

PLANNING COMMITTEE

12th February 2018

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

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

An apology for absence was received from Councillor Place.

Start: 1.45pm

Finish: 4.30pm

The minutes of the Committee's meeting held on 15th January 2018 were confirmed and signed by the Chairman.

Minutes for Report

PL.853

PUBLIC PARTICIPATION

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

Application 63/2016/17313 : Mr C McGrath (objector / for objectors)

: Mr P Owen (for the applicant)

Application 2017/18237/OUT : Mr C Calvert (for the applicant)

PL.854

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:-

21/2016/17019 Redevelopment of former mill site to include the conversion and extension of mill building to provide 46 apartments, restoration of existing house attached to the mill building, 1,445sqm of new B1 commercial floorspace and 46 dwellings on the remainder of the site, Station Works, Cononley Lane, Cononley - Approved with conditions.

31/2016/16637 Discharge of condition no 7 and part discharge of condition no 4 of previously approved application referenced 31/2013/13807- Development of 7 houses resubmission of 31/2013/13627 and discharge of condition no 3 and part discharge of condition no 8 (i) and 8 (iii) for application 31/2014/15285 - reserved matters application for the development of 7 houses for appearance, landscape, layout and scale for outline application 31/2013/13807, land adjacent to Raines Road, Giggleswick – Disposed.

2017/18145/FUL Construction of new agricultural access track, land adj Farther Fence End Steading, Colne and Broughton Road, Thornton in Craven - Refused

2017/18182/FUL Conversion of barn to dwellinghouse, barn south of Lower Gill Bottom, Shop Lane, Cowling - Approved with conditions.

2017/18245/CND Application to discharge Condition no 5 of the outline planning permission (as set out in the appeal decision APP/C2708/W/16/3144209) that was varied under a non-material

amendment permission (reference 26/2016/17630), land at Laurel Croft, Embsay - Conditions satisfactorily discharged.

2017/18298/CND Application to discharge condition no 7 and partial discharge of condition no 6 of previously approved application 73/2016/16782 Canal Wharf Yard, Priest Bank Road, Kildwick - Conditions satisfactorily discharged.

2017/18342/FUL Construction of new clubhouse and fitness room, land at Gallaber Park, Back Lane to Long Preston Bridge, Hellifield - Approved with conditions.

2017/18350/FUL Creation of a maintenance layby on the south side of the A65, west of Eller Beck, Skipton, land on south side of A65/A59, approximately 260m west of where the road crosses Eller Beck, Skipton - Approved with conditions.

2017/18384/LBC Listed building consent for refurbishment works to be carried out to existing staff facilities including male, female WC's, locker areas, driver booking area, union office and staff mess facilities Skipton Railway Station, Broughton Road, Skipton - Approved with conditions.

2017/18389/LBC Replacement of bathroom window with double glazed window in a timber frame. Replacement of 4 light mullion kitchen windows with double glazed units, Sutcliffe House, Belle Hill, Giggleswick - Approved with conditions.

2017/18393/CND Application to discharge condition no's 3, 4, 6, 13, 16, 21 and 22 of previously approved application Clitheroe Works, Clitheroe Street, Skipton - Conditions satisfactorily discharged 63/2014/15027.

2017/18395/FUL Retrospective application for the retention of an area of hardstanding adjacent to the stable block approved by planning consent reference 66/2015/16211, land off Ellers Road Sutton-in-Craven – Approved.

2017/18472/FUL Construction of 7 woodland holiday lodges with associated parking spaces including formation of new access road and re-siting of existing 4X4 experience cabin and parking, The Coniston Hotel, Coniston Cold - Approved with conditions.

2017/18527/FUL Conversion and extension of existing church hall to form 10 apartments with access from Main Street including formation of associated parking and communal garden areas St Peter's Methodist Church, Main Street, Cross Hills - Approved with Conditions.

2017/18560/HH Lift up section of roof over garage to allow first floor bedroom extension and other alterations to existing dwelling, 7 Springfield Crescent, High Bentham - Approved with conditions.

2017/18543/CND Application to discharge condition no's 3, 4, 5, 8, 10, 13, 14, 15 and 16 of planning permission 32/2016/17488 granted 14/02/2017, 3 White Abbey, Green Lane, Glusburn - Conditions satisfactorily discharged.

2017/18549/HH Proposed porch and formation of off-street car parking space to front of property. Repositioning of existing old telephone box to north west corner of the curtilage, Post Office Low Lane to A65, Draughton - Approved with conditions.

2017/18570/FUL Minor engineering works to form new filter bed of clean stone on line of existing septic tank outlet to existing soak away system The Bungalow, Coach House Residential Home, Carla Beck Lane, Carleton - Approved with conditions.

2017/18571/FUL Subdivision of existing shop into 2 units, erection of rear entrance extension to first floor apartment including roof terrace, Linden House, 9 and 11 Main Street, Ingleton - Approved with conditions.

