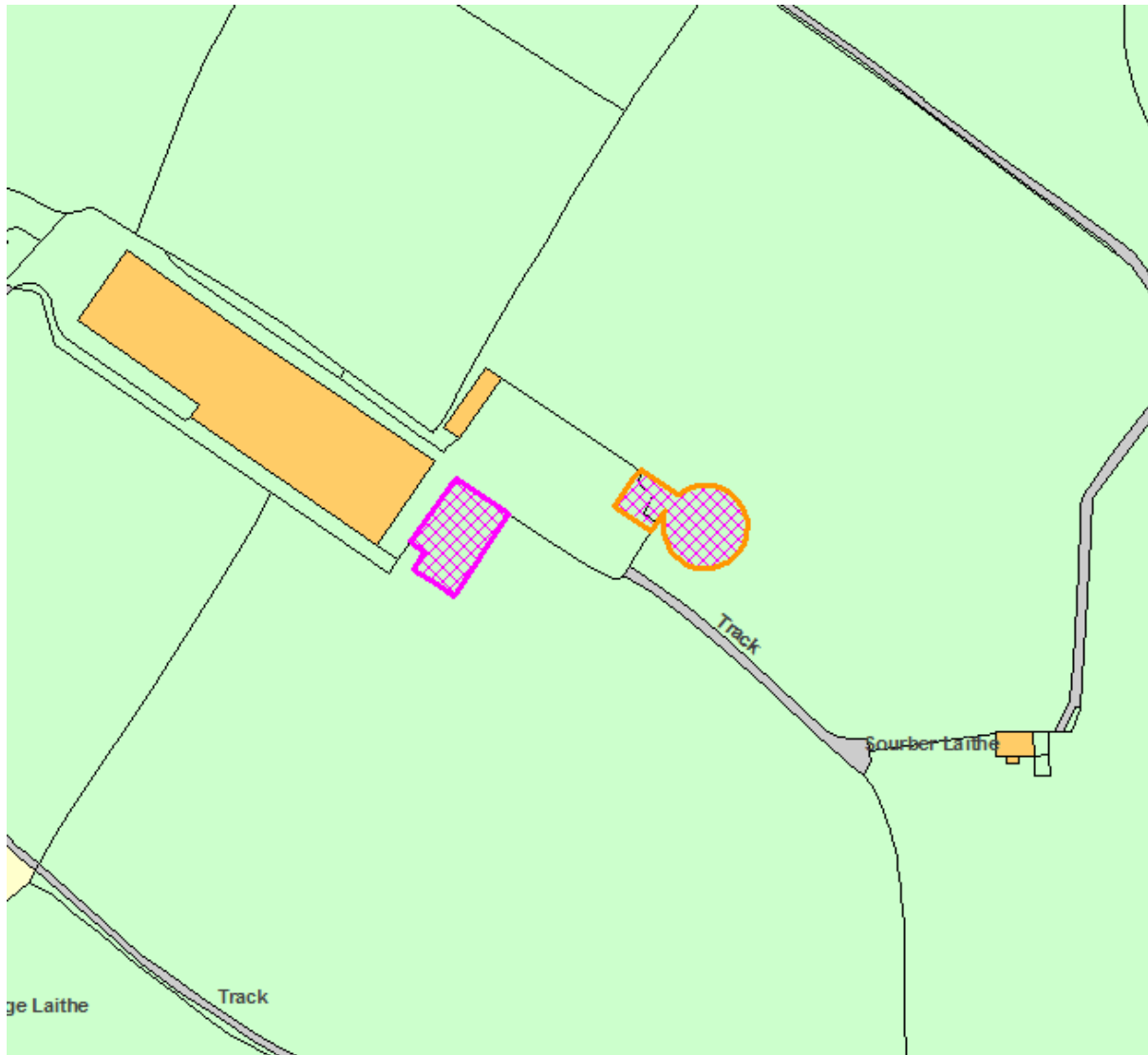
- 6 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in full accordance with the materials, finishes and colour treatments indicated on the approved plans.

Reason: To ensure the use of appropriate materials which are sympathetic to the character of the open countryside in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policies ENV2 and ENV13, and 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.



Application Number: 2019/20084/FUL

Proposal: Installation of a slurry anaerobic digester, slurry separator, solid digestate storage building and slurry storage tower adjacent to existing agricultural buildings

Site Address: Souber Dairy Bank Newton BD23 3NT

On behalf of: Mr John Dodgson

REPORT TO PLANNING COMMITTEE ON 9th April 2019

Application Number: 2018/20056/VAR

Proposal: Application to remove condition no. 1 from previous planning approval referenced 30/2015/15545 to allow occupancy of holiday chalets between 6th January to 6th February.

Site Address: Milton Park Luxury Lodges Marton Road, Gargrave.

On behalf of: Mr Jon Cawood

Date Registered: 9th January 2019

Expiry Date: 6th March 2019

EOT Date, if applicable: 12th April 2019

Case Officer: Miss Katie Chew

This application has been referred to planning committee as it has been called in by Councillor Myers, he believes that the removal of this condition would not enable the Council to enforce that the site is not used for permanent residences.

1. Site Description

- 1.1 The application site comprises an area of former woodland to the north of Marton Road, Gargrave. The River Aire lies to the north of the site, and a fish farm is located to the north west of the site. The site lies immediately outside development limits and therefore is located within open countryside; there are also a number of Tree Preservation Orders to the north, south and east of the site. The site lies within flood risk zones 2 & 3. The former woodland has now been cleared and work has commenced on site.

2. Proposal

- 2.1 The application seeks consent for the removal of condition no. 1 from previous planning approval referenced 30/2015/15545, this will allow the occupancy of holiday chalets between 6th January to 6th February.

Condition 1

'No holiday chalet on the site shall be occupied between 6th January to 6th February in any one year'.

3. Planning History

- 3.1 30/2015/15545 – Application for variation of condition 3 of previously approved application 30/2007/7637. Approved 5th May 2015.
- 3.2 30/2014/14499 – Discharge of condition 23 of previously approved application 30/2014/14220. Approved 20th May 2014.
- 3.3 30/2014/14220 – Variation of condition 2 & 3 of previously approved application 30/2007/7637 to enable the lodges to be occupied from 6th February to 6th January each year and to remove occupancy restriction to allow two lodges to be occupied as permanent staff accommodation. Approved 3rd March 2014.
- 3.4 30/2014/14218 – Proposed reception/office. Approved 26th February 2014.

- 3.5 30/2012/12829 – Non-material amendment to approved permission 30/2007/7637 consisting of the re-alignment of the access track within site. Approved 20th August 2012.
- 3.6 30/2010/10399 – Approval of details reserved by condition for planning approval 30/2007/7637 for the stationing of seventeen holiday chalets and construction of access track. Approved 26th May 2010.
- 3.7 30/2007/7637 – Stationing of seventeen holiday chalets and construction of access track within the site. Approved 23rd August 2007.

4. Planning Policy Background

- 4.1 Submission Draft Local Plan (2018)
- 4.2 National Planning Policy Framework (as amended in July 2018)
- 4.3 Planning Practice Guidance (2012)
- 4.4 Saved Local Plan Policies ENV1, ENV2 and EMP16 of the Craven District (Outside the Yorkshire Dales National Park Authority) Local Plan.

5. Parish/Town Council Comments

- 5.1 Gargrave Parish Council – Comments received 7th February 2019.

'The Parish Council strongly opposes the application for the removal of Condition 1. This is a condition commonly used by Craven District and other councils to regulate the use of caravan parks and lodge developments. We see no reason why this site should be exempt from such a condition. The site is outside the village in open countryside and would not have been considered suitable for development without strict conditions. The applicant now seeks to dilute those conditions. The development was undertaken in the knowledge that the site could not be used for one of the year and any purchasers of lodges bought on that basis. No proper justification for removing the condition is advanced in the application. Nothing has changed since the condition was imposed and the fact that people would like to use their lodges all year is not a reason to depart from normal planning policy. In our view Condition 2 is to be seen in conjunction with Condition 1 rather than as an alternative to it. Local residents have raised two other issues in relation to the site. Firstly, a smaller building, believed to be a gym, has been erected and does not appear to have been the subject of a planning application. Secondly, a number of trees on the southern boundary (adjacent to Marton Rd) have been removed. A substantial depth of soil has been piled up around the bases of the remaining trees and we suspect that this is extremely detrimental and may have led to the death of the trees that have already been removed. We questions whether the raised soil level is in accordance with the landscaping plan agreed prior to the development and whether the trees adjacent to Marton Rd are, or should be, subject to TPO's'.

6. Consultations

- 6.1 NYCC Highways – Comments received 21st January 2019. Highways state that condition no. 1 is not a highway issue and therefore there are no objections to its removal.

7. Representations

- 7.1 Neighbour Letters – Expired 5th February 2019.

- 7.2 4 representations have been received to date, comments have been summarised below:

- The application is in conflict with the Gargrave Neighbourhood Plan;
- Had there been any reasonable basis or justification for this then the appropriate approval should have been sought and granted via the initial planning application;
- The application leaves occupiers subject to an unacceptable risk of flooding;
- Incremental and small steps in planning application approval for the site delivers outcomes which are unsustainable under current planning policy as laid out by the NPPF and the nearly 'made; and under inspection of the Local Plan;

- This site would not pass a sequential test for flooding;
- An approval of this application would decrease the value of neighbouring dwellings;
- The owner/proprietor of the site is failing to sell any of the chalets and therefore needs something to change so he can make more money;
- CDC refused to allow the neighbouring Saw Mill Caravan site to be selected in the Gargrave Neighbourhood Plan on the grounds of high risk for flooding, it would be inconsistent to allow 12 months residence status in this application.

