

## CRAVEN DISTRICT COUNCIL

### PLANNING COMMITTEE – SITE VISIT

23<sup>rd</sup> September 2019

#### AGENDA

Please note that the Committee will visit the following sites on Monday 23<sup>rd</sup> September 2019. Members are asked **to meet on Nethergyll Lane, Cononley at 12.00pm**, or alternatively at the Belle Vue Square Offices car park **no later than 11.45am**:

- a) **2019/20401/FUL application for a dwelling at Nethergyll Lane, Cononley, BD20 8PB; and**
- b) **To re-visit the site of a recently allowed appeal on land adjacent Glen Royd, Woodside Lane, Cononley, BD20 8PE (reference 2018/18988/FUL)**

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

Agenda Contact Officer: Vicky Davies  
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Tel. 01756 706486  
13<sup>th</sup> September 2019.

## **Planning Committee Site Visit Procedure**

- A. On arrival, the Chairman will call the Members of the Planning Committee, any Ward Representative(s) and others invited to be present to order. The Chairman will explain the purpose of the site visit so that all are aware that it is a fact finding exercise only and that no decision will be taken until the Committee meeting.
- B. The Chairman will then ask the appropriate officer to describe the proposal to Members, identify relevant features of the site, and raise the principal planning considerations. The Officer may also draw Members' attention to the relevant points regarding objections/observations received.
- C. The Chairman will then ask any other officer, e.g. Highways Officer, Environmental Health Officer, to address the Members.
- D. Members will then be invited through the Chairman to ask any questions or seek clarification of facts from the Officers present. Members should not direct these questions to the applicant or others present. Any matters not to hand will be reported at the Committee meeting. Discussion on the merits of the application will not be permitted, and Members should refrain from making comments on the proposal.
- E. A representative of the Parish or Town Council or Parish Meeting will be invited to advise Members on matters of fact relating to the application site.
- F. The applicant and others present will not be allowed to speak unless he or she is specifically asked by the Chairman or a senior officer to
  - point out particular matters on site, or
  - to clarify or respond to Member's questions in respect of particular factual matters, relevant to the site of the planning application/planning matter.

Applicants/agents will be given prior notice of the time and date of the site visit.

- G. When the Chairman considers that the purpose of the site visit has been achieved, (s)he will declare the site visit finished and Members will promptly leave the site.
- H. Whilst conducting the site visits Members will have due regard to the health and safety of themselves and others and will follow appropriate safety instructions on site, including any guidance on parking and access. Under no circumstances will Members or Officers enter a site without wearing the appropriate safety equipment (if any) required.
- I. A note will be taken by the appropriate officer of those present at each site visit.
- J. Members should be aware at all times that site visits mainly take place on privately owned land. They should be careful not to damage any property or do anything that may cause problems for or distress to the landowner.
- K. Where arrangements have been made for a site visit to take place on land which does not form part of the specific area under consideration/application site, the appropriate officer will have sought the necessary permission from the occupier of that land in writing.



## PLANNING COMMITTEE

**1.35pm on Monday 23<sup>rd</sup> September, 2019**  
**Belle Vue Suite, Belle Vue Square Offices, Skipton**

**Committee Members: The Chairman (Councillor Sutcliffe) and Councillors, Brockbank, Brown, Harbron, Heseltine, Lis, Morrell, Place, Pringle, Rose, Shuttleworth and Welch.**

## AGENDA

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

1. **Apologies for absence and substitutes**
2. **Confirmation of Minutes** – 27<sup>th</sup> August 2019.
3. **Public Participation** – In the event that any questions/statements are received or members of the public wish to ask questions or address the Committee **in respect of matters not appearing on this agenda**, the public participation session will proceed for a period of up to fifteen minutes.
4. **Declarations of Interest** – All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

(Note: Declarations should be in the form of:

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

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

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

- (a) Applications to be determined by the Committee.
- (b) Details of applications determined by officers under the Scheme of Delegation.
- (c) Enforcement - New complaints registered / complaints closed.

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



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

Agenda Contact Officer: Vicky Davies  
Tel. 01756 706486, E-mail [committees@cravendc.gov.uk](mailto:committees@cravendc.gov.uk)  
13<sup>th</sup> September 2019.

### **Additional Information**

The circulation of materials cannot be accepted during the meeting. Any additional information has to be submitted to the Case Officer in advance of the meeting by 12 Noon on the last working day before the meeting date.

### **Recording at Council Meetings**

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

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

### **Emergency Evacuation Procedure**

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



### PLANNING COMMITTEE

27<sup>th</sup> August 2019

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

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

Ward Representatives : Councillor Heseltine (Application 2019/20603/FUL and 2019/20304/FUL) and Councillor Brockbank (Application 2019/20657/FUL).

An apology for absence was received from Councillor Harbron.

Start: 1.38pm

Finish: 3.55pm

Councillor Welch left the meeting at 3.05pm.

Councillor Place left the meeting at 3.45pm.

Note: The Committee took a brief adjournment at 2.04pm to read additional information in relation to Application 2019/20603/FUL and also a comfort break at 2.55pm.

The minutes of the Committee's meetings held on 30<sup>th</sup> July 2019 were confirmed and signed by the Chairman.

### Minutes for Report

PL.940

#### 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 2019/20603/FUL** Members of the Committee had been lobbied for the application by way of additional information supplied by the applicant and circulated at the meeting and/or email with Councillor Heseltine also being lobbied against this application.

**Application 2019/20657/FUL** Councillor Brown indicated that he had been lobbied about a condition in respect of this application.

PL.941

#### PUBLIC PARTICIPATION

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

Application 2019/20603/FUL: Mr M Weaving (applicant)

Application 2019/20304/FUL: Mr G Bell (Skipton Town Council)

PL.942

#### 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:

63/2016/17523 Proposed new car park (up to 180 spaces), improvements to sports pitch including improved playing surface and marking out of pitch, site access and associated ancillary works on land adjacent to Carleton New Road, Skipton. Application Withdrawn

2018/19767/OUT Outline planning application (with all matters reserved other than access) for 6 detached residential dwellings at land off Carla Beck Lane, Carleton in Craven, Skipton. Approved with Conditions.

2018/20010/FUL Proposed first floor flat over ex garage and stables approved under decision 17/2014/14325 for son of applicant (Retrospective Application) at Carleton Biggin Farm, Carleton, Skipton. Application Withdrawn.

2019/20132/FUL Proposed change of use of games room above garage to form a 2 bedroom holiday letting unit at Woodlands, Netherghll Lane, Cononley, Keighley. Refused

2019/20204/LBC To replace existing rotting windows to first floor and 1 ground floor window with like for like units at Sutton House, Ellers Road, Sutton-in-Craven, Keighley. Approved with Conditions.

2019/20227/FUL Subdivision of existing dwelling into 2 no. dwellings including extension, internal alterations and new garage at Gill Head Farm, Robin Lane, High Bentham, Lancaster. Approved with Conditions.

2019/20228/FUL Conversion of the existing stone farm buildings to create one dwelling at Gill Head Farm, Robin Lane, High Bentham. Lancaster. Approved with Conditions.

2019/20262/VAR Application to vary condition 2, 3, 6 and 25 of original planning consent referenced 2018/18950/FUL on a site of former St Monica's Convent, Raikes Road, Skipton. Approved with Conditions.