2017/18583/HH Demolition of existing conservatory and porch and construction of new porch, 5 Hey Farm Cottages, Park Lane, Cowling - Approved with conditions.

2017/18607/HH Construction of two storey extension to existing detached residential dwelling, and demolition of detached garage, Hollin Root Barn, off West Lane, Sutton-in-craven - Approved with conditions.

2017/18620/CND Retrospective application for smoke control and roof vents pursuant to condition 9 of planning permission 63/2016/176702, Belle Vue Square, Broughton Road, Skipton - Condition satisfactorily discharged.

2017/18639/CND Application to discharge conditions 2 and 4 of original planning permission 63/2015/16427 approved under appeal reference APP/C2708/W/16/31505, 11 Elsey Croft Development, Moorview Way, Skipton - Conditions satisfactorily discharged.

2017/18657/HH Replace flat roof with pitched slated roof to rear single storey outbuilding, take down rear single storey outbuilding and build 2no new two storey rear extensions, 58 Broughton Road, Skipton - Approved with conditions.

2017/18658/LBC Re-plastering, kitchen replacement and bathroom installation and other internal works 6 Queens Street, Skipton - Approved with conditions.

2017/18669/FUL Conversion and extension of stable block to form one bedroom annexe to Priory Cottage, Marton Hall Priory, Thornton Road, West Marton, Skipton - Approved with conditions.

2017/18678/FUL Erection of timber stables with associated storage and construction of detached garage, Gasker, Lawkland - Approved with conditions.

2017/18697/FUL Internal alterations at ground floor to enlarge existing commercial kitchen through removal of staircase and reconfiguration of office space at first floor including insertion of doorway on north facing elevation to form external entrance to self contained flat and office, Ye Old Naked Man Café, Market Place, Settle - Approved with conditions.

2017/18698/LBC Internal alterations at ground floor to enlarge existing commercial kitchen through removal of staircase and reconfiguration of office space at first floor including insertion of doorway on north facing elevation to form external entrance to self contained flat and office, Ye Old Naked Man Café, Market Place, Settle - Approved with conditions.

2017/18699/CND Application to discharge conditions 3, 4, 5 and 6 of planning permission 2017/18332/FUL, Stockbridge Laithe, Thornton in Craven - Conditions satisfactorily discharged.

2017/18704/FUL Change of use of building from two holiday cottages to one residential dwelling (resubmission of refused planning application reference 42/2017/18093), Dales Valley View Cottage, Swinden – Refused.

2017/18707/COU Change of use from A1 Lingerie Shop to A3 Pancake House, to include enclosed external seating area, 8A Main Street, Cross Hills - Approved with conditions.

2017/18710/HH Erection of outbuilding to provide garage, store and jacuzzi therapy suite including demolition of existing garage and greenhouse, Kimberley, Skipton Road, Low Bradley - Approved with conditions.

2017/18711/MMA Application for a minor material amendment to original planning consent reference 73/2016/16782 to alter roof form, Canal Wharf Yard, Priest Bank Road, Kildwick - Approved with conditions.

2017/18712/HH Two storey and single storey rear extension, 22 Gisburn Street, Skipton - Approved with conditions.

2017/18716/FUL Erection of L-shaped stable block, consisting of two stables and a small feed area land adjacent to Green Smithy, Mewith, Bentham - Approved with conditions.

2017/18717/HH Replace existing windows with PVC and build new stone shed, 5 Aireville Grange Gargrave Road, Skipton - Approved with conditions.

2017/18722/HH Proposed three storey side extension (resubmission of application reference 63/2017/17747), 28 Tarn Moor Crescent, Skipton - Refused

2017/18723/MMA Application to vary Condition 6 of previously approved application 2017/18408/ADV to allow alterations to sign 12 W M Morrison Supermarkets Plc, Broughton Road, Skipton - Approved with conditions.

2017/18729/HH Retrospective application for erection of raised platform to rear of dwelling, 6 Moorland Avenue, Back Ermysted, Skipton – Approved.

2017/18748/TCA Ash – Remove, Howgill House, Low Lane, Draughton – Approved.

2017/18734/FUL New general agricultural building, Lower Weasel Green Farm, Moorside, Stockshott Lane, Cononley - Approved with conditions.

2017/18735/FUL Multi-purpose agricultural building, land off Strikes Lane, Sutton in Craven - Approved with conditions.

2017/18736/CND Application to discharge condition no. 7 (access details only - no materials) from original planning application referenced 2017/18269/FUL approved 26/09/2017, Dovetail, Colne Road, Cowling - Condition satisfactorily discharged.

2017/18737/HH Demolition of two single storey lean-to extensions, to be replaced with a single storey extension, 39 High Street, Gargrave - Approved with conditions.