8. Summary of Principal Planning Issues

8.1 Impact of the proposed removal of condition 1.

9. Analysis

9.1 This application seeks the removal of a restrictive planning condition that limits the extent of the times that holiday chalets can be occupied throughout the year. By removing condition 1 chalets at Milton Park Luxury Lodges will be available for occupancy by visitors 12 months of the year. However, it is important to note that the removal of this condition will not allow the chalets to be used as permanent residencies.

9.2 The application site is located in open countryside and therefore must be assessed against saved Local Plan Policies ENV1 and ENV2. Policy ENV1 seeks to protect areas of open countryside from inappropriate and/or sporadic development and does so by limiting development to proposals that:

- Are appropriate in open countryside;
- Of benefit to the rural economy;
- Help to maintain or enhance landscape character;
- Are essential for the efficient operation of agriculture or forestry;
- Are essential to the needs of the rural community.

9.3 Saved Local Plan Policy ENV2 states that development acceptable in principle under policy ENV1 should only be permitted where it is compatible with the character of the surrounding area and does not have an unacceptable impact on the surrounding area. The design of structures should also relate well to the setting taking into account the immediate impact and public views of the development.

9.4 Saved Local Plan Policy EMP16 states that chalet development will be permitted provided that:

- The site is well screened and would not have an adverse effect on the character and appearance of the countryside;
- The scale of development is in context with its surroundings;
- High standard of layout, design and landscaping is proposed;
- Adequate tree planting scheme is provided;
- The site is located within an area with local opportunities for informal countryside recreation;
- The site will not have an unacceptable impact on the character or setting of settlements of the amenity of local residents;
- Traffic generated should be satisfactorily accommodated;
- The proposal is well related to the highway and public transport network;
- The proposal will not have an adverse impact on sites of nature conservation value or archaeological or historic importance.

- 9.5 Section 6 of the NPPF highlights that planning policies and decisions should enable sustainable rural tourism and leisure development which respect the character of the countryside. It also states that it should be recognised that site may have to be found adjacent to or beyond existing settlements. Section 12 of the NPPF relates to good design of proposals, development should function well, be visually attractive, sympathetic and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.
- 9.6 Taking all of the above into consideration, it is important to note that the principal of holiday chalets on this site was assessed and considered to be acceptable under application 30/2007/7637, which was approved in August 2007.
- 9.7 As the principle is considered to be acceptable, it is necessary to consider the reason why the limitation of the use of the site was imposed in the first place. The reason provided for both conditions 1 & 2 of application 30/2015/15545 states that:
- 'The development is only considered to be acceptable if the chalets are restricted to holiday units and not occupied on a permanent basis. The site is outside any established settlement and to ensure compliance with Saved Local Plan Policy EMP16 the Local Planning Authority does not allow the establishment of properties for permanent occupation in such locations'.*
- 9.8 The nature of holiday in this country has become increasingly diverse, in location, in season and in duration. Historically the use of a condition known as a 'seasonal occupancy' condition was routinely applied which sought to restrict use of holiday accommodation during particular times of the year. However, there have been significant changes in national policy with these types of conditions considered to be overly restrictive and limit the potential for all year round tourism. As such there is no longer a presumption against extending the holiday season at these sites.
- 9.9 It is in officers opinion that the proposed extended season would not have a significant visual impact on the surrounding area that the application be refused.
- 9.10 In terms of impact on residential amenity, although the site would be open all year round the chalets could not be occupied by a sole resident, and would only be occupied by those using it for holiday purposes. In regards to the impact the extended season would have on the character and appearance of the area, it is considered to be minimal as the extension would only be for 1 extra month of occupancy. Nothing else will be changing at the site that would impact on the character and appearance of the area.
- 9.11 In summary it is not considered that a refusal of the requested removal could be justified in planning terms as the potential impact of the extended period could not be demonstrably harmful to the rural setting of the site. In conclusion, the removal of the condition to allow a longer period of occupancy is considered to meet the aims and objectives of the NPPF and would ensure that the use of the chalets remain as intended for holiday accommodation only. It is therefore considered that the removal of condition is acceptable.
- 9.12 Conclusion
- 9.13 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.*
- 9.14 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

Approved Plans

1 This permission relates to the following plans:

- Plan 1, received 27th June 2007;
- Method Statement for works to the River Bank, received 24th February 2010;
- Headwall details and Manhole Schedules - Drawing No. 09158-C-52 Rev C, received 24th February 2010;
- Drainage Construction Details - Drawing No. 09158-C-51, received 24th February 2010;
- Tree Planting and Management for Woodland, received 24th February 2010;
- Plan as Proposed Showing Reception/Office - Drawing No. P1511a/001, received 15th January 2014;
- Proposed Reception/Office Plans and Elevations as Proposed - Drawing No. P1511a/003, received 15th January 2014.

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.

Before you Commence Development

2 Prior to the first use of the development hereby approved a scheme for the landscaping of the site shall be submitted to and approved in writing by Craven District Council. Any scheme submitted under the requirements of this condition shall include details of numbers, species and sizes of trees and shrubs to be planted and any arrangements for the future maintenance of the landscaped areas.

Reason: In the interests of amenity and to accord with Saved Local Plan Policy EMP16.

3 Unless already complied with, prior to the first use of the development hereby permitted, the access(es) to the site shall be laid out and constructed in accordance with the following requirements: (i) the crossing of the highway verge and/or footpath shall be constructed in accordance with the approved details and/or the Specification of the Highway Authority; (ii) any gates, barriers or other means of enclosure shall be erected a minimum distance of 4.5m back from the carriageway of the existing or proposed highway and shall open into the site; (iii) that part of the access(es) extending 4.5m into the site from the boundary of the existing or proposed highway shall be made up and surfaced in accordance with the approved details and/or the Specification of the Highway Authority; (iv) provision to be made to prevent surface water from the site/plot discharging onto the existing or proposed highway in accordance with the approved details and/or Specification of the Highway Authority.

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

- 4 Unless already complied with, prior to the first use of the development hereby permitted visibility splays providing clear visibility of 2m x 90m westerly and 2m x 120m easterly measured down the centre line of the access road and both channel lines of the major road shall be provided at the junction of the access road with the county highway. Once created, these visibility areas shall be maintained clear of any obstruction higher than 1.05m above carriageway level and retained for their intended purposes at all times.

Reason: In the interest of road safety to provide drivers of vehicles using the access road to the site and public highway with a standard of inter-visibility commensurate with the vehicular traffic flows and road conditions.

Ongoing Conditions

- 5 The chalets shall be occupied for holiday purposes only, and the chalets shall not be occupied as a person's sole or main place of residence. The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual chalets on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority. This condition shall not apply to the two staff chalets.

Reason: For the avoidance of doubt as the site is not in a location where permanent residential accommodation would be permitted.

- 6 Any trees or shrubs planted in accordance with condition 2 shall, in the event of their dying, becoming diseased or dangerous within 5 years of their planting, be replaced by similar specimens as soon as practically possible, unless alternatives have been agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and to accord with Saved Local Plan Policy EMP16.

- 7 Details of any floodlighting shall be submitted to and approved in writing by the Local Planning Authority before the use hereby permitted commences. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of amenity and to accord with Saved Local Plan Policy EMP16.

- 8 Prior to the first use of the development hereby permitted 1 per chalet parking spaces (minimum size 4.8m x 2.4m) shall be provided, laid out, hard surfaced, drained, marked out and made available for use. Once created these shall be maintained clear of obstruction and retained for their intended purpose at all times.

Reason: To provide for appropriate on-site vehicle parking facilities with associated access and manoeuvring areas, in the interests of highway safety and the general amenity of the development.

- 9 The development shall only be carried out in accordance with the approved Flood Risk Assessment and shall incorporate all the proposed mitigation measures into the development.

Reason: In the interests of flood control and to accord with the NPPF.

- 10 Finished ground floor levels for the chalets shall be set no lower than 600mm above surrounding site level.

Reason: To reduce the risk of flooding to the properties in the event of a breach or overtopping of the riverside banks.

- 11 Dry foot access/egress shall be provided to all the properties at a level not below the estimated 1 in 100 year flood level at the site.

Reason: To allow for safe access and egress during time of flood.

- 12 Unless a scheme has already been submitted to and approved in writing by the Local Planning Authority, prior to the first use of the development hereby permitted a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- 13 Unless a scheme has already been submitted to and approved in writing by the Local Planning Authority, prior to the first use of the development hereby permitted a scheme for the provision and implementation of a surface water run-off limitation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- 14 There must be no new buildings, structures (including gates, walls and fences) or raised ground levels within:
a) 6 metres of the top of any bank of watercourses; and/or
b) 3 metres of any side of an existing culverted watercourse, inside or along the boundary of the site, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To maintain access to the watercourse for maintenance or improvements and provide for overland flood flows.

- 15 There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To prevent pollution of the water environment.

- 16 Unless a scheme has already been submitted to and approved in writing by the Local Planning Authority, prior to the first use of the development hereby permitted a settlement facility for the removal of suspended solids from surface water run-off during construction works shall be provided in accordance with the details previously submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained throughout the construction period.

Reason: To prevent pollution of the water environment.

- 17 Unless a scheme has already been submitted to and approved in writing by the Local Planning Authority, prior to the first use of the development hereby permitted a scheme for the disposal of foul drainage, including details of any balancing works and off-site works have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To prevent pollution of the water environment.