2019/20297/HH To build a conservatory (Orangery) on the side of the house, Crown Hill Farm, Skipton Road, Cononley, Keighley, West Yorkshire. Approved with Conditions.

2019/20301/LBC Replacement of existing timber windows and doors with powder coated aluminium sliding sash windows and powder coated aluminium doors at Victoria Mill, Belmont Wharf, Skipton. Approved with Conditions.

2019/20329/FUL Retrospective application for construction of 10 no. dwellings including details for drainage, road construction, site investigation and amendments to plot 1 and 10 Allen Green and Son Ltd., North Street, Sutton-in-Craven. Approved with Conditions.

2019/20373/FUL Proposed change of use of lower ground floor from residential to 2 holiday cottages, the Old Saw Mill, Chapel Hill, Skipton. Approved with Conditions.

2019/20416/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. Approved with Conditions.

2019/20420/CND Application to discharge condition 6 (During Building Works) of planning approval referenced 2016/19878/OUT dated 05/03/2019. Low Paley Green, Paley Green Lane, Giggleswick. DOC satisfactory

2019/20421/HH Detached double garage with home office over at 2 The Park, Bank View, Low Bentham, Lancaster. Approved with Conditions.



2019/20426/OUT Outline application for farm workers dwelling and agricultural building (access applied for with all other matters reserved) at land off Strikes Lane, Sutton in Craven, Keighley. Approved with Conditions.

2019/20428/FUL Lodge-style caravan for use as a bistro (Retrospective application) at Rivers Edge Holiday Homes and Lodges, Bentham Road, Ingleton, Carnforth. Approved with Conditions.

2019/20433/FUL Proposed enlargement, improvements to existing buildings, construction of new buildings and amendments to car parking/trailer parking arrangements at Settle Creamery, Southward Industrial Estate, Sowarth Field, Settle. Approved with Conditions.

2019/20460/HH Conversion of existing derelict ancillary building, including side extension sun-room, to form annexe to existing dwelling at St Peters Cottage, Moorber Lane, Coniston Cold, Skipton. Approved with Conditions.

2019/20464/CND Discharge of condition nos. 3 and 8 of planning permission ref: 2018/19386/FUL land east of Laurel Croft, Embsay, Skipton. DOC satisfactory

2019/20466/FUL Proposed outdoor menage and replacement stable block at Quarry House, Babyhouse Lane, Cononley, Keighley, West Yorkshire. Approved with Conditions.

2019/20469/FUL Proposed new stable block, inclusive of feed store and barn area; outdoor manège and associated access track at Greenberfield, Cross Lane, Low Bentham, Lancaster. Approved with Conditions.

2019/20480/HH Dropped kerb crossing for vehicular access at 4 Burnmoor View, Back Gate, Ingleton, Carnforth. Approved with Conditions.

2019/20491/CND Application to discharge Condition no. 9 (Privacy Screen) 1.8m high wooden fence using feather edge boards with concrete fence posts and gravel boards Condition no. 11 (Landscaping) Annual plant to be used in existing planter in wall on top of gabions to the front (North) of the property. Perennial and Annual plants eg Hosta, Penstemon, Daisy, Lavender, Lupins to be used in planted area between patio and boundary fence to the rear (South) of the property. Tarmac parking & turning area to the front (North), leading to sides (West) and (East) as attached illustration. Indian stone paving flags to be used for rear patio as per attached illustration. 18 Main Street, Ickornshaw, Cowling. DOC satisfactory

2019/20492/CPE Installation of 4 no. roof windows, raising of flat roof to existing rear extension and modification of kitchen window openings at 6 West View, High Hill Grove Street, Settle. Approved Cert. Lawful Development.

2019/20500/ MMA Variation of condition no. 2 (approved plans) of planning approval referenced 2018/19147/FUL given 11th July 2018 at Low Watson House, Clapham, Lancaster. Approved with Conditions.

2019/20501/FUL Erection of an agricultural building and ancillary hardstanding/access track (retrospective) Langber End Lane, Ingleton, Carnforth. Approved with Conditions.

2019/20513/HH Creation of new window opening and installation of bathroom window (frosted glass) to the upstairs bathroom of the house 12 Townhead Croft, Settle. Approved with Conditions.

2019/20524/FUL Extension to existing car park (The access road only is under the consideration of Craven District Council). Thornton Hall, Thornton in Craven, Skipton. Approved with Conditions.

2019/20525/COU Change of use from shop and flat to house at 3 Church Street, Giggleswick. Approved with Conditions.

2019/20528/ADV Installation of replacement of illuminated and non illuminated signs to the exterior of the building and repainting of exterior windows and doors at Black Bull Inn, High Street, Sutton-in-Craven, Keighley. Approved. with Conditions



2019/20529/LBC Installation of replacement of illuminated and non illuminated signs to the exterior of the building and repainting of exterior windows and doors at Black Bull Inn, High Street, Sutton-in-Craven, Keighley. Approved with Conditions

2019/20536/FUL Replacement of existing shop front with new. New shop front to match existing where possible at 17 Otley Street, Skipton. Approved with Conditions.

2019/20544/HH 2 storey extension to side of property at 63 Burnmoor Crescent, Ingleton. Approved with Conditions

2019/20545/REM Approval of the appearance, landscaping, layout and scale as reserved by condition in outline consent referenced 2018/19878/OUT for 1 dwelling at Low Paley Green, Paley Green Lane, Giggleswick. Approved with Conditions.

2019/20546/HH Demolition of existing conservatory and construction of new single-storey side and rear extensions 10 Marina Crescent, Skipton. Approved with Conditions.

2019/20548/CND Application to discharge condition no. 7 (Construction Method Statement) of planning approval referenced 2018/18950/FUL given 22nd June 2018 Site of Former St Monicas Convent, Gargrave Road, Skipton DOC satisfactory.

2019/20549/HH Erection of vestibule extension on front of property at Schiehallion, Croft Road, Ingleton, Carnforth. Approved with Conditions.

2019/20552/HH Proposed single storey side extension and rear two-storey/single storey extension at 7 Sharpshaw Avenue, Skipton. Approved with Conditions.

2019/20556/HH Construction of replacement garage and link to house – Sunningdale, Skipton Road, Hellifield, Skipton. Approved with Conditions.

2019/20560/HH Conversion of detached garage to provide additional accommodation at 29 Drovers Walk, Hellifield, Skipton. Approved with Conditions.

2019/20561/HH Single storey side and rear extension with alterations at 2 High Croft, High Bentham, Lancaster. Approved with Conditions.

2019/20563/HH Extensions to dwelling house at 31 Aire Valley Drive, Low Bradley, Keighley. Approved with Conditions.

2019/20567/TCA 1 x Conifer Tree – Remove at 14A Gargrave Road, Skipton. Approved Tree Works in Conservation Area.

2019/20568/HH Proposed single storey rear extension at 9 Hayton Way, Skipton. Approved with Conditions.

2019/20569/FUL Change of use of land for the siting of a holiday lodge style static caravan for sales display purposes for a period of 3 months (beginning of August to end of October 2019) Country Harvest Farm Shop, New Road, Ingleton, Carnforth. Approved with Conditions.