2017/18739/HH Single storey extension to existing barn conversion and two storey extension to existing garage to form gym/studio and home office/occasional bedroom, Fox Croft Barn, White Hill Lane, Lothersdale - Approved with conditions.

2017/18740/HH Proposed single storey rear extension and rear first floor extension above existing kitchen, 1 Garden Terrace, West Road, Carleton - Approved with conditions.

2017/18742/TCA T5 - Wild Cherry - Remove due to unacceptable risk of damage to property (i.e. parked cars). T6 - Italian Alder - Remove due to short remaining life expectancy. G2 - Beech, Ash, Cherry - Thin group by removal of 1no. young Ash (most easterly in group, with stem nearly in contact with wall), 1no. semi-mature Ash, and 1no. early-mature Cherry (locations identified on Tree Survey Plan). G7 - Ash, Field Maple, Wild Cherry - Thin group by removal of 2no. semi-mature Ash and 1no. young Rowan in closely spaced group to rear of refuse and charity skips, and removal of 1no. semi-mature Alder standing to south of this area between Sycamore and Lime (locations identified on Tree Survey Plan) and prune, where necessary, to reduce lateral spread of boundary group in order to obtain a 1m clearance from lights and signs. G9 - Downy Birch, Lilac, Sycamore - Prune, where necessary, to reduce lateral spread of boundary group to obtain a clearance of 1m from north-west street light, and to obtain a 1.5m clearance from stair-case and carpark, Skipton Building Society, The Bailey, Skipton - Approved.

2017/18745/FUL Erection of a detached two storey dwellinghouse (revision to planning approval reference 08/2016/16590), Lairgill House, Mount Pleasant, High Bentham - Approved with conditions.

2017/18747/ADV Post-mounted totem sign, sunk into ground, Keighley Filling Station, Station Road, Cross Hills - Approved with conditions.

2017/18750/FUL Extension of an existing livestock building, to include additional housing, a milking parlour and a general storage area, Lower Sirebank Farm, Jacksons Lane, Low Bradley - Approved with conditions.

2017/18764/COU Change of use of existing office to residential use and retention of existing commercial storage, Green Head Offices, Cross Lane, Low Bentham - Approved with conditions.

2017/18751/FUL Erection of agricultural workers dwelling, Brown House Farm, Old Lane to Brown House, Thornton in Craven - Approved with conditions.

2017/18760/FUL Widen the existing gateway by removing 2m of limestone wall, the existing flower bed is also to be removed and tarmaced, Thornton Village Hall, Colne and Broughton Road, Thornton in Craven - Approved with conditions.

2017/18763/HH Proposed detached private garage with playroom over and associated engineering works, Woodlands, Nethergill Lane, Cononley - Approved with conditions.

2017/18779/TPO G1 - 1m clearance where possible around BT wire; T1 Beech - fell tree as its in major decline and rotten; T2 Horse chestnut - remove first large lowest limb growing towards building, remove heavy large limb and weight towards building; T3 - reduce back canopy by 1.5m and reduce weight to bring tree into natural shape, Summers Gill/Horrocks Close, Lothersdale – Approved.

2017/18780/TPO T1 Scotts Pine - remove limb overhanging the property (T14 of TPO 35 1985), 1 Pine Close, Granville Street, Skipton - Split Decision

2017/18774/TCA T1 Silver Birch – fell, Gott Hill Farm, Eilers Road, Sutton-in-Craven – Approved.

2017/18781/TCA T1 and T2 Yew - Crown thin by 30% and crown reduction by 3m, Prospect House, North Road, Sutton-in-Craven – Approved.

2017/18796/PNAG Application for proposed new replacement general purpose agricultural building on site of former agricultural building (Prior Notification), Agricultural Barn - Fence End Farm Colne and Broughton Road to Farther Fence End, Thornton in Craven - Prior approval not required.

2017/18790/FUL Proposed 3 bed dwelling, site of The Old Barbers Shop, 1 Main Road, Hellifield - Approved with conditions.

2017/18795/TCA T1 Plum - re-shape and 15% reduction; T2 Lilac and T3 and T4 Apple - re-shape and 20% reduction; T5 Cherry - re-pollarding; T6 Conifer – remove, Oakleigh, 2 Granville Close, Skipton – Approved.

2017/18799/FUL To erect a steel portal frame building to extend an existing grass silage store for the purposes of housing grass silage produced on the farm, Heber House, Robins Barn to Anchor Bridge, Gargrave - Approved with conditions.

2017/18824/LBC Replace existing front windows and doors from single glazed timber painted to double glazed timber painted and change the style of the window to reflect the original appearance of the house, Shady Grove Farm, Skipton Road, Cononley - Approved with conditions.