- 18 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies installed

in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent pollution of the water environment.

- 19 Inspection manholes shall be provided and clearly identified on foul and surface water drainage systems, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be retained throughout the life of the development.

Reason: To enable discharges from individual premises or buildings to be inspected and sampled.

- 20 Roof drainage downwater pipes shall at all times be sealed at ground level to prevent the ingress of any contaminated water / run-off.

Reason: To prevent pollution of the water environment.

- 21 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

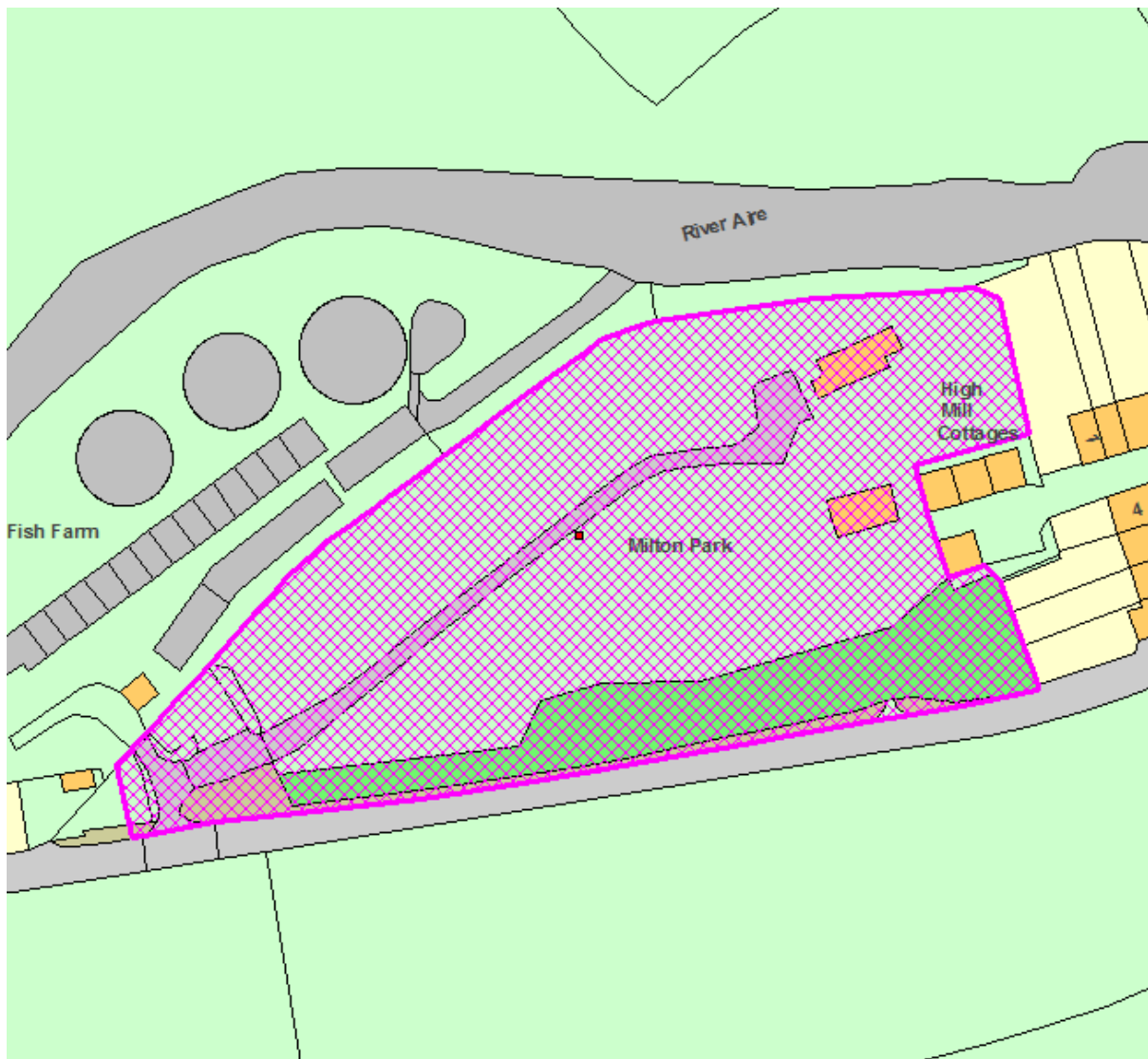
Reason: To prevent pollution of the water environment. (For information: From 1st March 2002, the Environment Agency should be informed of any instance where the following is proposed : - more than 3500 litres of oil stored at any single private dwelling - more than 200 litres of oil at an industrial, commercial or institutional site The above activities are regulated by the Control of Pollution (Oil Storage) (England) Regulations 2001. These guidelines are intended to help reduce pollution caused by inadequate storage of oil in fixed tank installation. For further information, please refer to the Agency web page: 'www.environment-agency.gov.uk/business'). Detergents and vehicle washings, including steam cleaning, should not discharge into the surface water drainage or via a petrol interceptor.

Informatives

1. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

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 paragraph 38 (as amended 2018) of the NPPF.



Application Number: 2018/20056/VAR

Proposal: Application to remove condition no. 1 from previous planning approval referenced 30/2015/15545 to allow occupancy of holiday chalets between 6th January to 6th February.

Site Address: Milton Park Luxury Lodges Marton Road Gargrave

On behalf of: Mr Jon Cawood

REPORT TO PLANNING COMMITTEE ON 9th April 2019

Application Number: 2019/20102/FUL

Proposal: Demolition of existing builder's storage shed and change of use of builder's materials storage yard to C3 and siting of detached house with garage and associated external works.

Site Address: Land Adjacent To Dove Cote Gardens Kildwick Grange Kildwick Keighley

On behalf of: Mr Sam Persson

Date Registered: 24th January 2019

Expiry Date: 21st March 2019

EOT Date, if applicable: 29th March 2019

Case Officer: Mr Nick MacDermott

This application has been referred to planning committee for a decision as it has been called in by Councillor Brown in order to allow the planning merits of the proposal to be considered more fully.

1. Site Description
 - 1.1 The application site is a builder's yard that lies to the north east of Grange Hall and the large number of buildings that surround that property, all of which are located on the northern side of Skipton Road between the settlements of Kildwick and Silsden. Kildwick Grange and the surrounding houses are on high ground above the River Aire to the south. The land to the north of the application site continues to rise upwards to the top of the valley.
 - 1.2 Currently on the site is a roughly triangular corrugated outbuilding enclosed on three sides, on the southern boundary of the site and there is also a storage container sited within the northern part of the site. Located within the site at various locations are deposits of stone and other assortments of building materials.
 - 1.3 The site is located outside of any recognised development limits for Kildwick and therefore lies in the open countryside as defined by the 1995 Local Plan. The site lies within the designated Kildwick Grange Conservation Area and within a short distance of Grange Hall a Grade II Listed Building.
 - 1.4 To the west of the site lie the dwellings of Hainsworth House Farm and Hainsworth Barn, to the south west four recently constructed houses. Open fields lie directly to the north and east of the site.
2. Proposal
 - 2.1 It is proposed to change the use of the builder's yard to a residential use in connection with the erection of a detached two storey house. The proposed house would provide accommodation on 3 floors including within the roof space. A total of 5 bedrooms would be provided within the house.
 - 2.2 Attached to the south western corner of the house would be a single storey building providing a triple garage and a workshop. These buildings would form an 'L' shaped footprint.
 - 2.3 Access to the site would come from the existing access point onto Skipton road and the driveway that serves the four new houses and the builders yard.
 - 2.4 The location plan has been revised to show an amended red line which now includes access to the public highway.

3. Planning History
 - 3.1 2017/18322/CPE - Certificate of lawful development for existing use of property as a builder's yard (sui generis), for the storage of building materials, with access from Skipton Road via track – Refused 8-1-2018
 - 3.2 Certificate of lawful development for existing use of property for the storage of building materials, with access from Skipton Road via track (resubmission of application reference 2017/18322/CPE) – Approved 20-6-2018.
 - 3.3 Immediately to the south east of the application site 4 new houses have been constructed and their relevant history is given below:
 - 3.4 73/2015/16064 - Demolition of existing light industrial units and construction of 4 new houses and associated access and external works – Approved 4-2-2016.
 - 3.5 73/2005/5780 - Demolition of existing chicken factory and construction of 2 No two storey houses and associated access road with external works and tree planting. Refused December 2005. Appeal dismissed July 2006.
4. Planning Policy Background
 - 4.1 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990
 - 4.2 National Planning Policy Framework – NPPF
 - 4.3 National Planning Practice Guidance – PPG
 - 4.4 Policy ENV3 Good Design of the Submission Draft Local Plan.
 - 4.5 Saved Local Plan Policy ENV1 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan (1999).
 - 4.6 It is an objective of the Craven District Local Plan (1999) to preserve and enhance conservation areas within the authority area.
 - 4.7 Policy ENV2, SP4 of the submitted Local Plan
 - 4.8 Kildwick Grange Conservation Area Appraisal (August 2016)
5. Parish/Town Council Comments
 - 5.1 Use of blue slates is an “environmental mistake of the highest order” as all of the grange roofs are covered with Yorkshire stone slate.
 - 5.2 **Officer Note:** The four recently constructed houses to the south east of the application site have roofs covered in slate and not stone. The proposed house is closely associated with those dwellings in terms of newness, proximity, scale, appearance and materials used/proposed. The use of slate rather than stone has been established with the grant of permission 73/2015/16064 for the four houses that stand close-by.
6. Consultations
 - 6.1 Environmental Health –
 - 6.2 The property is to be connected to the existing borehole supply at Dove Cote Gardens and will use the same treatment system. Providing the property is owner/occupied and not used for any commercial activity i.e. tenanted, bed and breakfast, it will not affect the current classification or sampling frequency of the supply. Any charges in relation to future risk assessments and sampling will be divided equally between all properties served.
 - 6.3 The historical use of the site could have led to some potential contaminated land issues. The proposal is to introduce a sensitive receptor to the site and this must be taken into account. However, any potential contamination is likely to be isolated. In order to ensure that any potential

risk is addressed it is recommended that a condition requiring the reporting of any unexpected contamination during development.