2019/20573/FUL Single dwelling (resubmission of undetermined application referenced 2018/19939/FUL) on land to the north of Hayfield View, Green Lane, Glusburn. Approved with Conditions.

2019/20575/ MMA Variation of condition no. 2 of application reference number: 2018/19994/HH granted 22/02/2019 to allow a change in roof pitch to lessen overall impact of development by substitution of amended drawing 449.050C 2 Bank View, Doctors Hill, Low Bentham, Lancaster. Approved with Conditions.

2019/20576/CND Application to discharge condition no. 4 (DID-116673 05 Drainage Management and Maintenance Plan DID-116673 06 Technical Note) on planning appeal decision referenced APP/C2708/W/18/3210340 allowed 17 May 2019 on land to the north of Kings Mill Lane, (former NYCC depot, Settle). DOC satisfactory.

2019/20577/VAR Variation of condition no. 5 of application reference number 2019/20075/FUL granted 12/04/2019 to extend time period for the treatment of external surfaces at Hail Bank, Burton-in-Lonsdale, Carnforth. Approved with Conditions.

2019/20578/CND Application to discharge condition no's 3 (Boundary Treatments) and 5 (Shed Colour) of planning approval referenced 2019/20075/FUL granted 12.04.2019 at Hall Bank, Burton-in-Lonsdale, Carnforth. DOC satisfactory.

2019/20579/HH Proposed conversion of storage building into sun room at Bijou, Church Street, Settle. Approved with Conditions.

2019/20580/HH Erection of side walls, garage door, pedestrian door and side window to enclose existing double car-port to form garage at 1 Bull Copy Cottages, Windy Hill, Ingleton, Carnforth. Approved with Conditions.

2019/20581/HH Single and two storey rear extension and alterations at 4 Princes Crescent, Skipton. Approved with Conditions.

2019/20582/ AGRES Change of use of agricultural building to dwellinghouse (Prior Notification) at Delph Barn, Netherghyll Lane, Cononley, Keighley. PN Refuse and Application Required.

2019/20583/HH To construct an additional floor over the existing single storey extension to the original dwelling house at 1 Hazel Grove Road, Sutton-in-Craven, Keighley. Approved with Conditions.

2019/20584/HH Construction of side extension at 28 Tarn Moor Crescent, Skipton. Approved with Conditions.

2019/20585/FUL Change of land use from agricultural use to use of internment of human ashes only at Tarn Moor Memorial Woodland, Brackenley Lane, Embsay, Skipton. Refuse.

2019/20590/HH Construction of living room extension, single storey at Webster House, Beech Hill Road, Carleton, Skipton. Approved with Conditions.

2019/20623/ADV Application for advertisement consent for Craven sign placed on north side of A6068 to rear of North Yorkshire sign, mounted on existing sign posts. Sign 3, A6068, Cowling. Application Withdrawn.

2019/20627/ADV Application for advertisement consent for Craven sign placed on north side of B6478 East of Longtons Lane, mounted on existing sign post. Sign 7, B6478, Tosside. Application Withdrawn.

2019/20628/ADV Application for advertisement consent for Craven sign placed on west side of Slaidburn Road North of Aikengill Road, mounted on two posts at Sign 8, Slaidburn Road, High Bentham. Application Withdrawn.

2019/20629/ADV Application for advertisement consent for Craven sign placed on south side of B6480 West of Ridding Lodge, mounted on two posts. Sign 9, A6480, Low Bentham. Application Withdrawn.

2019/20631/ADV Application for advertisement consent for Craven sign placed on south side of A65 East of Ireby Road, mounted on existing sign post Sign 11, A65, Ingleton. Application Withdrawn.

2019/20632/ADV Application for advertisement consent for Craven sign placed on north side of A65 south-east of Chelker Reservoir, mounted on existing sign posts. Sign 12, A65 Addingham. Application Withdrawn.

2019/20597/HH Erection of greenhouse at Dubsyke, Keasden, Clapham, Lancaster. Approved with Conditions.

2019/20598/HH Rear two storey extension to provide for ground floor kitchen extension & the addition of a bedroom at first floor level. 10 Goodenber Road, High Bentham, Lancaster. Approved with Conditions.

2019/20600/VAR Application to vary condition no. 3 (Materials) of planning approval referenced 69/2016/17186 from pre-commencement to post commencement to allow materials to be approved. Thornton Village Hall, Colne and Broughton Road, Thornton-in-Craven, Skipton. Approved with Conditions.

2019/20601/HH Retrospective application for 1.8m high wall & gates adjacent to the highway at 1 & 2 The Croft, Draughton, Skipton. Approved with Conditions.

2019/20602/HH Proposed rear extension to 74 Clayton Hall Road, Cross Hills, Keighley. Approved with Conditions.

2019/20604/HH Conservatory to rear of 5 Crofters Mill, Sutton-in-Craven, Keighley. Approved with Conditions.

2019/20605/TPO 1 no. Sycamore Tree – Fell at High Bank Cottage, Low Bradley, Keighley. Approved Tree Work under TPO.

2019/20608/HH Form Bay Window to West Elevation with canopy overhang at 27 Aldersley Avenue, Skipton. Approved with Conditions.

2019/20609/HH Proposed internal alterations and construction of new pitched roof over existing garage at 7 Sandholme Drive, Station Road, Settle. Approved with Conditions.

2019/20612/HH Demolition of conservatory and construction of single-storey rear extension, and double-storey side extension at 1 North Parade, Skipton. Approved with Conditions.

2019/20619/ S106 Proposed modification to Section 106 Agreement dated 25 October 2017 relating to planning application 32/2011/11429 (amendment to local connection clause) at Green End, Green Lane, Glusburn, Keighley. Variation to existing S106 Agreement.

2019/20633/HH Proposed attached single storey garage extension and conversion of existing garage to form living accommodation at 7 Rockwood Close, Skipton. Approved with Conditions.

2019/20638/TCA Silver Birch Tree - Crown reduce by up to 8 feet at 85A Main Street, Cononley, Keighley.

Approved Tree Works in Conservation Area.

2019/20641/CND Application to discharge condition no. 7 on listed building consent referenced 2018/19390/LBC granted 31 July 2018 at White House, Chapel Lane, Halton East, Skipton. DOC satisfactory.

2019/20639/HH Proposed two storey side extension at Saltering, Woodside Lane, Cononley, Keighley. Approved with Conditions.

2019/20640/TCA Fell 1 no. Leylandii. Reduce and Reshape 1 no. Holly. Barton Cottage, Duke Street, Burton-in-Lonsdale, Carnforth. Approved Tree Works in Conservation Area.

2019/20642/FUL Proposed internal and external alterations of existing building to form 4 no. flats from existing 3 no. flats. Replacement of existing doors and windows at 11 Highfield Terrace, Craven Street, Skipton. Approved with Conditions.

2019/20649/HH Front entrance alteration to 57 Grassington Road, Skipton. Approved with Conditions.



2019/20650/HH Proposed single storey rear kitchen extension (resubmission of previous refused application referenced 2019/20435/HH) at 2 Sunnybank Villas, Bungalow Road, Glusburn, Keighley. Approved with Conditions.

2019/20653/TCA Fell 1 no. Conifer at Low Fold Barn, The Fold, Lothersdale, Keighley. Approved Tree Works in Conservation Area.

