

PLANNING COMMITTEE

1st July 2019

Present – The Chairman (Councillor Sutcliffe) and Councillors Brockbank, Brown, Harbron, Heseltine, Lis, Morrell, Pringle, Rose, Shuttleworth and Welch.

Officers – Legal Services Manager, Planning Manager, Principal Planning Officer, Planning Officer and Senior Democratic Services Officer.

Ward Representatives : Councillor Wheeler (Application 2018/19939/FUL), Councillor Brockbank (Application 2019/20318/OUT)

An apology for absence was received from Councillor Place.

Start: 1.35pm

Finish: 16:40pm

Note: The Committee took a comfort break at 2.40pm.

The minutes of the Committee's meetings held on 3 June 2019 were confirmed and signed by the Chairman, subject to a minor amendment.

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.928

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 2019/20479/FUL : All Members present indicated they had received lobbying against this application with the exception of Councillor Pringle who had not been lobbied either for or against.

Application 2019/20286FUL : Councillor Morrell indicated that although he had not been lobbied he had attended a meeting of the Parish Council where he sat in the public gallery and took no part in the discussion.

Application 2019/20318/OUT : Councillor Brockbank indicated that she had received lobbying for this application

PL.929

PUBLIC PARTICIPATION

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

Application 2019/20479/FUL: John Dawson (for Skipton Town Council)
Anne Fowler (for the objectors)
Gary Wilson (for the applicant)

Application 2019/19939/FUL: Patrick Hargreaves (objector)

PL.930

PLANNING REF: 2019/20416/FUL – LAND OFF SKIPTON ROAD, KILDWICK, - PROPOSED REASONS FOR REFUSAL

The Strategic Manager for Planning and Regeneration submitted a report that assessed the Planning Committee's proposed reasons for refusal on the application reference 2019/20416/FUL for the construction of 7 no. dwellings at the meeting on 3rd June 2019.

However, the Planning Manager informed the Committee that due to an error on the certificate of ownership submitted by the applicant, it would not, because of a point of law, be possible to determine the application at this meeting. The Planning Manager, stated that the matter was being corrected but because of statutory time limits he recommended that the report and determination of the application in the Schedule of Plans be deferred to the next meeting.

Resolved – That, the report is deferred to the Planning Committee to be held on 30th July 2019.

PL.931

APPLICATIONS FOR PLANNING PERMISSION

a. Delegated Matters

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

2017/18714/FUL Conversion of attached agricultural building to provide short-term holiday-let accommodation, single storey side extension to Holme House, School Lane, Austwick, demolition of detached garages, workshop and store and construction single storey detached replacement garages/workshop/store. Approved with Conditions

2018/19618/MMA Application for a minor material amendment of original planning approval referenced 32/2015/15390 to change the approved layout details to Plot 34 and to the access to Green Lane, Glusburn. Approved with Conditions.

2018/19703/FUL Change of use of existing holiday let accommodation, Managers lodge and double garage to 8 no. residential properties at Beech Tree Cottages, New Road, Ingleton. Approved with Conditions

2018/19721/CND Application to discharge condition no's 9, 10 and 14 on full planning application referenced 32/2016/17097 granted 14 August 2018 at Malsis Hall, Malsis Drive, Glusburn. DOC satisfactory

2018/19919/FUL Building to be used for agricultural purposes (storage of agricultural materials including hay, straw, feed and wool) at New Laithe Barn, Newton Grange Farm, East Marton, Skipton. Refused

2018/19979/FUL Proposed two residential units in the grounds of Welbeck House, Keighley Road, Cowling (Resubmission of withdrawn application ref: 2017/18861/FUL). Refused.

2018/20020/MMA Application to vary condition no. 2 (plans condition) of previous planning approval referenced 32/2016/17097 to re-position plots 21 and 22 at Former Malsis School, Colne Road, Glusburn. Approved with Conditions.

2018/20024/HH Erection of roof mounted photovoltaic solar panels onto the south and north aspects of the detached garage (retrospective) at Drinkalls Barn, Church Street, Gargrave, Skipton. Approved with Conditions.

2018/20038/OUT Outline planning application with all matters reserved excluding access for a residential development on circa 0.3 Ha of agricultural land proposing seven houses including 2, 3 and 4 bedroom units at land off Carla Beck Lane, Carleton, Skipton. Refused.

2019/20125/CND Application to discharge condition no's 6 (highways) and 8 (highways) of planning approval 32/2015/15390 (15390 - variation to original planning permission granted on appeal under ref: 32/2011/11429) at Green End, Green Lane, Glusburn. DOC applies to plots 39 to 50 of approved layout. DOC satisfactory.