6.4 Conditions are requested to restrict operating times for construction, for the control of dust and to ensure that topsoil is clean.

6.5 **Officer Note:** Noise from construction, and the quality of topsoil are not planning matters. They are matters dealt with by separate legislation and the responsibility of Environmental Health. Does the topsoil have to meet BS 3882: 2015? Rather than impose conditions regarding topsoil and the control of dust these comments could be added to any permission as informative notes. A simple condition restricting hours of construction could be seen as being unreasonable as it would prevent activities such as plastering, painting and wiring. Noise and disturbance can be controlled under the Control of Pollution Act 1974.

7. Representations

7.1 Ward Councillor objects to the proposal on the following grounds:

- Conflict with local plan
- Development too high
- Inadequate access
- Over development
- It detracts from heritage asset of Kildwick Estate

Officer Note: The site is very large and the proposal is clearly not an example of over-development. The access is established and existing, serving 4 dwellings and the builders yard. It is maintained that the development is too high but there is no explanation to back up this opinion. The height of the proposed house would be 8.65 metres to ridge level which is not excessive. The proposal does indeed conflict with Policy ENV1 but the assessment needs to be carried out by taking all guidance and policy into account and weighing the benefits of any proposal against the disbenefits. The advice from the Conservation Advisor is that the proposal would cause only a very low level of harm to the conservation area and the loss of the builder's yard would have a visually beneficial impact.

8. Summary of Principal Planning Issues

8.1 Principle of development and the impact of the proposed development on the conservation area and the surrounding countryside

9. Analysis

9.1 Principle of development

9.2 The application site lies outside of the recognised development limits for Kildwick as defined by the 1995 Local Plan and therefore lies in the open countryside. It is however contiguous with the small settlement that is known as Kildwick Grange.

9.3 Saved Local Plan Policy ENV1 indicates that development in open countryside will only be permitted 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.

9.4 Whilst the above does not provide positive support for the proposal the NPPF at point c of Paragraph 118 advises that decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

9.5 A case can also be made for the individual merit of the proposal as it does propose what in effect would be the replacement of an existing builders yard with a new dwelling and a residential curtilage, which would bring benefit to residential neighbours and an enhancement to the conservation area and the local environment.

- 9.6 Currently the builders yard does have some potential to harm the residential amenity of neighbours through its negative appearance and general disturbance from activity within the yard. Its replacement with a dwelling and residential curtilage can be viewed as a positive enhancement of the character and appearance of the site and that of Kildwick Grange Conservation Area in which the site lies.
- 9.7 Support for this approach comes from Paragraph 170 of the NPPF which states that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. Paragraph 200 of the NPPF in the section 'Conserving and enhancing the historic environment' advises Local planning authorities to look for opportunities for new development within Conservation Areas to enhance or better reveal their significance.
- 9.8 An enhancement of the character and appearance of the application site itself, and of the surrounding Kildwick Grange Conservation Area would contribute towards the environmental objective of sustainable development set out in the NPPF.
- 9.9 It is concluded that the proposed change of use from a builder's yard to a residential use with dwelling can be supported in principle because of those potential benefits and the support that can be garnered from the NPPF, the CDLP and the submitted Local Plan.
- 9.10 General background
- 9.11 Scale and appearance of the house would be similar to the 4 houses recently constructed to the south east of the application site. The proposed house would be sited on an existing level area of the builder's yard which has an existing concrete base set on ground at a higher level than the neighbouring 4 new dwellings.
- 9.12 The proposed dwelling would be a 2 storey house measuring 5.8 metres to eaves level and 8.65 metres to ridge level. It would measure 16.2 metres wide and 9.3 metres deep. The building would be of a substantial size and in addition there would be a 16.8 metre single storey garage/workshop building attached to its south western corner creating an 'L' shaped building footprint.
- 9.13 The existing 1.1 metre high stock proof fencing would be used to delineate the eastern boundary of the proposed new plot and a dry stone wall marks the western boundary.
- 9.14 Sited above the level of the new development of four houses, which lies directly to the south east of the application site, the proposed new dwelling would be somewhat divorced from the new development because of the difference in levels and a distance of 49 metres which would separate it from the nearest point of the nearest dwelling of the new development. However, the proposed dwelling would because of its newness, relative proximity, shared access from the public highway and similar design would have a degree of commonality and association with the new development of four houses.
- 9.15 Conservation Area background
- 9.16 The Council's Conservation advisor has stated that the only listed buildings within the CA are Grange Hall and Cottage, the gate piers to Grange Hall and Kildwick Grange Farmhouse - all Grade II. Additionally, many of the other buildings within the CA are of high heritage significance and may be considered to be effectively listed (under the terms of S.1 (5) of the Planning (LB & CA) Act 1990 by virtue of being within the curtilage of the listed buildings.
- 9.17 The Conservation Area Assessment states that Kildwick Grange is a small Conservation Area on high ground above the River Aire which is enclosed within woodland. Grange Beck passes through the centre of Kildwick Grange and explains the wooded character of this enclave.
- 9.18 On the east side two large, modern agricultural buildings were demolished and replaced by a development of 4 large detached houses which appear to have been well-designed (in a retro-farmhouse style) and built to a high standard by the applicant, although they are highly prominent in

the landscape due to: the size of the dwellings; their position on the prow of the hill; their newness and; the lack of soft landscaping.

- 9.19 The Conservation Area Assessment (CAA) states that the open space around Kildwick Grange is important in that it maintains the legibility of the historic core of the settlement which is still recognisably the same place as that on the OS maps from the nineteenth century.
- 9.20 In looking at the open space to the east of Kildwick Grange: North of Skipton Road and east of Grange Beck the CAA makes the assessment that to the south it predominantly makes a positive contribution but that to the north it makes a negligible contribution. The CAA states the following: "To the east of the barns (now replaced by a development of 4 houses) is a track leading from Skipton Road to the two barns. From here the trees that characterise Kildwick Grange can be seen". And that "To the north-east of Kildwick Grange the open space cannot be seen either from within the settlement or from Skipton Road. It therefore makes **no real contribution** to the Conservation Area."
- 9.21 Assessment of impact
- 9.22 Turning to the application site itself the Conservation Advisor states that the application site has been used as a storage site and masons yard, particularly during the construction of the new houses to the south and consequently is an untidy site, largely covered with building materials, equipment, a container and a small unsightly shed. Part of the site has also been excavated at some point.
- 9.23 In the original summing up the proposal and the information provided in its support the Conservation Advisor stated that in the absence of verified views of the proposal which accurately show the impact on the views and the setting of the CA, the application should be refused. Following those comments verified views have been provided from agreed viewpoints and further justifications for the proposal have been provided particularly in "Response to Heritage Advice" and a revised Heritage Statement.
- 9.24 The Conservation Advisor is now of the opinion that the submitted photomontage information illustrates that, due to the topography and the datum-level of the proposed house, only a very small part of the roof of the proposed house would be visible and that it would not have a dramatic impact on the sight of the trees and the perception of the openness of the setting of the settlement as seen from east of the Conservation Area looking westwards.
- 9.25 Regarding the clearance of the unsightly buildings and the building materials/plant with the redevelopment of the site for a residential use the Conservation Advisor is of the opinion that this would have a visually beneficial impact.
- 9.26 In conclusion the Conservation Advisor maintains that an important objective in preserving and enhancing the character and appearance of the CA is the protection of its open rural setting and public sight of the trees which demarcate it, even when the buildings themselves cannot be seen. The proposal would cause only a very low level of harm to the character and appearance of the CA. It is assessed that the level of harm is at the lower spectrum of "Less than substantial" and the original objection has been removed.
- 9.27 Conclusion
- 9.28 Whilst the application site falls outside of any development limit and is therefore deemed to lie within the open countryside, it does adjoin the eastern and southern boundaries of residential curtilages belonging to properties that are part of the small settlement known by some as Kildwick Grange. The justification for supporting the proposal is that it would result in the replacement of an existing builders yard with a new dwelling and a residential curtilage, which would bring benefit to residential neighbours and an enhancement to the appearance conservation area and the local environment.
- 9.29 It is assessed that the proposal would cause only a very low level of harm, "Less than substantial", to the character and appearance of the Kildwick Grange Conservation Area. The NPPF advises that this harm should be weighed against the public benefits of the proposal which would be the removal of an unsightly builder's yard which as well as its harmful visual appearance would have the potential to cause disturbance to neighbours from the activity on the site.