2017/18810/CND Application to discharge condition no. 14 (revised details) of original planning approval 32/2015/15390 granted 25/11/2015, land on the east side of Green Lane, Glusburn - Condition satisfactorily discharged.

2017/18812/TPO T1 - Oak - Reduce height of tree by 15%, shorten outer limbs as per diagram attached, Queens Rock House, Bankwell Road, Giggleswick – Approved.

2017/18813/LHSHLD Single storey rear extension measuring: measuring 3.635m beyond the rear wall; 3.350m in height from ground level; 2.550m in height to eaves from ground level (Prior Approval Notification), Pinnacle View, Baxter Wood, Cross Hills – Prior approval not required.

2017/18816/TCA To remove one Norway spruce, Fairbanks House, Bunkers Hill, Skipton – Approved.

2017/18820/TCA T1 - Silver Birch - Crown reduce by 10% and re-shape, Woodlands Lodge, Woodlands Drive, Skipton – Approved.

2017/18825/CND Application to discharge condition no. 12 (details of replacement tree planting) of original planning permission 31/2016/17348 dated 20 December 2016 site adjacent to Bankwell Road, Giggleswick - Conditions satisfactorily discharged.

2017/18849/CND Application to discharge condition no's 3 (external doors/windows) and 4 (windows) of original planning permission referenced 30/2016/16566 and listed building consent referenced 30/2016/16567 granted 04 April 2016, Higherland House, West Street, Gargrave - Conditions satisfactorily discharged.

2017/18847/CND Application to discharge condition no 3 of original planning consent reference 2017/18181/HH, 7 Lidget Road, Low Bradley - Condition satisfactorily discharged.

2017/18855/NMA Non material amendment to original planning consent reference 31/2015/15799 to change pitch of and remove PV panels from car port roof, Orchard Cottage, 2 Tems Side, Giggleswick - Approved with conditions.

2017/18856/NMA Non-material amendment to original planning application referenced 26/2017/17783 to change the bed 4 window to become larger to become a means of escape window, outside store no longer to be located under this window and to change the window to bed/games to become sliding glazed door, Hawlands, 6 Kirk Lane, Eastby - Non-material amendment approved.

2017/18857/CND Application to discharge condition no. 5 (external wall) of original planning application referenced 26/2017/17783 granted 09/05/2017, Hawlands, 6 Kirk Lane, Eastby - Condition satisfactorily discharged.

2017/18877/TCA T1 Laburnum – Fell, 3 The Bailey, Skipton – Approved.

2017/18867/TPO T1 Hawthorn – fell, Wilderness, Otley Road, Skipton – Approved.

2017/18872/TCA Reduction in height to 5 trees (3 prunus and 2 mountain ash), 4 Church Croft, Gargrave – Approved.

2018/18882/TCA Remove 5 no. trees (Irish yew), All Saints Church Yard, Burton in Lonsdale – Approved.

2018/18919/CND Application to discharge condition 2 of original planning permission 2017/18718/OTHERS, 6 Swadford Street, Skipton - Conditions satisfactorily discharged.

b. Applications

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

Permission Granted

2017/18495/FUL Re position existing air conditioning units away from gable of restaurant to location within car park area, 59 Main Street Cross Hills.

Conditions

Time Limit for Commencement

1. The air conditioning units hereby permitted shall be relocated from the gable wall of the property to the position shown on drawing P02 Rev A within six months of the date of this permission.

Approved Plans

2. The permission relates to the following plans: Drawing No. P02 Rev A received 12th October 2017. Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings

Before Development Commences

3. The Prior to the commencement of development, a noise assessment of the proposed development shall be carried out to BS 4142 by a suitably qualified person. A narrow band frequency analysis should also be carried out and the graph showing the results should be attached to the report to prove there is no tone. The assessment shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete and full accordance with the agreed specifications, recommendations and noise attenuation. The agreed measures shall be thereafter, retained and maintained for the duration of the approved use

Statement of Positive Engagement : In dealing with this application Craven District Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. (*)

Delegated Authority

2017/18237/OUT Outline application for a residential development of up to 140 dwellings with associated infrastructure and open space (access applied for with all other matters reserved), land at Hawbank Field, Skipton – the Planning Manager was authorised to approve this application subject to the conditions listed below, including revision to Condition 13 as indicated, and subject also to

a. Natural England being notified under Section 28I(6) of the Wildlife and Countryside Act 1981 (as amended), of the intention to grant permission, the terms on which it is proposed to grant it and how, if at all, the Authority has taken account of Natural England's advice; and

b. the prior completion of a Section 106 Agreement to secure

a. The provision, tenure, delivery mechanism, occupation criteria and phasing for a minimum of 30% of the dwellings to be provided as affordable housing as defined in the National Planning Policy Framework

- b. A financial contribution towards the off-site provision, improvement and/or future maintenance of open space to address local deficiencies to comprise either: (a) in the event that no on-site provision is made for youth play space pursuant to condition 10 of this permission - £1,063 per dwelling or; (b) in the event that full on-site provision is made for youth play space pursuant to condition 10 of this permission - £719 per dwelling.
- c. A financial contribution of £15,000 towards a study for the investigation and design of improvements to the junction of the A6131 and A59 located to the northeast of the site.