2019/20147/LBC Internal alterations & upgrades and replacement doors & windows at Cedar House School, Low Bentham, Lancaster. Approved with Conditions.

2019/20150/FUL Retrospective planning permission for extension and various minor external alterations to existing restaurant, Little Chef, Gargrave Road, Skipton. Approved with Conditions.

2019/20217/HH Excavation of garden to front of house to create a fire pit and seating area and move position of garden gate at 1 Cross Lane Court, Bradley, Keighley. Approved with Conditions.

2019/20229/VAR Application to remove condition no. 7 (measures to divert the sewer) from planning consents referenced 26/2016/17297 and 26/2016/17299 on land off Shires Lane, Embsay, Skipton. Approved with Conditions.

2019/20242/FUL External lighting to perimeter of proposed Skate Park, Play Area, Bond Lane, Settle. Approved with Conditions.

2019/20255/FUL Construction of open car port and storage building on land adjacent to Burlington House, Dale End, Lothersdale, Keighley. Approved with Conditions.

2019/20265/HH Proposed construction of detached garage and store, set into existing banking at Todhill House, Station Road, High Bentham, Lancaster. Approved with Conditions.

2019/20274/OUT Outline application with all matters reserved to demolish existing buildings and construct new dwellings on the site at Ribblesdale Motors Ltd., Station Road, Settle. Refused.

2019/20279/MMA Minor material amendment to condition no. 2 (approved plans) of previously approved application referenced 2018/19444/FUL at former allotments and garages, Ings Avenue, Skipton. Approved with Conditions.

2019/20308/VAR Application to remove holiday let condition numbers 5 and 6 from planning permission referenced 5/31/58/J granted on 4 September 1989, numbers 3 and 4 from planning permission referenced 5/31/58/K granted 18 June 1990 and condition number 5 from planning permission referenced 31/2000/357 granted 30 May 2000 at Rowan House/Willow Cottage/Holly Lodge, Buck Haw Brow, Giggleswick. Approved with Conditions.

2019/20327/FUL Re-building of Building 'C' with associated minor alterations, Close House Farm Otley Road, Skipton. Approved with Conditions.

2019/20328/FUL Installation of a muck separator, ground level gantry and concrete midden Bentham Auction Mart, Main Street, High Bentham, Lancaster. Approved with Conditions.

2019/20337/MMA Minor material amendment to vary condition no. 2 (approved plans) of previously approved application referenced 18/2016/17399 land at Station Road, Clapham, Lancaster. Approved with Conditions.

2019/20339/FUL Amended driveway location (to previously approved dwelling referenced 2018/19124/FUL) Scalaber Farm, Back Lane, Low Bentham, Lancaster. Approved with Conditions.

2019/20353/ RETRES Change of use from Financial and Professional Services to residential (Prior Notification) Croft Flat, 58B Main Street, High Bentham, Lancaster. PN Approved.

2019/20366/LBC Listed building consent for amended driveway location at Scalebar Farm. Back Lane, Low Bentham, Lancaster. Approved with Conditions.

2019/20369/LBC Planned maintenance works to repair existing concrete beam to head of barn door and window on front elevation of building The Castle Inn, 2 Mill Bridge, Skipton. Approved with Conditions.

2019/20371/CND Application to discharge condition no. 3 (Surface Water) of planning approval referenced 2018/19278/FUL Forge Barn, Hill End Lane, Cowling, Keighley. DOC satisfactory.

2019/20388/LBC Listed Building Consent for replacement of window frames and glazing to windows A,B,C and D on the North elevation at Old Hall, College Road, Bradley, Keighley. Approved with Conditions.

2019/20393/HH Construction of greenhouse to rear of house Esh Bottom, Bell Busk, Gargrave. Application Withdrawn.

2019/20394/LBC Construction of greenhouse to rear of house Esh Bottom, Bell Busk, Gargrave. Application Withdrawn.

2019/20397/FUL Construction of extension to printworks Metcalfe Models and Toys, Esh Bottom, Bell Busk, Gargrave. Approved with Conditions.

2019/20380/CND Application to discharge condition no. 3 (landscaping details) of planning permission referenced 2017/18486/FUL at The Heigh, Mewith, Bentham, Lancaster. DOC satisfactory.