- 9.30 Positive support for the proposal comes from the NPPF in Paragraph 118, which advises that substantial weight can be given to the use of suitable brownfield land within settlements for homes (the site is contiguous with the settlement). It is also considered that the proposal would conform to draft Policy ENV2 of the submitted local plan which sets out that Craven's historic environment will be conserved and, where appropriate, enhanced as the overall impact of the proposals would on balance be positive.
- 9.31 Taking all of the above into consideration it is recommended that the application be approved without any further delay.
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 and existing site plan - Drawing No 502 2 001 Rev A -received 14th March 2019
 - Elevations and site sections - Drawing No 502 2 004 -received 16th January 2019
 - Proposed floor plans and site plan - Drawing No 502 2 003 -received 16th January 2019

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.

Before the Development is Occupied

- 3 Notwithstanding any details shown on the approved plans of this permission, a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the hereby approved dwelling. 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 Craven District Local Plan Policies ENV1 and ENV2, and the National Planning Policy Framework.

- 4 Prior to the first occupation of the hereby approved dwelling all of the buildings, structures, containers, pallets, materials, vehicles, machinery etc associated with the builders yard shall be removed from the site.

Reason: This condition is imposed in the interests of the visual amenity of the surrounding Conservation Area and the residential amenity of neighbouring properties.

Ongoing Conditions

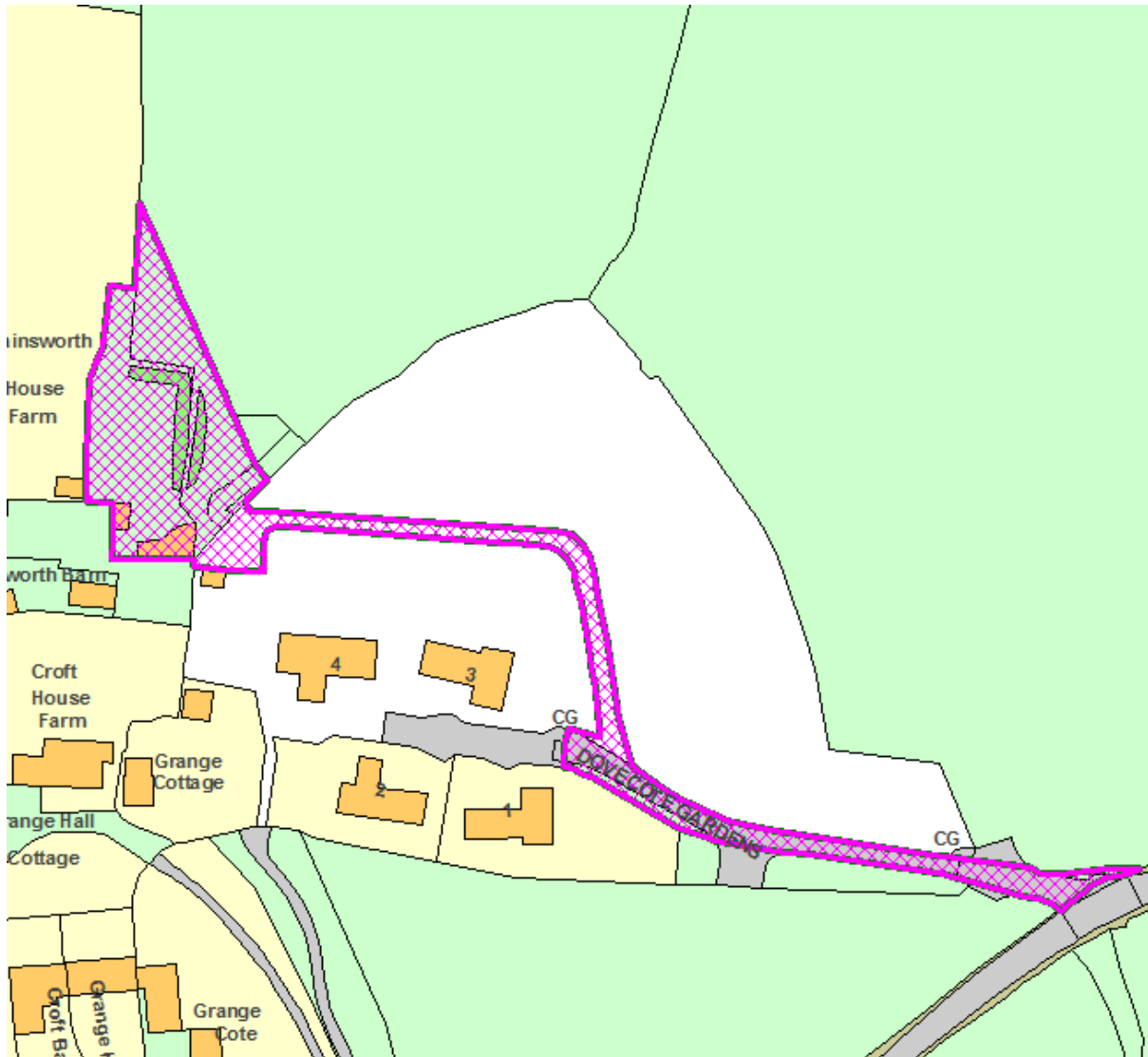
- 5 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the extension shall be constructed in accordance with the materials detailed on the approved plans.

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

Informatives

1. Statement of Positive Engagement:

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

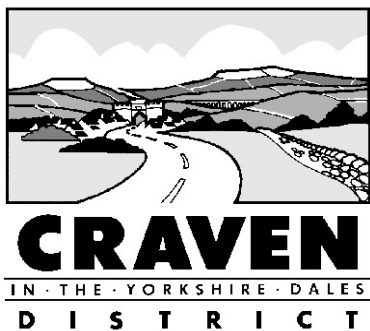


Application Number: 2019/20102/FUL

Proposal: Demolition of existing builder's storage shed and change of use of builder's materials storage yard to C3 and siting of detached house with garage and associated external works.

Site Address: Land Adjacent To Dove Cote Gardens Kildwick Grange Kildwick

On behalf of: Mr Sam Persson



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 Planning Decisions 01.03.2019 – 28.03.2019