Conditions

Time Limit for Commencement

1. Application for approval of reserved matters shall be made to the local planning authority not later than the expiration of three years from the date of this permission.
2. The development hereby permitted shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.

Approved Plans

3. This permission relates to the following plans:

- Drawing no. YOR.2621.001A – Site location plan (amended plan received 7.11.17).
- Drawing no. YOR.2621.018F – Illustrative masterplan (amended plan received 7.11.17),
- Drawing no. SK008 Rev A – Proposed site access arrangement & highways improvement (amended plan received 31.10.17).
- Drawing no. SK009 Rev A – Site access visibility splays (amended plan received 31.10.17).

Any application for approval of reserved matters submitted pursuant to this permission shall accord with the outline permission insofar as it relates to the site area, the means of access to the development and shall not exceed the maximum number of dwellings applied for.

Before Development Commences

4. The approval of the local planning authority shall be sought in respect of the following matters (hereinafter referred to as “the reserved matters”) before any development takes place:- the layout, scale, external appearance and landscaping of the development.
5. Any application for approval of reserved matters submitted pursuant to this permission shall ensure that all the dwellings (including their garden areas) are located:
 - a. Entirely within flood zone 1 and outside the areas of flood zones 2 and 3 as identified on the Environmental Agency’s “Flood Map for Planning”, and there shall be no ground raising within flood zones 2 and 3.
 - b. Unless otherwise agreed in writing with the Local Planning Authority (in consultation with the Environment Agency), outside the likely extent of reservoir flooding as identified on the Environmental Agency’s “Flood Map for Planning”.
6. Any application for approval of reserved matters submitted pursuant to this permission shall include details of the size, siting, height, materials, finish (including colour treatment) and design of a trespass proof fence to be erected along the site’s western boundary with the adjacent railway line. The trespass proof fence shall be erected in accordance with the duly approved details before any of the dwellings are first occupied, and shall be maintained as such thereafter.
7. Any application for approval of reserved matters submitted pursuant to this permission shall include a scheme to protect the dwellings from noise emissions emanating from passing road and rail traffic. The scheme shall: (a) identify the location of each plot where noise attenuation

measures are required; (b) include specific details of the noise attenuation measures to be introduced for each plot; and (c) ensure noise levels of not more than:

- a. 30 dB(A) Leq (8 hours) and 45 dB(A) Lmax within bedrooms between 23:00 and 07:00;
- b. 35 dB(A) Leq (16 hours) in habitable rooms at all other times; and
- c. 55 dB(A) Leq (16 hours) in garden areas.

Where windows need to remain shut in order to achieve these levels other means of ventilation shall be provided. The development shall thereafter be implemented in accordance with the duly approved scheme.

8. Any application for approval of reserved matters submitted pursuant to this permission shall include a scheme (including details of appropriate easements, standoff and/or building proximity distances) for the protection of the following apparatus crossing the site:

- a. A 6" high pressure gas pipeline operated by Northern Gas Networks.
- b. Two water mains and an electrical cable operated by Yorkshire Water.

If the scheme includes the diversion of any apparatus then the applicant shall provide written evidence to the Local Planning Authority confirming that the proposed diversion(s) have been agreed with the relevant statutory undertaker before any development on the affected areas of the site first takes place. The development shall thereafter be carried out in full accordance with the duly approved scheme.

9. Any application for approval of reserved matters submitted pursuant to this permission shall include details of finished floor levels and external ground levels for each plot. The development shall thereafter be implemented in accordance with the duly approved details.

10. Any application for approval of reserved matters submitted pursuant to this permission shall include a scheme for the provision and future maintenance of public open space on the site. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include the provision of the following elements of public open space within the site:

- a. Areas of informal open space – including greenspace, landscaping and footpaths (the indicative locations of which are shown on drawing no.YOR.2621.018F), along with associated seating, signage, litter bins and interpretation boards.
- b. A Neighbourhood Equipped Area for Play (NEAP) providing a minimum of 7 square metres of activity space per dwelling for equipped children's play and containing no less than 12 play equipment items catering for age ranges from toddlers to 12 year olds.
- c. Informal children's play space at a minimum size of 11 square metres per dwelling.
- d. Equipped youth play and recreation provision at a minimum size of 7 square metres per dwelling.

The scheme shall include details of the size, siting, layout, design, a schedule of works and future maintenance arrangements for all elements of the public open space, and a timetable for its provision. The public open space shall be provided in accordance with the details and timetable contained within the duly approved scheme, and shall be maintained as such thereafter for use as public open space.