2019/20390/VAR Application to vary condition 2, of original planning consent referenced 2018/19403/HH, date of Decision 25/01/2019 Incorrect plans were approved at the time of the decision notice, The Lodge, Colne Road, Glusburn, Keighley. This permission relates to the following plans:

- 1507SHW/MSC/SP01 Rev D
- 1507SHW/MSC/BP01 Rev D
- 1507SHW/MSC/PD01 Rev A
- 1507SHW/MSC/TL01 Rev Gv2
- 1507SHW/MSC/TL02 Rev Gv2. Approved with Conditions.

2019/20398/CND Application to discharge condition no's. 3 (Materials), 4 (Hard Landscaping), 5 (Trees) and 7 (Surface Water) of planning approval referenced 18/2016/17399. Land to the South of Clapham bounded by Station Road, Clapham, Lancaster. DOC satisfactory.

2019/20404/FUL Change of use from A1 (retail) to A4 (micropub ale house). Premises are currently vacant. Unit 4, The Old Fire Station, 37 Coach Street, Skipton. Approved with Conditions.

2019/20413/ AGRRES Change of use of Wellhead Barn, Lothersdale Road, Glusburn to single storey dwellinghouse. PN Refused and Application Required.

2019/20414/MMA Variation to condition no. 2 of planning approval referenced 45/2016/17387 (to add a bay window to the front elevation, add a sun room on the rear elevation, link the garage to the house on Plot 3 of the site). Land off Main Street, Ingleton, Carnforth. Approved with Conditions.

2019/20415/HH Retrospective application to position a 2m square wooden gazebo on existing decking in rear garden at 17 Hall Croft, Skipton. Approved with Conditions.

2019/20417/TCA Remove 3 no. Sycamore at The Barn, Crag View, Cononley, Keighley. Approved Tree Works in Conservation Area.

2019/20422/CND Application to discharge condition no. 3 (Access) of planning approval referenced 2019/20206/HH at Fern Cottage, Burton Road, Low Bentham, Lancaster. DOC satisfactory.

2019/20434/HH Single storey rear extension at 3 Skipton Road, Hellifield, Skipton. Approved with Conditions.

2019/20438/FUL Extension to existing foodstore and external alterations to building Co-Op, Main Street, High Bentham, Lancaster. Approved with Conditions.

2019/20449/VAR Application to remove condition no. 2 of planning approval referenced 63/2011/11683 and condition 1 of planning approval referenced 63/2016/17155 to allow the portakabins to remain on the school site and be used for teaching at Ermysteds Grammar School, Gargrave Road, Skipton. Refused.

2019/20439/CND Application to discharge condition no's 12 (Levels), 20 (Sports Changing Accommodation) and 21 (Materials) of planning approval referenced 32/2016/17097. Discharge of condition 16 of LBC ref: 32/2016/17098. Malsis Hall, Malsis Drive, Glusburn, Keighley. Conditions complied with.

2019/20441/HH Garage conversion with new window at rear, removal of 1 garage door and replaced with a glazed screen at 11 Old Hall Croft, Gargrave, Skipton. Approved with Conditions.

2019/20442/HH Proposed front entrance porch & rear flat roof extension (Resubmission of previously approved application 2018/19387/HH). 9 Park Wood Close, Skipton. Approved with Conditions.

2019/20447/ADV Retrospective application for advertisement consent for 1 no. flat cut aluminium logo, powder coated Blue with white vinyl to face and stood off on brass locators and 1 no. non illuminated double sided hanging projecting sign. 48-50 High Street, Skipton. Approved with Conditions.

2019/20451/CND Application to discharge condition no. 3 (Retaining Wall Materials) of planning approval referenced 2018/19968/FUL. Castleberg Hospital, Raines Road, Giggleswick, Settle. DOC satisfactory.

2019/20454/CND Application to discharge conditions no. 3 (Bin Storage Facilities) and no 4 (Window Finishes) of planning permission referenced 2018/18894/FUL granted 10th January 2018. Ghyll Head Farm, Stockshott Lane, Cononley, Keighley. Split Decision.

2019/20457/HH Proposed garage conversion 2 Goffa Mill, Gargrave, Skipton. Approved with Conditions.

2019/20462/CND Application to Discharge Conditions 3, 5 and 6 of planning approval reference 2017/18524/FUL granted 19th December 2017. Ivy Cottage Farm, Carla Beck Lane, Carleton, Skipton. Split Decision.