2019/20688/HH Construction of steps to the rear of conservatory at 61 Sharpshaw Avenue, Skipton. Approved with Conditions.

2019/20658/HH Single Storey Rear Extension at The Folly, Spring Rise, Draughton, Skipton. Approved with Conditions.

2019/20659/TCA 1 no. Copper Beech, 1 no. Cherry & 1 no. Holly - Crown lift up to 2m at 10 Main Road, Kildwick, Keighley. Approved Tree Works in Conservation Area.

2019/20660/HH Single storey front extension to provide larger lounge at 42 Meadow Lane, Cononley, Keighley. Approved with Conditions.

2019/20662/TCA Remove 3 no. Conifers at Dale House, Beck Side, Carleton, Skipton. Approved Tree Works in Conservation Area.

2019/20672/TCA Fell two Beech Trees at St. Johns House, Crosshills Road, Cononley, Keighley. Approved Tree Works in Conservation Area.

2019/20674/TPO T4 Sycamore - Crown reduce by 4m and remove lower 2 limbs. T5 Sycamore - Remove  
T6 Sycamore - Crown reduce by 4m T10 & T11 Beech - Crown reduce by 4m at Dunbrewin, Main Street, Farnhill, Keighley. Split Decision.

2019/20675/TPO T1 Sycamore - Crown Reduce by 25%. T2 Sycamore - Crown Reduce by 15% at Old Cote Farm, Cam Lane, Thornton-in-Craven. Approved Tree Works in Conservation Area.

2019/20676/CND Discharge condition No. 8 (Materials) of planning approval 2017/18382/VAR. Barn, Low Lane, Holme Lane, Halton East, Skipton. DOC satisfactory

2019/20704/LBC Retrospective LBC for retention of replacement of first floor single glazed sash window with Ventrolla double glazed sash window to the north-west (rear) elevation. Well House, Bankwell Road, Giggleswick, Settle. Approved with Conditions.

2019/20705/NMA Non material amendment to original planning consent referenced 63/2017/18128 for a new through colour render in white. 1 Raikeswood Drive, Skipton. Approved with Conditions.

2019/20719/NMA Non material amendment to original planning consent referenced 2018/19993/HH for additional uprights to pergola at Longber Barn, Longber Lane, Burton-in-Lonsdale, Ingleton. Approved with Conditions.

2019/20721/TCA 1 x Conifer Tree – Remove at Mews Cottage, Colne and Broughton Road, Thornton-in-Craven, Skipton. Approved Tree Works in Conservation Area.

2019/20725/TCA T1 Ash-Crown lifting at 9 Church Street, Settle. Approved Tree Works in Conservation Area.

2019/20727/CND Application to discharge condition no. 5 (Archaeological Investigation) on planning appeal decision referenced APP/C2708/W/18/3210340 allowed 17 May 2019 on land to the north of Kings Mill Lane, (formerly NYCC depot), Settle. DOC satisfactory.

2019/20728/TCA Tree 1 Beech- Remove at Skipton Castle, The Bailey, Skipton. Approved Tree Works in Conservation Area.

## AGENDA ITEM 2

2019/20730/TPO 2 x Ash Trees – fell at Thorlby House, Stirton, Skipton. Approved Tree Work under TPO.

2019/20745/NMA Non material amendment to original planning consent referenced 2019/20438/FUL to refrain from replacing trees after removal (T14 -T16). United Cooperatives late shop, Main Street, High Bentham, Lancaster. Non-material amendment approved.

2019/20757/ PNAG Agricultural Storage Building at Stone Gappe Hall, Lothersdale, Keighley. Prior Approval Not Required.

### **b. Applications**

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

#### **Permission Granted**

**2019/20304/FUL Application for 5 No. houses and associated parking/external works on land adjacent to North Parade, Skipton** – subject to the conditions listed below being amended so that the houses exteriors are of stone (including artificial stone) and render and not wood and that an informative be added to ensure that North Yorkshire County Council as the Highways Authority and the developer are made aware that works may be required to the culvert to prevent surface water from flooding onto the road before development commences. The actual wording to be formulated by the Planning Manager.

#### **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 The permission relates to the following plans:

- Drawing No. 001 Rev A received 25th July 2019.
- Drawing No. 002 received 13th 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**

- 3 Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority there shall be no excavation or other groundworks, except



for investigative works, or the depositing of material on the site until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority:

- Movement and construction of speed hump and all associated works.

Reason: In accordance with Saved Local Plan Policy T2, paragraph 109 of the National Planning Policy Framework and the interests of the safety and convenience of highway users.

### **During Building Works**

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

- a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway,
- b. on-site materials storage area capable of accommodating all materials required for the operation of the site,

Once approved, these areas shall be kept available for their intended use at all times that construction works are in operation.

Reason: In accordance with Saved Local Plan Policy T2 and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

- 5 No construction works shall take place within 5 metres of the centre line of the 90mm water main and the 450mm surface water sewer within the site boundary until measures to protect these assets have been submitted to and approved in writing by the Local Planning Authority. Once approved, these protection measures shall be implemented through the lifetime of the construction works.

Reason: In accordance with the aims and objectives of section 8 of the NPPF and in order to protect public health and the public water supply.

- 6 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.

- 7 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



## AGENDA ITEM 2

ii) the means by which the discharge rate shall be restricted to a maximum rate of 3.5 litres per second.

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

- 8 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 and retained as such thereafter.

Reason: In accordance with paragraph 127 of the NPPF and 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.

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

- 9 Prior to the occupation of the dwellings hereby approved the part of the access(es) extending 6 metres into the site from the carriageway of the existing highway has been made up and surfaced in accordance with the approved details and the published Specification of the Highway Authority. All works shall accord with the approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority. Any damage during use of the access until the completion of all the permanent works shall be repaired immediately.

Reason: In accordance with Saved Local Plan Policy T2 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

#### **Informative**

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

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

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

Reason: In accordance with Saved Local Plan Policy T2 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

### **Ongoing Conditions**

- 11 No obstruction (including landscape features) shall be located over or within 5 metres of the centre line of the public water main and/or the 450mm public sewer that are laid within the site boundary. No trees shall be planted within 5 metres of the 150mm/100mm foul sewers laid within the site boundary.

Reason: In accordance with the aims and objectives of section 8 of the NPPF and in order to protect public health and the public water supply.

- 12 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 (as amended), 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 accordance with paragraph 127 of the NPPF and 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.

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

Reason: In accordance with Saved Local Plan Policy T2 and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

- 14 Due to the location of the gas pipeline, all tree planting near the gas pipeline must follow the Northern Gas Networks Tree Planting guidelines at all times.

Reason: In the interests of public safety and to protect the public gas supply.

- 15 No obstruction (including landscape features) shall be located over or within 3 metres of the centre line of the gas pipeline within the site boundary.

Reason: In the interests of public safety and to protect the public gas supply.

- 16 Unless otherwise approved in writing by the Local Planning Authority, in consultation with Northern Gas Networks, there shall be no additional buildings or structures erected within 3 metres of the gas pipeline (measured from the centre of the pipeline).

Reason: In the interests of public health and to protect the public gas supply.

- 17 The ground levels within 3 metres of the gas pipeline, other than those shown on the approved plans, shall not be altered unless otherwise approved in writing by the Local Planning Authority in consultation with Northern Gas Networks.