11. Any application for approval of reserved matters submitted pursuant to this permission shall include a landscaping scheme containing the following details:

- a. All trees, hedgerows, grassland and any other vegetation on/overhanging the site to be retained;
- b. Compensatory planting to replace any trees or hedgerows to be removed as part of the development;

- c. The strengthening and/or introduction of landscaping buffers along all boundaries of the site including, but not limited to, the indicative areas shown on drawing no. YOR.2621.018F and within the river corridor (including atop the banking of the watercourse) flanking Otley Road;
- d. The introduction of additional planting within the site which forms part of the internal development layout and does not fall within (i) to (iii);
- e. The type, size, species, siting, planting distances and the programme of planting of hedges, trees 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.

12. Any application for approval of reserved matters submitted pursuant to this permission shall include a scheme which specifies the extent of existing drystone walls on the site to be demolished, retained and/or renovated. The scheme shall include details of the location, length and height of all drystone walls on the site and shall specify any modifications to be made to these features. Development shall thereafter be carried out in full accordance with the duly approved scheme and the sections of dry stone wall to be retained and/or renovated shall be maintained as such thereafter.

13. Unless otherwise agreed in writing with the Local Planning Authority, any application for approval of reserved matters submitted pursuant to this permission shall include a scheme for the provision of a footpath to link pedestrian traffic from the development with the existing footway on the A6069 (Otley Road). The scheme shall include details of the route, size, layout, design and construction specification of the footpath and its point of connection with the existing footway on Otley Road (including identifying the need to remove any existing vegetation and/or boundary treatments). The footpath shall be constructed and made available for use in accordance with the duly approved scheme before 25% of the dwellings are first occupied, and shall be retained as such thereafter.

Note 1 : The Planning Manager was authorised to amend the above condition to require connection to the existing / an extension of the existing pavement on the A6069 under the railway bridge, together with associated lighting and signage.

Note 2 : In accordance with the above instruction Condition 13 was subsequently amended to read as follows:-

Unless otherwise agreed in writing with the Local Planning Authority, any application for approval of reserved matters submitted pursuant to this permission shall include a scheme for the provision of a footpath to link pedestrian traffic from the development with the existing footway on the A6069 (Otley Road). The scheme shall include details of:

- a. the route, size, layout, design and construction specification of the footpath;*
- b. its point of connection with the existing footway on Otley Road including, where necessary, the extension and/or enlargement of the existing footway on Otley Road and associated street lighting and signage; and*
- c. any existing vegetation and/or boundary treatments to be removed or altered.*

The footpath shall be constructed and made available for use in accordance with the duly approved scheme before 25% of the dwellings are first occupied, and shall be retained as such thereafter.

14. Any application for approval of reserved matters submitted pursuant to this permission shall include details of:

- a. Tactile paving.
- b. Vehicular, cycle and pedestrian accesses.
- c. Vehicular and cycle parking.
- d. Vehicular turning arrangements.
- e. Manoeuvring arrangements.
- f. Loading and unloading arrangements.

Development shall thereafter be carried out in full accordance with the duly approved details and the parking, manoeuvring and turning areas shall be provided and made available for use before any dwelling to be served by those areas is first occupied.

15. No development (including any works of site preparation) shall take place until a Written Scheme of Investigation (WSI) outlining a programme and timetable of archaeological investigation has been submitted to and approved in writing by the local planning authority. The WSI shall include:

- a. A phased programme and methodology of site investigation and recording to include:
 - a desk-based assessment including, where appropriate, historic building assessment(s), detailed survey and interpretative record;
 - a targeted archaeological evaluation; and
 - where appropriate, targeted area excavation.
- b. A programme for post investigation assessment to include:
 - analysis of the site investigation records and finds;
 - production of a final report on the significance of the archaeological interest represented.
- c. provision for publication and dissemination of the analysis and report on the site investigation.
- d. provision for archive deposition of the report, finds and records of the site investigation.
- e. nomination of a competent person(s) or organisation to undertake the work set out in the approved WSI.

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

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

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

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

17. No development shall take place until a Construction Environment Management Plan (CEMP) setting out details of measures to protect the watercourse of Skibeden Beck during construction has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of:

- a. The extent of open watercourse within the site to be retained and any parts to be culverted.
- b. The siting, height and design of any protective barrier to provide a construction exclusion zone around the watercourse.
- c. Measures to prevent the release of silt and pollution from the site into the watercourse both during and after construction.
- d. A drainage plan showing the interception, storage and settlement of surface water.
- e. A timetable for implementation

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

18. No development shall take place until a Habitat Management Plan (HMP) to protect and enhance: (a) the watercourse of Skibeden Beck and its surrounding wetland habitat; and (b) the woodland to the southwest corner of the site, has been submitted to and approved in writing by the Local Planning Authority. The HMP shall include:

- a. Details of the siting, height, materials, design and finish (including colour treatment) of any fencing to be erected to the perimeter of the areas referred to in (a) and (b) to restrict access to those areas.
- b. A scheme to enhance the ecological diversity of the areas referred to in (a) and (b).
- c. Details of the routing, layout, design and construction specification of footpaths crossing the areas referred to in (a) and (b) to provide pedestrian desire lines.
- d. Details of light spillage towards the areas referred to in (a) and (b) and measures indicating how this will be minimised.
- e. A timetable for the implementation of (a) to (d).