2019/20465/TPO

T1 - Beech, remove 3 small low branches

T2 - Sycamore, crown lift to 6m

T3 - Sycamore, remove 1 low limb

G1 - Holly, lightly trim back to boundary wall

T6 - Sycamore, Remove old fire damaged limbs

T7 - Sycamore, crown lift to 5m

Bay Horse Inn, Ravens View, Ellers Road, Sutton-in-Craven, Keighley. Approved Tree Work under TPO.

2019/20467/HH Erection of single storey rear extension at 15 Scar View. Royd Street, Cowling, Keighley. Approved with Conditions.

2019/20470/TCA Remove 1 no. Conifer at 3 Oaklands, West Lane, Sutton-in-Craven, Keighley. Approved Tree Works in Conservation Area.

2019/20478/HH Single storey rear and side extension to provide kitchen diner, play room, shower room and utility at 270 Moorview Way, Skipton. Approved with Conditions.

2019/20496/FUL Existing timber framed shopfront and windows to be replaced with upvc type at 1 Main Street, Cross Hills, Keighley. Approved with Conditions.

2019/20497/NMA Non material amendment to original planning consent referenced 2018/19532/HH to change the external walls materials from coursed stonework and coloured render to coursed stone to the full height of the porch at 30 Meadow Lane, Cononley, Keighley. Non-material amendment approved.

2019/20498/CND Application to discharge condition no. 3 (External Materials) of planning approval referenced 2018/19147/FUL given 11th July 2018. Low Watson House, Clapham, Lancaster. DOC satisfactory.

2019/20499/FUL Change of Use (Ground & First Floors to B1) 1 Prospect Street, Keighley Road, Cross Hills, Keighley. Approved with Conditions.

2019/20512/TCA 1 no. Sycamore-Branched to be drawn back from the house and crown thinned on field adjacent to 5 High Gate Croft, Cononley, Keighley. Approved Tree Works in Conservation Area.

2019/20515/TPO T1 - Beech- Crown lift tree to 4.8m all round with no major limb removal. Crown thin to clear dead wood and any poor, rubbing limbs at Settle CE Voluntary Controlled Primary School, Bond Lane, Settle. Approved Tree Work under TPO.

2019/20519/NMA Non material amendment to original planning consent referenced 2018/19004/HH for alterations to proposed window and door positions at 6 Garden Terrace, Lothersdale, Keighley. Non-material amendment approved.

2019/20537/HH Conversion of undercroft garage and extension to create a living room and creation of parking space (resubmission of previous application referenced 2019/20234/HH) 2 Westland Close, Cross Hills, Keighley. Approved with Conditions.

2019/20526/HH Proposed two storey side extension at 35 Hazel Grove, Sutton-Craven, Keighley. Approved with Conditions.

2019/20538/TCA T1 Silver Birch – Fell, T2 Conifer – Fell at 10 Crosshills Road, Cononley, Keighley. Approved Tree Works in Conservation Area.

2019/20547/TPO 2 no. Sycamore - Removal of branches at 2 Beechwood Drive, Skipton. Approved Tree Works in Conservation Area.

b. Applications

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

Permission Granted

2019/20286/FUL Demolition of existing detached bungalow and construction of 2 no. detached dwellings at Roseneath, The Acres, Sutton-in-Craven BD20 7AT - subject to the informatives listed below being amended to include that the applicant/developer is advised that in the interests of promoting sustainable travel opportunities, electric vehicle charges points should be provided, the actual wording to be formulated by the Planning Manager.

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:

- Site Location Plan received 07th March 2019.
- Drawing titled "Proposed Block Plan/Roof Plan" received 20th May 2019.
- Drawing titled "Plot 1 Proposed Plans" received 20th May 2019.
- Drawing titled "Plot 1 Proposed Elevations" received 20th May 2019.
- Drawing titled "Plot 2 Proposed Plans" received 20th May 2019.
- Drawing titled "Plot 2 Proposed Elevations" received 20th May 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.

During Building Works

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

Reason: In the interest of satisfactory and sustainable drainage.

- 4 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to

- i) Evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
- ii) The means by which the discharge rate shall be restricted to a maximum of 3 litres per second.

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

Ongoing Conditions

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

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

- 6 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) no development consisting of the enlargement, improvement or other alteration of the dwellinghouse, nor the erection of any outbuildings, nor the erection or installation of any walls, fences, gates or other means of enclosure within the curtilage of the dwellinghouses hereby approved shall take place without the prior written approval of the Local Planning Authority.

Reason: In order to enable the Local Planning Authority to retain a degree of control over the development having regard to the sensitive location of the dwellings within the open countryside.