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

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
42/2016/17496	Ballan Ltd	Land To The West Of Hellifield Skipton North Yorkshire BD23 4HJ	Outline application for the development of a leisure centre, including swimming pool, hotel and visitor accommodation, including up to 300 lodges, a park & ride facility, pedestrian access to Hellifield Station, parking areas, bus and coach drop off point. Landscaping including ground modelling and water features.	Refuse	28.03.2019
2017/18344/FUL	Country Harvest	Country Harvest Farm Shop New Road Ingleton Carnforth LA6 3PE	Planning application seeking permission for a storage container.	Approve with Conditions	05.03.2019
2017/18351/HH	Mr M and Miss S Mansha	20 And 22 Greenfield Street Skipton BD23 1SJ	Single storey rear kitchen extension and front dormers window (retrospective application)	Approve with Conditions	07.03.2019
2017/18354/HH	Mohammed Mansha	20 And 22 Greenfield Street Skipton BD23 1SJ	Front dormer windows (retrospective application)	Application Withdrawn	11.03.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/18883/FUL	Mr S Brewster	Land At Draughton Off Access Road To A65 Draughton Skipton BD23 6DY	Full planning application for residential development of up to four dwellings.	Refuse	13.03.2019
2018/18981/OUT	Mr J Kidd	Land South Of Bentham Road Ingleton	Outline application for development of ten dwellings with landscaping as a reserved matter.	Approve with Conditions	26.03.2019
2018/18988/FUL	Pinnacle View Homes	Site North Of Glen Royd Woodside Lane Cononley Keighley BD20 8PE	Construction of 2 no detached dwellings	Refuse	19.03.2019
2018/19190/REM	Carr & Stocks Developments Ltd	Felstead Low Bentham Road High Bentham Lancaster LA2 7BP	Approval of the appearance, landscaping, layout and scale as reserved by condition in outline consent referenced 08/2014/15067 for 16 dwellings	Approve with Conditions	12.03.2019
2018/19473/FUL	Diocese Of Leeds	St Monicas Convent Gargrave Road Skipton BD23 1PJ	Refurbishment of existing Parish facilities in listed building together with single storey extension to form kitchen, store and plant room to rear. Conversion of part first floor area to form accommodation for Parish Priest. Also conversion to form three apartments for rental to part of ground and first floor. Extension of car park area and enlarged opening to entrance from Castle View Terrace.	Approve with Conditions	26.03.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19474/LBC	Diocese Of Leeds	St Monicas Convent Gargrave Road Skipton BD23 1PJ	Refurbishment of existing Parish facilities in listed building together with single storey extension to form kitchen, store and plant room to rear. Conversion of part first floor area to form accommodation for Parish Priest. Also conversion to form four apartments for rental to part of ground and first floor. Extension of car park area and enlarged opening to entrance from Castle View Terrace.	Approve with Conditions	19.03.2019
2018/19559/FUL	Mrs Nancy Ellison & R N Wooler & Co	Land At Grundy Farm Carla Beck Lane Carleton Skipton BD23 3DE	Full planning permission for erection of five two storey houses and one single storey house and works to boundary walls	Refuse	13.03.2019
2018/19560/LBC	Mrs Nancy Ellison & R N Wooler & Co	Land At Grundy Farm Carla Beck Lane Carleton Skipton BD23 3DE	Listed building consent application for works to boundary walls	Refuse	13.03.2019
2018/19738/FUL	Mr Elliot Exley	Fairmount Starkey Lane Farnhill Keighley BD20 9AW	Demolition of Fairmount and the construction of 3 no. properties, all with off street parking	Refuse	13.03.2019
2018/19736/MMA	YH Residential Ltd	Land To The South Of Burnside Crescent Skipton North Yorkshire BD23 2BJ	Minor material amendment to condition no. 2 of original approval reference no. 63/2015/16300 granted 30/10/2018 to allow revisions to the approved plans	Approve with Conditions	01.03.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19754/MMA	Yorkshire Housing	Land To The South Of Burnside Crescent Skipton	Minor material amendment of condition no. 2 on approved application reference number: 63/2016/17465 granted 18/05/2018.	Approve with Conditions	01.03.2019
2018/19819/FUL	J Brooksbank Ltd	Station Yard Elslack Lane Elslack Skipton	Erection of new warehouse (B1/B8 Use Class) on site of former workshops (B2 amended to B1)	Approve with Conditions	28.03.2019
2018/19876/FUL	Dalesview Developments	5, 6, 7, 8 The Crossings Hardings Lane Cross Hills Keighley BD20 7AD	Material amendment to extant consent no. 32/2007/7726 for construction of units 5, 6, 7, 8. Amendments to unit 8 and site layout	Approve with Conditions	05.03.2019
2018/19878/OUT	Mr R P Johnson	Land To West Of Low Paley Green Paley Green Lane Giggleswick Settle BD24 0DY	Outline planning application (with all matters reserved other than access) for new farm workers dwelling	Approve with Conditions	05.03.2019
2018/19892/CND	Autumn Park Developments	Low Bentham Cp School Doctors Hill Low Bentham Lancaster	Application to discharge condition no's. 5, 6, 7, 8, 11, 12 and 15 of planning approval referenced 08/2017/17775 granted 02.05.2017	DOC satisfactory	20.03.2019
2018/19896/MMA	Mr Swinson	Barn Adjacent To Damstones Pennine Way Cowling Keighley BD22 0DE	Minor material amendment to vary condition no. 2 (plans condition) of planning approval referenced 22/2015/15953 for internal and external alterations	Approve with Conditions	04.03.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19921/HH	Mr Will Booth	Woodlands West Lane Sutton-in-craven Keighley BD20 7AS	First floor extensions and alterations to existing bungalow	Approve with Conditions	28.03.2019
2018/19985/HH	Mr Dean Simpson	5 Windle Lane Cononley Keighley BD20 8JX	Conversion of conservatory to standard construction and extend first floor bedroom. All existing external walls (except upper area on South West elevation) to be stripped of existing pebble dash and rendered to match extension.	Approve with Conditions	04.03.2019
2018/19986/HH	Mr & Mrs R Shuttleworth	Kirk Sink Farm Church Lane Gargrave Skipton BD23 3NJ	Proposed kitchen/utility room extension and detached garage	Approve with Conditions	28.03.2019
2018/19988/VAR	Mr N O Persson	Grange Cottage Kildwick Keighley BD20 9AD	Application to vary condition no. 2 - to change roof covering from artificial stone to natural blue slate , condition 4 - to vary the condition to post commencement and remove condition no. 3 as works have already commenced of original planning approval referenced 2018/18931/FUL.	Approve with Conditions	11.03.2019
2018/19995/OUT	Mr Martin Brewster	Land Off Low Lane Embsay BD23 6SD	Construction of 2 no. detached bungalows and private driveway off Low Lane	Refuse	13.03.2019
2018/20006/FUL	Ingleton Parish Council	Outdoor Swimming Pool The Square Ingleton Carnforth LA6 3EG	Widening of existing access to swimming pool, formation of parking bay and turning space adjacent to swimming pool for emergency services.	Approve with Conditions	28.03.2019
2018/20012/HH	Mr & Mrs Addison	8 Town Head Avenue Settle BD24 9RQ	Single storey glass roof veranda on rear patio area.	Approve with Conditions	20.03.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/20021/FUL	Mrs Ebru Evrim Roberts	Oswaldtwistle Mills 15 - 17 Coach Street Skipton BD23 1LH	Change of use from a fabric retail unit to Yoga and Pilates Studio, incorporating retail area.	Approve with Conditions	21.03.2019
2018/20023/COU	Mr & Mrs David and Jean Ward	Coach House Residential Home Carla Beck Lane Carleton Skipton BD23 3BU	Proposed change of use from residential care home (C2) to bed and breakfast rental accommodation	Approve with Conditions	01.03.2019
2018/20029/HH	Mr Bell	43 Meadow Lane Cononley Keighley BD20 8NB	Demolition of existing garage and construction of two storey side extension and single storey rear extension on footprint of existing outbuilding.	Application Withdrawn	27.03.2019
2018/20033/FUL	Mrs Heather Jackson	Hill Side Skipton Road Silsden Keighley BD20 9AB	Change of use of agricultural land and siting of a domestic annexe extension to an existing house.	Approve with Conditions	20.03.2019
2018/20035/FUL	Trustees Of Heap Parkinson Homes	17 Otley Road Skipton BD23 1HQ	Internal and external alterations to allow the conversion of 1 residential dwelling into 2	Approve with Conditions	12.03.2019
2018/20037/HH	Mr & Mrs Delaney	3 Gallaber Farm Hellifield Skipton North Yorkshire BD23 4HS	Retrospective application for the erection of a small shed	Approve with Conditions	20.03.2019
2018/20046/FUL	Mr Darren MacKenzie	Stoneley Barn Mewith Lane High Bentham Lancaster LA2 7AX	Proposed agricultural building	Approve with Conditions	05.03.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/20048/FUL	Mr D Jowett	Sandy Hill Low Bentham Road High Bentham Lancaster LA2 7BS	Proposed family dwelling house and garage	Approve with Conditions	18.03.2019
2019/20063/HH	Mr Jon Evans	4 Hall Gardens Farnhill Keighley BD20 9AF	Proposed 2 storey extension over existing garage wing and single storey extension to front of garage wing.	Approve with Conditions	21.03.2019
2019/20073/HH	Mr & Mrs Mark and Pat Rand	The Water Tower Station Road Settle BD24 9AA	Extension to existing annex (Resubmission of 2018/19637/HH)	Approve with Conditions	04.03.2019
2019/20074/LBC	Mr & Mrs Mark and Pat Rand	The Water Tower Station Road Settle BD24 9AA	Extension to existing annex (Resubmission of 2018/19638/LBC)	Approve with Conditions	04.03.2019
2019/20081/HH	Mr & Mrs Jeremy Taylor	The Old Rectory West Marton Skipton BD23 3JJ	Alterations and extensions to existing outbuildings to form new indoor swimming pool hall	Approve with Conditions	19.03.2019
2019/20082/FUL	North Craven Building Preservation Trust	4 & 6 Chapel Street Settle BD24 9HS	Full application for change of use from offices to 2 no. dwellings	Approve with Conditions	08.03.2019
2019/20091/HH	Mr James Bontoft	14 Rockwood Drive Skipton BD23 1NF	Conversion and extension of garage to games room and utility	Approve with Conditions	11.03.2019
2019/20092/CND	Langcliffe Park Ltd	Langcliffe Caravan Park Langcliffe Settle BD24 9LX	Application to discharge Conditions 6, 7 and 8 of Planning Permission 2018/19658/FUL granted 10th December 2018.	DOC satisfactory	26.03.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20095/FUL	Mr & Mrs Ian Saxelby	31 Aire Valley Drive Low Bradley Keighley BD20 9HY	Change of use from agricultural grazing land to residential curtilage Class C3 as an extension of curtilage to 31 Aire Valley Drive, Low Bradley	Approve with Conditions	11.03.2019
2019/20096/FUL	Firth Developments LTD	Rockwood House Park Wood Close Skipton BD23 1QW	Construct 6 no. detached dwellings with associated vehicular access and landscaping.	Refuse	13.03.2019
2019/20099/FUL	WW Hotels T/A Rendezvous	Tow Path To Rear Of Rendezvous Hotel Keighley Road Skipton	60 foot restaurant trip boat which will be mooring on the Leeds/Liverpool canal, adjacent to the Rendezvous Hotel, providing executive dinners, weddings, functions etc.	Refuse	06.03.2019
2019/20103/HH	Mr Brian Hudspeth	The Rookery Chapel Lane Halton East Skipton BD23 6EH	Construction of single storey side and rear extension to provide ground floor facilities	Approve with Conditions	18.03.2019
2019/20106/HH	Mr S Mounsey	8 Rockwood Drive Skipton BD23 1NF	Conversion and extension of garage to games room and store with new pitched roof over. Construction of new front porch.	Approve with Conditions	15.03.2019
2019/20109/HH	Mr & Mrs N Wrighton	42 Branch Road Skipton BD23 2BX	Proposed rear two storey extension.	Approve with Conditions	19.03.2019
2019/20111/FUL	Build-a-kit Properties LTD	10 Park Lane Terrace Park Lane Carleton Skipton BD23 3DL	Creation of 2 no. 3 bedroomed, 2 and a half storey family dwellings (Resubmission of Withdrawn Application Referenced 2018/19964/FUL)	Application Withdrawn	18.03.2019
2019/20112/ADV	Neil Wright Associates	Lloyds Bank Market Place Settle BD24 9EJ	Application for advertisement consent for 1 no. illuminated fascia sign, 2 no. non-illuminated fascia signs and 1 no. non-illuminated hanging sign	Approve with Conditions	18.03.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20121/HH	Mr Steven Law	40 Sharphaw Avenue Skipton BD23 2QJ	Form Covered Terrace to Rear of Dwelling	Approve with Conditions	21.03.2019
2019/20126/FUL	Settle-Carlisle Railway Development Company Ltd	Settle Railway Station Station Road Settle BD24 9AA	Proposed change of use to form retail area and cafe including internal alterations.	Approve with Conditions	04.03.2019
2019/20127/LBC	Settle-Carlisle Railway Development Company Ltd	Settle Railway Station Station Road Settle BD24 9AA	Listed building application for proposed change of use to form retail area and cafe including internal alterations.	Approve with Conditions	04.03.2019
2019/20131/HH	Mr & Mrs Brown	8 Moorland Rise Embsay Skipton BD23 6RU	Proposed two storey side extension (Resubmission of previously withdrawn application, ref 2018/19824/HH)	Approve with Conditions	15.03.2019
2019/20138/FUL	Mr & Mrs Ashworth	Field Off Church Lane East Marton Skipton BD23 3LR	Agricultural field access	Approve with Conditions	25.03.2019
2019/20145/TCA	Catherine Redford	Townhead Surgeries Town Head Settle BD24 9JA	Reduce/crown raise Tibetan Cherry & Norway Maple by 20% to growing points.	Approve Tree Works in Conservation Area	21.03.2019
2019/20146/HH	Mr Liam Mulloy	7 Bank Road Cross Hills Keighley BD20 8AA	Proposed two storey side extension, porch to front elevation & raised patio area to the rear	Approve with Conditions	26.03.2019
2019/20149/NMA	Mr Gregory Thorpe	High Kettlesbeck Austwick Lancaster LA2 8AW	Non-material amendment to previous planning application reference 49/2005/5372 given 11th July 2005. Minor changes to fenestration, reposition rear wall of new link and internal reorganisation.	Non-material amendment approved	22.03.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20161/TCA	Mr Roger Stow	Opposite 60 Aire View Crosshills Road Cononley Keighley BD20 8JY	T1 Fir - Fell	Approve Tree Works in Conservation Area	21.03.2019
2019/20157/HH	Mr D Clarkson	Mar Brook North Road Sutton-in-craven Keighley BD20 7PQ	Two storey side extension	Approve with Conditions	22.03.2019
2019/20160/TPO	Mr R Crossley	Lystoel Wheatlands Lane Cross Hills Keighley BD20 8SH	T1 (1x Beech) & G2 (3x Beech) - Reduce canopies to 2m above previous pollard point.	Split Decision	21.03.2019
2019/20169/HH	Mr Vas Cruzinho	6 Gisburn Street Skipton BD23 1TD	Two storey and single storey rear extension to provide bathroom over kitchen and WC (Resubmission of previously approved application ref: 2018/19850/HH)	Approve with Conditions	26.03.2019
2019/20173/TCA	Mr Craig Eccleston	Mill House Mill Hill Lane Giggleswick Settle BD24 0DF	Remove 1 no. Cypress. Crown lift 1 no. Beech	Approve Tree Works in Conservation Area	21.03.2019
2019/20178/HH	Mr Luke Binns	3 Green End Green Lane Glusburn Keighley BD20 8RP	Construction of detached double garage	Approve with Conditions	28.03.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20181/HH	Mr & Mrs Lucy and Joe Auckland	The Bungalow West Street Gargrave Skipton BD23 3RD	Erection of timber framed garden room.	Approve with Conditions	18.03.2019
2019/20184/TPO	Mrs Denise Lawrence	11 Greenroyd Court Sutton-in-craven Keighley BD20 7NY	T1 (Sycamore) - Remove lowest limb extending NE	Approved Tree Work under TPO	21.03.2019
2019/20188/HH	Mr Kashif Mahmood	51 Broughton Road Skipton BD23 1TE	Construction of car port	Refuse	21.03.2019
2019/20200/NMA	Mr Peter Wales	2 Bowerley House Langcliffe Road Settle BD24 9LY	Non material amendment to original planning consent referenced 2018/19383/HH to add timber entrance door	Non-material amendment approved	13.03.2019
2019/20191/TCA	Johnson Tree Care	Skipton General Hospital Keighley Road Skipton BD23 2RJ	G1 (2 x Lime) draw away from building for 2m clearance. G2 (4 x Mixed) Crown lift 3m over the car park and remove broken and hanging branches.	Approve Tree Works in Conservation Area	21.03.2019
2019/20197/TCA	Mr John Lofthouse	9 Heber Drive East Marton Skipton BD23 3LS	Remove 2 no. Sycamore	Approve Tree Works in Conservation Area	21.03.2019
2019/20203/TCA	Mrs Corina Wardle	Dales Garth Beck Side Carleton Skipton BD23 3ET	Removal of 12 no. Conifers	Approve Tree Works in Conservation Area	21.03.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20223/NYCC	North Yorkshire County Council	Land At Glusburn County Primary School Colne Road Glusburn Keighley BD20 8PJ	Consultation on planning application for the purposes of the installation of a single storey permanent classroom unit (178m2), heat pumps, 6no. wall mounted external lighting, 2no. external stair, 1no. external ramp with steps, removal of trees, hard landscaping (402m2), planting of 4 No.trees and re-location of metal container (15 sq. metres) on land	No Observations	13.03.2019
2019/20206/HH	Mr A Robinson	Fern Cottage Burton Road Low Bentham Lancaster LA2 7ER	Construct two storey side extension, form new access and create parking and turning area to rear of property	Approve with Conditions	18.03.2019
2019/20209/LHSHLD	Mr Kenneth Wiseman	14 Consort Street Skipton BD23 1HR	Proposed single storey lean-to rear extension 4.4m beyond the rear wall; 3.9m in height from ground level; 2.6m in height to eaves from ground level (Prior Approval Notification).	PD HH PA Not Required	13.03.2019
2019/20210/TCA	Mr Hugh Turner	Kirk Syke 19 High Street Gargrave Skipton BD23 3RA	T1 Ash - crown clean and lift up to 5 metre and 10% thin. T2 Elm - remove. T3 Birch - crown lift to 5m. T4 Juniper - crown reduce by up to 40%. G1 3 x conifers - reduce up to 20%.	Approve Tree Works in Conservation Area	21.03.2019
2019/20211/TPO	Mr Peter Wolstenholme	Sylvan Lea Brearlands Thornton In Craven Skipton BD23 3TA	Remove 2 no. Ash trees	Approved Tree Work under TPO	21.03.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20231/TCA	Mr Steven Woodhead	Carleton Village Hall Swan Street Carleton Skipton BD23 3HN	Group of laburnums - Crown reduce, draw away from village hall and re-shape.	Approve Tree Works in Conservation Area	21.03.2019
2019/20240/HH	Mr Mike Foalkes	2 Princes Drive Skipton BD23 1HL	Construction of rear and side extensions for dining, utility, study and bedroom over (Resubmission of previously refused application referenced 2019/20090/HH).	Approve with Conditions	22.03.2019
2019/20250/CND	Blaithwaite Developments Ltd	Willow Tree Eldroth Road Lawkland Lancaster LA2 8AH	Application to discharge conditions 3 and 4 imposed by planning approval 2018/19300/VAR permission given 2nd August 2018.	DOC satisfactory	12.03.2019
2019/20294/NYCC	North Yorkshire County Council	Land At Water Street CP School Elliot Street Skipton BD23 1PE	Consultation on planning application for the purposes of the installation of 3 m high black weld mesh boundary fencing, 1.2 m high black weld mesh fencing on top of existing stone boundary wall (total height 2.1 m) and the blocking up of the existing pedestrian gateway/stepped access using matching stone.	Observations made	13.03.2019