Development shall thereafter be carried out in full accordance with the HMP and the timetable contained therein.

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

- a. Detailed engineering drawings to a scale of not less than 1:500 based upon an accurate survey showing:
 - the proposed highway layout, including the highway boundary; dimensions of any carriageway, cycleway, footway, and verges;
 - visibility splays;
 - the proposed buildings and site layout, including levels;
 - accesses and driveways;
 - drainage and sewerage system;
 - lining and signing;
 - traffic calming measures;
 - all types of surfacing (including tactiles), kerbing and edging.
- b. Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:
 - the existing ground level;

- the proposed road channel and centre line levels;
- full details of surface water drainage proposals.

c. Full highway construction details including:

- typical highway cross-sections to scale of not less than 1:50 showing a specification for all types of construction proposed for carriageways, cycleways and footways/footpaths;
- cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels;
- kerb and edging construction details;
- typical drainage construction details.

d. Details of the method and means of surface water disposal to prevent surface water from non-highway areas discharging onto the existing or proposed highway.

e. A timetable for completion of the works detailed in a) to d).

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

20. No development shall take place until a scheme for the design and construction of the site access at the junction with the A6131 (The Bailey) – the position and layout of which is shown on drawing nos. SK008 Rev A and SK009 Rev A – has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include provision for:

- Splays giving clear visibility of 215 metres westerly and 160 metres easterly measured along both channel lines of the A6131 from a point measured 2.4 metres down the centre line of the access road. The eye height shall be 1.05 metres and the object height shall be 0.6 metres.
- A right hand turn lane for eastbound vehicles entering the site from the A6131, including associated ghost island approach and carriageway widening, signing and lining to comply with the standards set out in the Design Manual for Roads and Bridges.
- Associated tactile paving.

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

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

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

- The provision of tactile paving.
- A pedestrian crossing (including associated refuge island) over the carriageway of the A6131 in the position shown on drawing no. SK008 Rev A.
- The provision of 2 metre wide footways on the southern (running in a westerly direction from the site access to the junction of Greenacres) and northern (running in an easterly direction from the rear of no. 3 Skibeden Court to the junction of The Avenue) frontages of the A6131 in the positions shown on drawing no. SK008 Rev A.

The scheme shall be accompanied by an independent Stage 2 Road Safety Audit for the off-site highway improvement works which has been carried out in accordance with HD19/15 – Road Safety Audit (or any superseding regulations) and shall include details of how the recommendations of the Road Safety Audit have been addressed in the design of the proposed off-site highway works. The duly approved off-site highway works shall be implemented and made available for use before any of the dwellings are first occupied, or within any other timescale which has first been agreed in writing with the Local Planning Authority.

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

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

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

24. No Heavy Construction Vehicles (HCVs) shall be permitted to access the site until a survey recording the pre-commencement condition of the surface of the A6131 along the stretch where HCVs are to be routed to the site has been submitted to and approved in writing by the Local Planning Authority. Within 1 month of the development's practical completion (the point when all the dwellings are substantially constructed but not yet occupied) a survey showing the post-development condition of the same stretch of the A6131 shall be submitted to and approved in writing by the Local Planning Authority. The post-development survey shall be accompanied by a scheme which details the extent and construction specification for the resurfacing and/or repair of any potholes or areas of the road surface which have deteriorated between the pre-commencement and post-development surveys. The works of resurfacing and/or repair set out in the scheme accompanying the post-development survey shall be implemented in full within 1 month of the Local Planning Authority giving its written approval.

25. No above ground works shall take place until a scheme for the disposal of foul and surface water from the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- a. Separate systems for the disposal of foul and surface water.
- b. Measures to ensure that the peak pumped foul water discharge rate does not exceed 4 litres per second.
- c. Details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer which shall ensure that the rate of development flow runoff is restricted to a maximum flow rate of 5 litres per second. A 30% allowance shall be made for climate change and an additional 10% allowance made for urban creep for the lifetime of the development. The

surface water drainage design should demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 year event (including allowances for climate change and urban creep) will not exceed the runoff from the undeveloped site for the corresponding rainfall event.

d. Details of any flow attenuation measures required to achieve the discharge rate set out in (i). Storage of runoff on the site shall be provided to accommodate the minimum 1 in 100 year critical storm event (including appropriate allowances for climate change and urban creep).

e. Details of the treatment of all surface water flows from parking areas and hardstandings (but excluding roof water) through an oil interceptor, road side gullies, reedbed or alternative treatment system prior to their first use.

f. Details of ground exceedance and/or flood pathways to deal with exceedance flows in excess of the 1 in 100 year rainfall event and to ensure that runoff for all events up to the 1 in 30 year event are completely contained within the drainage system (including through the use of areas to hold or convey water).

g. Details of how the drainage system will be maintained and managed after completion throughout the lifetime of the development.