Reason: In order to allow Northern Gas Networks suitable access to their gas pipeline.

### 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. 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.

5. 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.

6. 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.

7. Charging Points

The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.

8. The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as any alternative route has been provided and confirmed under an Order made under the Town and Country Planning Act 1990.



Applicants are advised to contact the County Council's Access and Public Rights of Way team at County Hall, Northallerton via [paths@northyorks.gov.uk](mailto:paths@northyorks.gov.uk) to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.

9. Due to the proximity of the gas pipeline to the proposal, the developer needs to have regard to the Northern Gas Networks guidance document titled 'Working Safely near High Pressure Gas Pipelines'.

**2019/20657/FUL Application for the development of 5 no. detached two storey dwelling houses on land off Greenfoot Lane, Low Bentham, LA2 7ES** subject to the conditions listed below

### Conditions

#### **Time Limit for Commencement**

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

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

#### **Approved Plans**

- 2 This permission relates to the following plans:
  - Proposed Site Plan - Drawing No. 467-010, received 19th June 2019;
  - Ecological Appraisal by Envirotech, received 19th June 2019;
  - Soft Landscaping - Reference 25/04/19, received 19th June 2019;
  - Existing Site Sections - Drawing No. 467-002, received 19th June 2019;
  - Proposed Site Sections - Drawing No. 467-011, received 19th June 2019;
  - Proposed House Type Plot 1, Floor, Elevs & Section - Drawing No. 467-020, received 19th June 2019;
  - Proposed House Type Plot 2, Floor, Elevs & Section - Drawing No. 467-021, received 19th June 2019;
  - Proposed House Type Plot 3, Floor, Elevs & Section - Drawing No. 467-022, received 19th June 2019;
  - Proposed House Type Plot 4, Flood, Elevs & Section - Drawing No. 467-023, received 19th June 2019;
  - Proposed House Type Plot 5, Flood, Elevs & Section - Drawing No. 467-024, received 19th June 2019;
  - Existing Site Survey/Site Location Plan - Drawing No. 467-001, received 19th June 2019;
  - Arboricultural Impact Assessment prepared by Yew Tree, received 19th June 2019;
  - United Utilities Map-SafeDig, received 19th June 2019;
  - Drainage Strategy for SR Joinery ref: L35677/RAM Issue 01, received 19th June 2019;

- Levels and Retaining Structures - Drawing No. L35677-A1-01 A, received 19th June 2019;
- Surface and Foul Water Drainage - Drawing No. L35677-A1-02, received 19th June 2019;
- Proposed Highway Junctions, General Arrangements and Sections - Drawing No. L35677-A1-03 A, received 19th June 2019.

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

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

### **Before you Commence Development**

- 3 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works until:

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

(a) General arrangement and sections.

Reason: To ensure that the details are satisfactory in the interests of the safety and convenience of highway users.

- 4 Before the commencement of the development hereby approved, barrier fencing shall be erected around the existing trees to the south of the application site in compliance with 'BS5837 (2012) Trees in Relation to Construction - Recommendations'. Within these fenced areas no development, vehicle manoeuvring, storage of materials or plant or removal or addition of soil may take place. The fencing shall not be moved in part or wholly without the written agreement of the Local Planning Authority. The fencing shall remain in place until completion of all development works and removal of site vehicles, machinery and materials in connection with the development.

Reason: To prevent damage to trees during construction works.

### **Ongoing Conditions**

- 5 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended), 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 and to ensure that the character and appearance of the area is safeguarded.

### 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 travel beyond the site boundary.
2. 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.

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

Operating times for construction should be limited to:

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

4. No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development. Applicants are advised to contact the County Council's Access and Public Rights of Way team at County Hall, Northallerton via [paths@northyorks.gov.uk](mailto:paths@northyorks.gov.uk) to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.
5. There must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and the Highway Authority.
6. The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.
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.

**Permission Deferred**

**2019/20463/REG3 Application for the development of a site to form 53 residential dwellings with off street parking and all associated works on land to the north of Airedale Avenue, Skipton** – NYCC as local lead flood authority had received significant information and clarification was needed as they were not satisfied with the information that had been provided by the applicant at this stage.

**Permission Refused**

**2019/20603/FUL Application for a 60 feet restaurant trip boat for tourist group dining, commercial company activities, local and tourist dining, exhibitions, product launching, private anniversaries etc. All carried out whilst cruising, not whilst moored. (Re-submission of previously refused application referenced 2019/20099/FUL) Tow Path to the rear of Rendezvous Hotel, Keighley Road, Skipton.**

**The reasons for refusal are set out in the officer recommendation at paragraph 10.1 of the officer report.**

PL.943

**PLANNING ENFORCEMENT**

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period 23<sup>rd</sup> July 2019 to 15<sup>th</sup> August 2019.

PL.944

**ANY OTHER ITEMS**

In accordance with Section 100B(4) of the Local Government Act, 1972, the Chairman agreed to hear Members urgent concerns regarding spokespersons addressing the Planning Committee under its public participation scheme as a result of the conduct witnessed during the meeting.

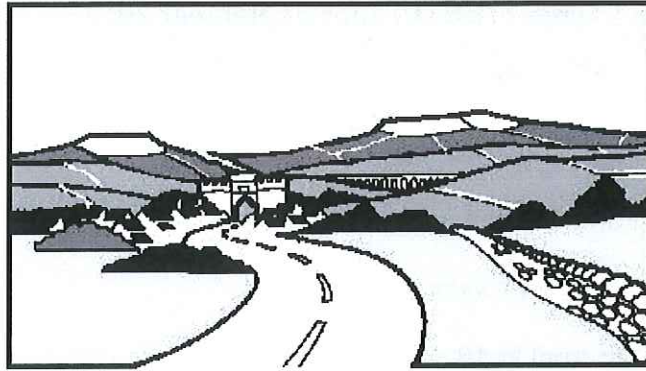
**Resolved** – That, Democratic Services provide the Chairman with advice to be referred to at the beginning of Planning Committee meetings, so that spokespersons are in no doubt as to rules and formal procedures to be adhered to when addressing the Committee.

**Minutes for Decision**

- None -

Chairman.