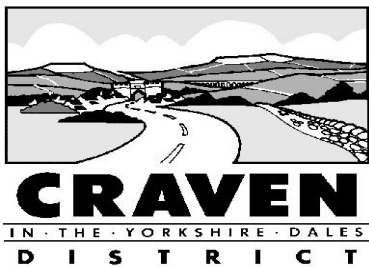
Planning Committee Report of New Cases Registered **For Period 27/02/2019 to 26/03/2019**

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03018/2019	Property potentially being used as a holiday cottage.	74 High Street Gargrave Skipton BD23 3LX	Gargrave And Malhamdale
ENF/03019/2019	Alleged unauthorised pedestrian access created onto Raikes Road from Plot 4	Land Bounded By A65 White Hills Lane And Raikes Road Skipton North Yorkshire	Skipton North
ENF/03020/2019	Agricultural building not being used in accordance with approved plans	1 Runley Mill Lane Settle BD24 9LF	Settle And Ribble Banks
ENF/03022/2019	Untidy land	86 Otley Road Skipton BD23 1HG	Skipton East
ENF/03023/2019	Mud and excess water on Green Lane in breach of Condition 10 (v) of 32/2016/17488 and 2017/18543/CND	3 White Abbey Green Lane Glusburn Keighley BD20 8RL	Glusburn
ENF/03024/2019	Erection of fence and gate to rear	9 Harper Grove Sutton-in-craven Keighley BD20 7JN	Sutton-in-Craven
ENF/03025/2019	Shipping container having been brought onto site and cladded.	Riversdale Long Preston Skipton BD23 4RA	Hellifield And Long Preston