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

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

Informatives

1. Statement of Positive Engagement:

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

2. Hours of Construction

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

3. Noise

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.

4. Topsoil

The applicant is advised it is the responsibility of the developer to ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 Specification for Topsoil. Supplier(s) details and confirmation on the source(s) of any topsoil materials brought on site should be made available for inspection at the request of the Council's Environmental Health Department.

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

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

2018/19939/FUL Erection of single dwelling at land on the East side of Hayfield View off Green Lane, Glusburn BD20 8RT. This application was subject to an appeal for non-determination as a deemed refusal and was not before Members for formal determination. The application was presented to the Committee to seek a resolution on how the application would have been determined. Members resolved that they would have been minded to approve the application subject to the following conditions.

Conditions

Time Limit for Commencement

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

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

Approved Plans

- 2 This permission relates to the following plans:

Drawing no. 3901-014 PL37 revision A
Drawing no. 3901-014 PL38 revision A
Drawing no. 3901-014 PL39 revision A

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

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

Before you Commence Development

- 3 Development shall not begin until a scheme for foul sewage and surface water drainage has been submitted to and approved in writing by the local planning authority. The dwelling shall not be occupied before foul sewage and surface water drainage has been provided in accordance with the approved scheme.

Reason: In order to ensure satisfactory drainage and fould sewage disposal from the site.

Before the Development is Occupied

- 4 Prior to the occupation of the dwelling hereby approved a scheme for the provision of additional public open space shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to occupation of the dwelling.

Reason: In order to meet the requirement of saved Local Plan Policy SRC2 as regards the provision of Public Open Space.

- 5 The dwelling hereby approved shall not be occupied until the means of vehicular access to it and the parking spaces for it have been constructed in accordance with the approved details. The spaces shall be retained as such thereafter.

Reason: In the interests of highway safety.

- 6 Within 3 months of development first taking place, details of the height, design, materials and finish of all boundary treatments at the site (the siting of which is shown on the approved drawings) shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be constructed in accordance with the duly approved details before the building is first occupied, and retained as such thereafter.

Reason: In the interests of site security and to ensure a satisfactory relationship with the character of surrounding buildings and the street scene

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

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

- 8 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof, no windows, dormer windows or roof lights other than those expressly authorised by this permission shall be inserted in the rear (Eastern)] facing elevations of the dwellinghouse hereby approved.

Reason: In order to safeguard the privacy of adjoining residents by minimising the potential for overlooking of neighbouring dwellings and their garden areas

Informatives

1. Hours of Construction

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

2. 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.

3. Topsoil

The applicant is advised it is the responsibility of the developer to ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 Specification for Topsoil. Supplier(s) details and confirmation on the source(s) of any topsoil materials brought on site should be made available for inspection at the request of the Council's Environmental Health Department.

4. Noise

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.

Outline application with all matters reserved for 3 no. dwellings (re-submission of previous outline approval referenced 2018/18982/OUT) on land adjacent to Lairgill Lodge, Mount Pleasant, High Bentham LA2 7LA – subject to the informative listed below being amended to include: in the interests of promoting sustainable travel opportunities, electric vehicle charging points should be provided; swift boxes and appropriate wildlife protections should be put in place; and discussions should take place with the developer to see whether it would be appropriate to install solar panels, the actual wording to be formulated by the Planning Manager. The conditions should also be amended to require that the site is properly drained and surface water is not discharged to the foul sewerage system, the actual wording to be formulated by the Planning Manager.

Conditions

Time Limit for Commencement

- 1 An application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 2 years from the date of this permission.

Reason: To specify the time period in which planning permission should be implemented.

- 2 The development hereby permitted shall be begun not later than 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: To specify the time period in which planning permissions should be implemented.

Approved Plans

- 3 This permission relates to the following plans:

- o Site Location Plan, received 18th March 2019;
- o Site Access, received 18th March 2019;
- o Site Layout, received 18th March 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

- 4 No development shall take place without the prior written approval of the Local Planning Authority of all details of the following reserved matters: -
- o Appearance;
 - o Landscaping;
 - o Access;
 - o Layout; and
 - o Scale.

Thereafter the development shall not be carried out otherwise than in strict accordance with the approved details.

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004 and to safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.

- 5 No above groundworks shall take place until a scheme of affordable housing as part of developments 2019/20318/OUT, 2019/20319/OUT and 2018/18983/OUT 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 (2019) and any future guidance that replaces it.