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

During Building Works

26. No topsoil stripping or clearance of any grassland, trees, scrub or dense tall herbs in preparation for or during the course of development shall take place during the bird nesting season (March to August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of any vegetation shall take place during the bird nesting season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

Before the Development is Occupied

27. Notwithstanding any details submitted as part of the application, none of the dwellings hereby approved shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall demonstrate compliance with the principles of the Framework Travel Plan by 'SCP' dated May 2017 (report reference TH/16558/TP/1) and shall contain:

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

i. procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

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

Ongoing Conditions

28. Any projection overhanging existing or proposed footways shall be securely fixed and, unless otherwise agreed in writing with the Local Planning Authority, no part shall be less than 2.4 metres above the footway level and no closer than 0.5 metres from the edge of the carriageway.

Informatives

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

There must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and the Highway Authority.

Works of repair to the adopted highway as a result of damage caused by construction traffic may include replacing carriageway, kerbs, footways, cycleways and verges to the proper line and level

Environment Agency: This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of Waller Hill Beck/Skibeden Beck, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

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

During construction there is a potential for noise nuisance to nearby residential properties. In order to minimise the potential for any adverse effects from noise, it is recommended that operating times for construction should be limited to:

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

Network Rail: The Given the location of the site at the crest of a railway cutting and adjacent to an operation railway tunnel, it is imperative that the developer liaises with Network Rail's Asset Protection Team prior to work commencing on site to ensure that work can be undertaken safely and that the proposed development will have no adverse impact on the safety of the operational railway environment, including the Hawbank Tunnel. Network Rail note that preliminary contact with our Asset Protection Team was made earlier this year and require that this liaison continue going forward.

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. All soakaways must be located so as to discharge away from the railway infrastructure.

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval. Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) must be contacted. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be

granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Network Rail would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. A comprehensive list of permitted tree species is available upon request.

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Northern Gas Networks: A 6" high pressure gas pipeline runs through the site. There are specific building proximity distances for individual Pipelines dependant on predefined risk levels and the type of development. It is essential you contact Plant Protection Officer Dave Turner on 07811970224 to verify the actual distances for the apparatus shown prior to detailed design stage as this will influence the locations of buildings.

Yorkshire Water: Company records indicate that raw and treated mains are located within the site boundary (along with an electrical cable). Both pipes are live and operational and critical to the public water supply for the Skipton area and the areas further north and west within Craven and the Dales served by Embsay water treatment works. The two pipes and cable are laid alongside each other and are protected via a deed of easement. The presence of the mains may affect the layout of the site. Although the application is for outline permission only, and therefore subject to change at reserved matters stage, Yorkshire Water advise that the submitted site layout details are not currently acceptable to them as it appears that buildings will be located over the line of the water mains which would jeopardise Yorkshire Water's ability to maintain the public water supply network. No obstruction should encroach within 5 metres on either side of the centre line between the two pipe mains (i.e. a protected strip width of 10 metres). It may be possible for the mains to be diverted under s.185 of the Water Industry Act 1991. These works would be carried out at the developer's expense. No houses, gardens, outbuildings, parking spaces should be located within the pipes' easement. It may be possible to locate the access roads over them subject to any ground raising requirement.

Statement of Positive Engagement : The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework. (SV) (*)

(Councillors Harbron and Heseltine stated that they had received lobbying against the above application.)

Permission Refused

63/2016/17313 Full application for the erection of 98 dwellings, Aldersley Avenue, Skipton – the Planning Manager to formulate appropriate reasons for refusal based on grounds of amenity arising from the proposed development's overall impact on the neighbouring, existing development, and in particular the impact associated with proposed ground levels.

Statement of Positive Engagement : The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. Those amendments had been incorporated into the scheme and/or secured by proposed planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework. (SV) (*)

Note : During the course of the debate a motion to refuse the above application on grounds related to saved Local Plan Policy ENV.1, existence of a five year land supply and design/layout (amenity) was lost.

(Councillors Harbron, Lis and Shuttleworth stated that they had received lobbying against the above application. Councillor Heseltine stated that he had received both lobbying against and some in favour of the above application.)

(*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.)

Minutes for Decision

- None -

Chairman.