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03026/2019	Large advertisement signage board.	39 Elmore Terrace Keighley Road Cross Hills Keighley BD20 7RX	Glusburn
ENF/03027/2019	Alleged unauthorised demolition of an outbuilding in a Conservation Area	6 Dale Crescent Carleton Skipton BD23 3ES	West Craven
ENF/03028/2019	Unauthorised construction works around TPO (no.208 2013)	Unit 3 Acorn Business Park Airedale Business Centre Skipton BD23 2UE	Aire Valley With Lothersdale
ENF/03029/2019	UPVC windows installed in a listed building	Devonshire House 27 Duke Street Settle BD24 9DJ	Settle And Ribble Banks
ENF/03030/2019	Agricultural building not being used in accordance with approved plans	Land At Langber End Lane Ingleton North Yorkshire LA6 3DT	
ENF/03031/2019	Agricultural/ Office building not built in accordance with approval.	Willowbeck Farm Jack Lane Wigglesworth Skipton BD23 4RJ	Settle And Ribble Banks
ENF/03032/2019	Camping Site- Mobile Homes.	Willowbeck Farm Jack Lane Wigglesworth Skipton BD23 4RJ	Settle And Ribble Banks
ENF/03033/2019	Change of use of the site from agricultural building to business.	Willowbeck Farm Jack Lane Wigglesworth Skipton BD23 4RJ	Settle And Ribble Banks

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03034/2019	Hardstanding around the site.	Willowbeck Farm Jack Lane Wigglesworth Skipton BD23 4RJ	Settle And Ribble Banks
ENF/03035/2019	Menage	Willowbeck Farm Jack Lane Wigglesworth Skipton BD23 4RJ	Settle And Ribble Banks
ENF/03036/2019	Polytunnels	Willowbeck Farm Jack Lane Wigglesworth Skipton BD23 4RJ	Settle And Ribble Banks
ENF/03037/2019	Stables not built in accordance with planning application ref: 72/2004/4321.	Willowbeck Farm Jack Lane Wigglesworth Skipton BD23 4RJ	Settle And Ribble Banks
ENF/03038/2019	Static Caravan and Camping Pod.	Willowbeck Farm Jack Lane Wigglesworth Skipton BD23 4RJ	Settle And Ribble Banks
ENF/03039/2019	Storage Container	Willowbeck Farm Jack Lane Wigglesworth Skipton BD23 4RJ	Settle And Ribble Banks
ENF/03040/2019	Un-authorised Static Caravan being lived in.	Willowbeck Farm Jack Lane Wigglesworth Skipton BD23 4RJ	Settle And Ribble Banks
ENF/03041/2019	Farm machinery being stored on the roadside.	Otterburn Hall Farm Riverside Cottage Otterburn Bell Busk BD23 4DX	Gargrave And Malhamdale

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03042/2019	Extension to the rear and dormer window	5 Shires Lane Embsay Skipton BD23 6RR	Embsay-with-Eastby
ENF/03043/2019	Application not carried out in accordance with planning application 2018/19942/HH specifically operating hours and dust	28 Skipton Road Gargrave Skipton BD23 3SP	Gargrave And Malhamdale
ENF/03044/2019	Untidy land	40 Tarn Moor Crescent Skipton BD23 1LT	Skipton North



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 27/02/2019 to 26/03/2019

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/02170/2015	17th July 2015	7th March 2019	Case Closed	Cars for sale, parking on the side of highway	Grassed Verge At Side Of Kildwick Roundabout Kildwick Keighley North Yorkshire BD20 9BH	Aire Valley With Lothersdale
2194/2015	17th August 2015	7th March 2019	Breach Resolved	Creating large hardstanding (lots of lorries bringing rubble/waste onto site)	On Road Past Park Foot Bentham North Yorkshire LA2 7AB	Bentham
2516/2016	25th November 2016	14th March 2019	Case Closed	Development in breach of planning application 45/2007/7610.	Pemberton Farm Windy Hill Ingleton Carnforth North Yorkshire LA6 3DS	Ingleton And Clapham

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
2626/2017	13th April 2017	7th March 2019	Case Closed	Recurrence of 1485/2013 - Cars and adverts on grass verge	Bristol Motors & Heathcote Antiques Near Crosshills Roundabout Skipton Road Cross Hills Keighley North Yorkshire BD20 7BQ	Glusburn
2641/2017	26th April 2017	20th March 2019	Breach Resolved	Storing plant hire machinery without planning permission	Skythorns Farm Colne Road Cowling Keighley BD22 0LJ	Cowling
ENF/02783/2017	20th December 2017	7th March 2019	Case Closed	Has access to site been constructed before condition 3 of 32/2017/17947 has been discharged?	Existing Redundant Reservoir Cononley Road Glusburn Keighley North Yorkshire	Glusburn
ENF/02797/2018	17th January 2018	14th March 2019	Case Closed	Installation of large air con system which protruded into a parking space	Shared Car Park Tweed Street High Bentham LA2 7LZ	Bentham
ENF/02829/2018	1st March 2018	20th March 2019	Breach Resolved	Alleged unauthorised dormer windows	20-22 Greenfield Street Skipton BD23 1SJ	Skipton West

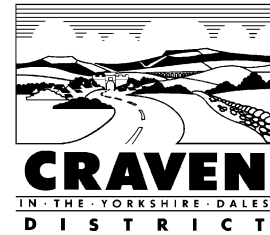
Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/02871/2018	22nd May 2018	12th March 2019	Retrospective Planning	Alleged unauthorised erection of summerhouse in front garden	Prospect Cottage 1 Prospect Terrace St Stephens Close Skipton BD23 1PA	Skipton North
ENF/02924/2018	6th September 2018	6th March 2019	Breach Resolved	Erection of a 1.8m fence from ground level between the drives and abutting a highway	10 Carleton Avenue Skipton BD23 2TE	Skipton West
ENF/02928/2018	11th September 2018	6th March 2019	No Breach	Breach of condition - waiting area for drivers	9 Main Street Cross Hills Keighley BD20 8TA	Glusburn
ENF/02961/2018	14th November 2018	20th March 2019	Breach Resolved	Untidy Land.	Land Between North Street & Aire Valley Glass Sutton-in-craven Keighley BD20 7HA	Sutton-in-Craven
ENF/02969/2018	23rd November 2018	7th March 2019	No Breach	Noise pollution, Disturbance and working in the street.	Ems Ambulance Unit 3 Marton Mills Sawley Street Skipton BD23 1SX	Skipton West
ENF/02980/2018	18th December 2018	6th March 2019	No Breach	Unauthorised dormer window?	2 Aire Valley Drive Low Bradley Keighley BD20 9EY	Aire Valley With Lothersdale

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/02985/2019	2nd January 2019	12th March 2019	No Breach	Development not carried out in accordance with 63/2015/16300	Land To The South Of Burnside Crescent Skipton	Skipton West
ENF/03000/2019	30th January 2019	6th March 2019	Other Reason	Unauthorised balcony	27 Brook Street Skipton BD23 1PP	Skipton North
ENF/03001/2019	30th January 2019	12th March 2019	Other Reason	Unauthorised balcony	29 Brook Street Skipton BD23 1PP	Skipton North
ENF/03002/2019	7th February 2019	6th March 2019	No Breach	Grey brick safe building to the rear of the bank	Natwest Market Place Settle BD24 9EF	Settle And Ribble Banks
ENF/03004/2019	7th February 2019	14th March 2019	Case Closed	Large concrete structure.	Land Off Old Lane Thornton In Craven Skipton BD23 3TE	West Craven
ENF/03012/2019	19th February 2019	12th March 2019	Not Expedient to Enforce	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/03016/2019	26th February 2019	6th March 2019	No Breach	Erection of dormer window	42 East Lane Embsay Skipton BD23 6QD	Embsay-with-Eastby

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/03018/2019	28th February 2019	20th March 2019	No Breach	Property potentially being used as a holiday cottage.	74 High Street Gargrave Skipton BD23 3LX	Gargrave And Malhamdale

Planning Committee – 9th April 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 its 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. The total time allowed for speaking by spokespersons for a parish council / meeting, objectors and applicants is five minutes. Should it be written into the scheme that up to two spokespersons may speak on behalf of the objectors and similarly the applicant; those giving notice of their wish to split the five minute time allowance to reach agreement between themselves on the split.

b. Should it be formally written into the scheme that when the Committee is considering a major, or controversial application, which has generated a considerable number of representations, or there are exceptional circumstances, the Chairman should have discretion to (i) extend the time period allocated to each party and (ii) to allow more than one person representing objectors / applicants to speak by splitting the time allocated. (If (a) above is adopted then (ii) will not be required.)

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 late information to the case officer in advance of the meeting ie noon on the last working day before the meeting date, and it being made clear in the scheme that the use or circulation of handouts, photographs or props at the meeting by spokespersons will not be permitted? In exceptional circumstances the Chairman to have discretion to permit late submission of handouts etc at the start of the meeting.

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 and should be removed.

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.

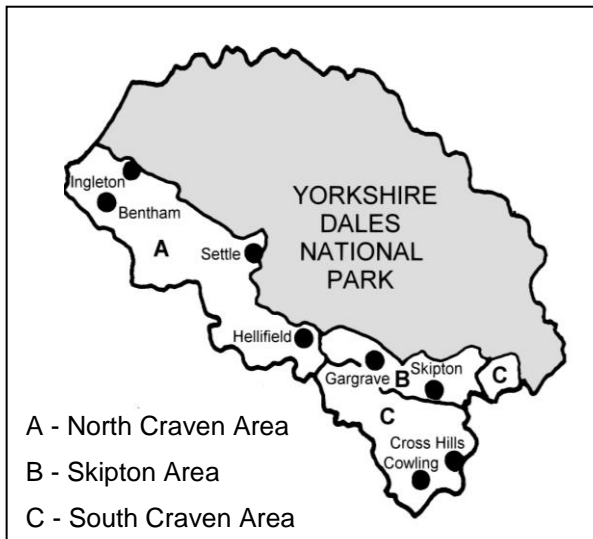
Each of the above will be allowed up to 5 minutes to address the Committee, before the item is debated by the Committee.

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.