# **CRAVEN**

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

### **PLANNING COMMITTEE AGENDA**

**DATE: 23rd September 2019**

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## REPORT TO PLANNING COMMITTEE ON 23rd September 2019

**Application Number:** 2019/20401/FUL

**Proposal:** Proposed dwelling

**Site Address:** Land Off Netherghyll Lane Cononley Keighley BD20 8PB

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

**Date Registered:** 5th April 2019

**Expiry Date:** 31st May 2019

**EOT Date, if applicable:** 24th September 2019

**Case Officer:** Mr Mark Moore

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**This application has been referred to the Planning Committee at the request of Councillor Brown for the following reasons: ‘ENV1, ENV2 along with ENV10’, concerns that assurances about tree protection have not yet been secured. Councillor Brown also wishes to discuss issues of settlement hierarchy from the emerging Local Plan.**

1. Site Description
- 1.1 This application relates to a site located on the southern side of Netherghyll Lane in Cononley. The site lies immediately adjacent to but not within the western boundary of the Cononley development limits and is therefore located in the open countryside as defined in the adopted Local Plan. The site also lies within the Cononley conservation area.
- 1.2 Located on the edge of the settlement the application site lies immediately adjacent to an existing residential property ‘Cedar Ville’ and lies at the extreme western end of a row of residential properties fronting onto Netherghyll Lane. On the northern, opposite, side of the lane there is no residential development although further east of the application site lies St. John’s Church. There is more residential development and a group of farm buildings lying further to the west where they form part of the main village envelope.
- 1.3 The application site is characterised by a steep gradient falling from the lane down towards Cononley Beck which lies to the south. On the opposite side of the beck the land rises in level and whilst the majority of the site comprises a grassed slope there are a number of trees forming a dense, well established tree belt running along the western and southern boundaries. The trees are protected by virtue of their location within the conservation area. The tree belt continues to the rear (south) of the site and forms a dense sylvan backdrop to the site and to the neighbouring residential properties. There is also well established tree and hedgerow planting running along the road frontage immediately adjoining the site boundary.
- 1.4 The housing that fronts onto Netherghyll Lane to the east is single storey on the roadside thereby having the appearance of a row of bungalows whereas they are two and three storeys at the rear due to the steep gradients on which they have been built.
- 1.5 Netherghyll Lane is an unclassified road with a 30 mph speed limit and is fairly narrow in width with only grassed verges along much of its length.
- 1.6 The southern end of the site nearest the beck falls within Flood Zones 2, 3 and 3a. Notwithstanding, the proposed development lies entirely within Flood Zone 1.



1.7 The site lies within an area classified as 'Intermediate – Pasture with Wooded Gills & Woodland' in the Craven Landscape Appraisal (2002).

1.8 The views east and west along Netherghyll Lane have been identified as significant in the Cononley Conservation Area Appraisal (August 2016) and are described as follows:

*'HD3: Views from Netherghyll Lane*

*Approaching from the west along Netherghyll Lane, the settlement is largely hidden from view in the lee of the lower slopes of Eslack and Glusburn Moors. Apart from a few discrete late-twentieth century bungalows opposite the partially screened late-nineteenth century St John's Church, the village is encountered pretty much in its nineteenth-century form. Low drystone walls and former agricultural buildings lie in the foreground against a backdrop of the wooded slopes of Kildwick Moor. Views to the northeast across the Cononley Beck valley into and through the Conservation Area are exceptional. The Beck is lined with mature trees and there is a parkland feel to the fields below Gibb Hill'.*

## 2. Proposal

2.1 This application seeks permission to construct a single 3 bedroomed house which would sit parallel to the existing property at Cedar Ville.

2.2 As the proposed house would be sited on a steep slope it would appear as a single storey to the front elevation and would be three storeys to the rear. Also, due to the slope of the site and the fact that Netherghyll Lane rises as it runs east to west, the finished floor level of the house would lie between 1 and 2 metres below the level of the road. The topography of the site would result in an unusual internal layout with the property having a bedroom, entrance hall and single integral garage on the second (upper) floor, a second bedroom, living/sunroom on the first floor and a third bedroom, bathroom and dining room/snug on the ground floor.

2.3 The property would be a gable ended design and would feature a rear two storey outshot and single storey element with a balcony above located at the western side of the property. It is proposed to incorporate a large glazed opening to the side (west) elevation of the outshot which would allow access onto the balcony area.

2.4 It is proposed to construct the house from natural stone incorporating a slate roof. Window surrounds would be locally sourced gritstone and windows would be double glazed timber units painted grey. External doors, including the garage door, would also be timber painted grey.

2.5 Externally it is proposed to provide a tarmacadam parking/turning area forward of the house with access onto Netherghyll Lane. To the rear of the property it is proposed to construct a flagged patio set below the rear ground level of the house and there would be a modest garden beyond that running down towards the beck.

2.6 Site boundary treatments would be predominantly formed by the existing dry stone walling to the north, east and south whilst the western boundary is proposed to remain open where it would lie within the belt of tree planting.

2.7 The dry stone wall to the site frontage would be partially removed to create a vehicle access and the existing field access would be stopped up using the removed stone. There is potential for 3 car parking spaces (including the garage) although the applicant states that only 2 are to be provided. Visibility splays of 2m x 56m to the west and 2m x 43m to the east are to be provided which will entail limiting obstructions to 900mm in height, lowering the existing walling to 900mm and removal of any trees or shrub branches to maintain clear visibility.

2.8 A landscaping plan has been submitted with the application which indicates that it is proposed to remove 4 Ash trees and 1 Hawthorn located towards the northern and north-west parts of the site. Of the five to be removed only two (a Hawthorn and an Ash) are located within the application site defined on the submitted plans. The landscaping plan shows new tree planting comprising a mix of Field Maple (x3), English Oak (x 4) and Birch (x3). Nine of the ten new trees would be planted to

the south of the site on the southern side of Gibside Lane on land within the applicant's ownership whilst one tree (an English Oak) would be planted to replace the Ash tree scheduled for removal.

3. Planning History

3.1 There is no planning history associated with the application site.

4. Planning Policy Background

4.1 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for Craven comprises the saved policies of the Craven District (Outside the Yorkshire Dales National Park) Local Plan 1999 (the 'CDLP').

4.2 **Saved Policies in The Craven District Local Plan:**

ENV1: Development in the Open Countryside

ENV2: Requirements for Development in the Open Countryside

ENV10: Protection of Trees and Woodlands

T2: Road Hierarchy

4.3 **National Planning Policy Framework (2018)**

4.4 **National Planning Practice Guidance**

4.5 **Submission Draft Local Plan:**

SD1: The Presumption in Favour of Sustainable Development

SP1: Meeting Housing Need

SP4: Spatial Strategy and Housing Growth

ENV1: Countryside and Landscape

ENV2: Heritage

ENV3: Good Design

INF4: Parking Provision

4.6 Paragraph 48 of the NPPF allows local planning authorities to give weight to relevant policies in emerging local plans according to:

- a. The stage of preparation of the emerging plan (the more advanced its preparation, the greater weight that may be given);
- b. The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c. The degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the NPPF, the greater the weight that can be given).

4.7 Despite the advanced stage of the emerging local plan and a good degree of consistency between the plan's policies and the NPPF, officers consider that it is criterion b) above that is the main determinant of weight to be given to emerging policies. In coming to this conclusion, officers have taken their lead from a recent appeal decision in the District (ref APP/C2708/W/18/3210340 – land north of Kings Mill, Settle – May 2019). In this case, the planning inspector found that the emerging Policy H2: Affordable Housing could only be given limited weight. The basis for this conclusion was that the policy had been the subject of significant objections and that the wording of the policy may still change. Hence, where it is necessary for this report to deal with the weight to be attached to an emerging policy, the matter of unresolved objections will be assessed.



5. Parish/Town Council Comments

5.1 **Cononley Parish Council:**

*'This is a linear development along Netherghyll Lane which will have a cumulative impact of the character and size of the lane. There is already a considerable amount of development and infill in the village: the Mill and former church site, not to mention the recent buildings on land off Netherghyll Lane.*

*The proposed development itself is overbearing in as much that it will be situated too close to the neighbouring property and the site itself is steep and would require extensive earthworks.*

*The proposed building will not contribute to the economic development of the village.*

*Quite simply, the Parish Council considers that the village does not need any further development.*

6 Consultations

6.1 **CDC Environmental Health:**

There are no contaminated land issues associated with the application site. CDC EH recommends that the applicants are made aware of the need to limit construction times and to control dust from the site during construction.