The scheme shall include:

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

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

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

- 6 The application site has been identified as being at potential risk from the effects of contamination due to its proximity to the former Lairgill Sand Quarry. For this reason the following requirements shall be met:
- (i) The development hereby approved shall not commence until actual or potential land contamination at the site has been investigated and a Phase I desk study report has been submitted to and approved in writing by the local planning authority. The phase 1 desk study report shall be prepared in accordance with current best practice.
 - (ii) In the event that the Phase 1 desk study report identifies a need for further intrusive investigation then the development hereby approved shall not commence until a Phase II intrusive site investigation report has been submitted to and approved in writing by the local

- planning authority. The Phase II Intrusive Site Investigation report shall be prepared in accordance with current best practice.
- (iii) Should the need for remediation be recommended in the Phase II Intrusive Site Investigation report, the development hereby approved shall not commence until a Remediation Strategy has been submitted to, and approved in writing by, the local planning authority. The Remediation Strategy shall be prepared in accordance with current best practice. The approved remediation measures shall be implemented in accordance with the agreed timescales set out in the approved Remediation Strategy.
 - (iv) In the event that remediation is unable to proceed in accordance with an approved Remediation Strategy or unexpected significant contamination is encountered at any stage of the process, the local planning authority shall be notified in writing immediately. Revisions to the Remediation Strategy shall be submitted to, and approved in writing by, the local planning authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.
 - (v) Following completion of the measures identified in the approved Remediation Strategy, a Validation Report shall be prepared and submitted to, and approved in writing, by the Local Planning Authority. The submission of the Validation Report shall be undertaken within the approved timescales. The Validation Report shall be prepared in accordance with current best practice. The site shall not be brought into use until such time as all the validation data has been submitted to and approved in writing by the local planning authority.

Reason: To ensure that actual or potential land contamination at the site has been investigated and that any associated environmental risks have been assessed and mitigated against in an appropriate and effective manner.

- 7 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
- (i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
 - (ii) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details (as supplied by the applicant) and Standard Detail number E6.
 - (iii) Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
 - (iv) That part of the access(es) extending 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 20.
 - (v) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway (or vice-versa) shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
 - (vi) The final surfacing of any private access within 6 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

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

- 8 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 45m measured along both channel lines of the major road B6480 from a point measured 2m down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of road safety.

- 9 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.

Informatives

1. The applicant should identify all areas of the site and the site operations where dust may be generated and ensure that dust is controlled so as not to ravel beyond the site boundary.
2. During construction there is a potential for noise nuisance to nearby residential properties.

Operating times for construction should be limited to:

- 8:00am to 18:00pm Monday to Friday
- 8:00am to 13:00pm Saturday
- No Sunday or Bank Holiday working

3. The applicant needs to have regard to the BS8233:2014 Guidance on 'Sound Insulation and Noise Reduction for Buildings' which presents guideline noise levels for both inside and outside dwellings. The applicant should adhere to the levels shown in the document and provide evidence to the Local Planning Authority of how the levels will be achieved (see Table 4, page 24).
4. The applicant should ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882:2015 - Specification for Topsoil.

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

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

7. 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.

Consideration Deferred

2019/201416/FUL Construction of 7no. dwellings with associated off street parking and infrastructure (resubmission of refused application 2017/18569/FUL) land off Skipton Road, Kildwick, Keighley BD20 9BB – deferred to the next meeting because of a point of law concerning an error on the certificate of ownership submitted by the applicant which was now being remedied.

Permission Refused

2019/20479/FUL Construction of 1 no. 2 bed bungalow, 1 no. 3 bed bungalow and 4. No. 4 bed dwellings with associated vehicular access and landscaping at Rockwood House, Park Wood Close, Skipton BD23 1QW. (Resubmission of previously refused application referenced 2019/20096/FUL.)

Reasons for Refusal

The proposed development is considered to represent an overdevelopment of the site, and will be overbearing in nature in relation to neighbouring properties located in the vicinity. As such, the proposal is contrary to the guidance contained within the National Planning Policy Framework.

PL.932

PLANNING ENFORCEMENT

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period 22nd May 2019 to 21st June 2019.

PL.933

PUBLIC PARTICIPATION

The Chairman agreed that Councillor Pringle be allowed to make a statement regarding an enforcement case that had appeared in the media relating to an unauthorised building that had been erected in a garden in Gargrave. Councillor Pringle drew Members' attention to the situation and the petition that had been started. In response the Planning Manager agreed to provide a written response to Councillor Pringle with a copy to all Members of the Committee.

Minutes for Decision

- None -

Chairman.