6.2 **CDC Tree Officer:**

*'The application proposes the removal of 1 large mature Ash tree, 3 early mature Ash and a group of Hawthorn. None of these trees have long term potential but do form an important part of the riparian ecosystem. I have no objection in principle subject to good quality replanting which has been mentioned in the application. No details have been submitted regarding this. I would suggest that 10 trees are replanted to compensate for the loss as per the suggested formula for replacement numbers in the Arboricultural report. I would suggest that 1 Oak is planted close to the felled T5 tree on site. Other than this replanting may not be appropriate due to the proximity to the proposed house and overhead utilities. I would suggest replanting is done along the nearby field boundary on Gibside lane where a number of dead trees have recently been removed. A public footpath runs adjacent to this and the land is under the same ownership. I would suggest a mixture of Oak, Birch and Field Maple. Please can you request more details for this with a map and details of planting and sizes etc'.*

Following submission of additional information and a replanting plan the Tree Officer has commented:

*'I have no objections to the application subject to the replanting plan referenced P1955/009a'.*

6.3 **NYCC Highways:**

The Highways Engineer initially commented that the required visibility splay is 45m x 2m whereas the available splay is 43m x 2m. Notwithstanding the engineer did not object to the proposal and recommended that a planning condition is attached to any planning permission to ensure retention of the available visibility splays.

In a follow up response the Highways Engineer simply states that *'visibility under MFS is acceptable'* and recommends the same planning condition to retain the visibility splays.

6.4 **Environment Agency:**

The EA has advised that the application falls outside of the scope of issues on which they wish to be consulted. Accordingly the EA has no comments to make.

6.5 **Natural England:**

No comments.

- 7        Representations
- 7.1      The application has been advertised by way of a site notice posted on 19<sup>th</sup> April 2019 and by a press notice dated 26<sup>th</sup> April 2019.
- 7.2      Neighbour notification letters were posted on 4<sup>th</sup> and 6<sup>th</sup> June 2019.
- 7.3      Representations have been received from 5 third parties in response to this application. Their comments are summarised as follows:
- The site is an important piece of separation that helps to ensure Netherghyll remains a country lane.
  - The village is already struggling to cope with the volume of new homes being built with over 100 at the mill site, 8 at the church centre and other sites already approved.
  - The site also risks creating a line of development along the farm track running to the institute where two houses were recently approved with assurances being given that there was no intention of further development along this route.
  - The development is inside the conservation area but outside the old limits of the village and risks extending those limits. It is not included as a site in the late stage local plan.
  - The extensive development of the mill site and former church centre, plus other 'infill' housing, means that a further new house on greenfield land is not needed.
  - This is a steep site with access onto a narrow country lane and appears to be another attempt to extend the area of village development along farmland bordering the stream down to the Institute. This is not appropriate for the village.
  - Development results in the loss of a greenfield site within the village conservation area, with the consequent destruction of habitat for wildlife which in turn leads to the decline in our native birds.
  - Considerable groundworks would be needed to form a platform for the building, as the site falls away almost vertically after a short level area.
  - It would make no significant contribution to the demand for affordable housing for young people, or for accommodation for elderly people
  - It would be highly unlikely to make any material contribution to the village economy which has become severely depleted over recent years and needs reviving.
  - Linkeage to the main sewer may not be available and an alternative may be necessary.
  - Confirmation is needed that rubbish will be removed without the need for burning, and that herbicide use will be strictly controlled to prevent drifting over neighbouring properties and leaching into the beck.
  - Dust generation.
  - Occupier of immediately neighbouring property requests assurances that access to boundary wall for maintenance is retained, that drainage from garage and drive area is allowed for and that safeguards against nuisance from noise and dust are in place.
  - Site makes a valuable contribution to the varied landscape along Netherghyll Lane giving it a high amenity value affording pleasure to walkers who use the lane for recreational purposes.
  - Proposal would destroy a greenfield site within a conservation area and should be preserved for the future and protected from inappropriate development.
- 8        Summary of Principal Planning Issues
- 8.1      Principle of development.
- 8.2      Visual impact, scale and design.
- 8.3      Impact on amenity.
- 8.4      Impact on conservation area.
- 8.5      Highway safety.
- 8.6      Impact on trees.
- 9        Analysis



Principle of development:

- 9.1 The application site lies outside of existing development limits and therefore saved Local Plan Policy ENV1 applies. Policy ENV1 seeks *'to protect the character and quality of the open countryside from being spoilt by sporadic and/or inappropriate development by limiting development to small scale proposals appropriate for the enjoyment of the scenic qualities of the countryside and other small scale development that:*
- *has a rural character;*
  - *clearly benefits the rural economy;*
  - *helps to maintain or enhance landscape character;*
  - *is essential for the efficient operation of agricultural or forestry; or*
  - *is essential to the need of the rural community'.*
- 9.2 ENV1 is broadly in line with the NPPF although is not entirely consistent as the restrictive approach to development that is advocated within the policy has no parallel within national planning policy. On this basis it is considered that the criteria of ENV1 can only be afforded limited weight insofar as to limit inappropriate or demonstrably harmful development from taking place.
- 9.3 **Officer note:** A recent appeal decision relating to a site at Glen Royd, Woodside Lane in Cononley (Ref: APP/C2708/W/19/3228674) is of relevance to this application as it relates to a comparable development and considered the issue of the weight that can be attached to saved Local Plan Policy ENV1.

The appeal decision was issued on 29<sup>th</sup> August 2019 and concerned a proposal to build two houses on the outskirts of the settlement outside of development limits. Contrary to officers recommendation the application was refused planning permission for the following reason:

*'The proposed development would result in harmful encroachment and urbanisation in the countryside which would diminish its openness, character and quality in conflict with the requirements of saved Policies ENV1 and ENV2 of the Craven District (outside the Yorkshire Dales National Park) Local Plan and the National Planning Policy Framework'.*

In reaching a decision the inspector commented specifically on saved policies ENV1 and ENV2 and noted three other recent appeal decisions in Cononley in which permission was refused for residential development outside of development limits citing ENV1 in the reasons for refusal. In those other examples the inspector in the Glen Royd appeal noted that the decisions highlighted that policy ENV1 was out of date and also that one inspector came to the view that ENV1 applied *'a more restrictive approach to the type of development that it permits outside the development limits compared to the Framework, and therefore afforded limited weight to conflict with the policy'.* Notwithstanding, the inspector also noted that the other appeals related to larger development schemes and therefore could not be directly compared to the Glen Royd appeal whilst also acknowledging that *'the Council can now demonstrate a 5-year supply of housing sites'.* Crucially, the inspector referred to paragraph 78 of the NPPF which seeks to promote sustainable development in rural areas and indicates housing should be located where it will enhance or maintain the vitality of rural communities. Also reference was made in the decision to paragraph 79 which seeks to avoid isolated homes in the countryside. The conclusion drawn by the inspector was that he found that in the context of the Glen Royd appeal policy ENV1 was 'inconsistent with the aims and objectives of the Framework and is therefore out-of-date'. The final decision of the planning inspector on the Glen Royd appeal was that the proposed site was accessible and was not isolated and therefore *'suitably located for the kind and scale of residential development proposed'.* Accordingly the planning appeal was upheld by the inspector and permission was granted.

In addition to allowing the Glen Royd appeal the planning inspector granted an award of costs against the Council.

The Glen Royd appeal has significant parallels with the proposed development being considered under this application and there are two principal points to consider:

- i) Policy ENV1 is out of date and therefore does not provide sufficient grounds to refuse planning permission for development that is contrary to the policy criteria.
- ii) A small scale development located outside of development limits would not be contrary to national policy provided it is not isolated and not excessive in scale.

**(The appeal decision has been attached as an addendum to this report).**

- 9.5 The overall conclusion drawn in relation to saved Local Plan Policy ENV1 is that it cannot be afforded any significant weight in the determination of this application and the Council's decision on the principle of development must therefore be based primarily on consideration of national planning policy as set out in the NPPF.

**Officer note:** As saved Local Plan Policy ENV2 is only effective for development that is acceptable in principle under policy ENV1 it technically cannot be applied if ENV1 is no longer relevant. Notwithstanding, the inspector at the Glen Royd appeal noted that *'although the phraseology of LP Policy ENV2 is not the same as the Framework, it is broadly consistent with it as it essentially seeks to ensure development is compatible with the character of the area'*. With this in mind it is concluded that policy ENV2 does not have any bearing on the principle of development but is effectively being taken into consideration in the analysis of the impacts of the development set out below.

- 9.7 In terms of the NPPF it is stated at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. To meet this aim paragraph 8 sets out three overarching objectives; economic, social and environmental but cautions that they are not criteria against which every planning decision can or should be judged. Primarily the NPPF states at paragraph 10 that at the heart of the Framework is a presumption in favour of sustainable development. This approach is reiterated in paragraph 11 of the Framework which states there is a presumption in favour of all forms of sustainable development provided the benefits of allowing development to take place are not *'significantly and demonstrably'* outweighed by any harm that may arise *'when assessed against the policies in this [the] Framework taken as a whole'*.
- 9.4 For the purposes of considering this application it is necessary to also take into account Part 4 of the NPPF which at paragraph 38 requires local planning authorities to approach planning decisions in *'a positive and creative way'* and to *'seek to approve applications for sustainable development where possible'*.
- 9.5 In relation to rural housing the NPPF sets out general requirements at paragraph 78 that *'to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities'*.
- 9.6 In relation to the development of housing in the open countryside, as is the case with this application, the NPPF at paragraph 170 states (amongst other requirements) that planning decisions should *'recognise the intrinsic character and beauty of the countryside'* and at paragraph 79 is restrictive of isolated homes in the countryside other than in the following specific circumstances:
- a) *the development is to meet an essential need for a rural worker*
  - b) *the development would be beneficial to retention or re-use of a heritage asset*
  - c) *the development would re-use redundant buildings and enhance setting*
  - d) *the development would involve subdivision of an existing dwelling*
  - e) *the development represents exceptional design that is outstanding or innovative and would significantly enhance its immediate setting and be sensitive to the characteristics of the area'.*



- 9.7 It can be seen from the above that the general approach set out in the NPPF is that, provided there are no significant adverse impacts, applications for all forms of sustainable development should be supported and ultimately be granted planning permission. In terms of rural housing the NPPF stipulates that isolated homes should be avoided other than in the exceptional circumstances as set out within the policy but does not specifically advocate restraint where residential development is proposed in a location that is not isolated, as is the case with this application.
- 9.8 In coming to this view a recent Court of Appeal decision (Case No: C1/2017/3292 – 28<sup>th</sup> March 2018) is relevant. This considered the matter of what constitutes isolated development for the purposes of the NPPF and the conclusion drawn was that physical and functional separation are not necessarily indicators of isolation in a rural context. This is particularly so where housing is proposed in close proximity to existing houses that would have the same access to services and communal facilities or the same degree of isolation as would apply to the proposed new development. This clearly applies in this case as the proposed new house would lie immediately adjacent to an established cluster of residential properties that form part of the outer limits of the existing settlement. The conclusion to be drawn here is that the site is not isolated and therefore can be considered in the context of whether or not the proposal constitutes sustainable development. Additionally, the recent Glen Royd appeal is helpful in that the planning inspector noted the position of the housing in that case and came to the view that substantial weight should be given to the finding that the site was suitably located for the kind and scale of residential development proposed.
- 9.9 With regards to the emerging Local Plan (ELP) the site lies outside of the main built up area of Cononley and therefore would remain in the open countryside. Under the ELP Cononley would be classed as a Tier 4a settlement 'Village with Basic Services' that would have limited growth in the spatial strategy and the application would consequently fall to be considered against (draft) Policy SP4 'Spatial Strategy and Housing Growth'. This policy, when in operation following the adoption of the plan, will be restrictive on the acceptability of new dwellings outside a Tier 1 to 4 settlements main built up area and it is unlikely that the development proposed would be able to comply with the emerging policy unless exceptional circumstances could be demonstrated.
- 9.10 Notwithstanding, it is necessary to consider whether or not this emerging plan policy can be afforded any weight in the determination of this application. As set out in paragraph 4.6 above, it is the issue of 'objections' to the emerging policy that needs to be assessed to determine the weight to be attached to the policy.  
There are 10 significant unresolved objections to the proposed modifications to Policy SP4 and its supporting text. Albeit the Council has reported to the Inspector its view on these objections and do not agree with them, and albeit the Inspector has not sought to seek further main modifications on Policy SP4, until the Council receives the Inspector's final report it is not known with certainty whether the details of this policy may change. Indeed, it is important to note that the Inspector has made it clear throughout the examination process, that he has not to date expressed all his views on the plan and that this will only take place when the final report is published. It is therefore officer's view that only limited weight can be attached to Policy SP4 in the Council's assessment of this planning application.
- 9.11 Considering all of the above the conclusion drawn is that the proposal is consistent with national planning policy as set out in the NPPF and is therefore acceptable in principle.  
Visual impact, scale and design:
- 9.12 In terms of visual impact, scale and design the proposal is for a contemporary building that would largely replicate the form and overall massing of the immediately adjacent and nearby properties and would have the dimensions and appearance of a single storey dwelling when viewed at the road level. The use of stone and slate construction would be appropriate in the wider context of the site and would not be at odds with the traditional stone-built buildings located nearby although the neighbouring house has a rendered finish to the lower side and rear elevations. The proposed building would sit within the site in such a way that it would be largely screened by the neighbouring

dwelling from the east, would be set lower than the road level when viewed from the north and would be partially screened by the extensive tree planting when viewed from the west. Whilst more prominent from the southern aspect, the house would be no more intrusive than the existing housing and, in officers opinion, would not be especially prominent to an extent that would have any significant adverse impact on the overall character of the area.

9.13 Although the development is not compliant with saved Local Plan policy ENV1 the criteria of policy ENV2, which are applicable to development in open countryside considered acceptable in principle under ENV1, are considered to be applicable in this case. Saved Local Plan Policy ENV2 seeks to ensure that any development that is considered to be acceptable in principle under Saved Policy ENV1 is:

- compatible with the character of the area;
- does not have an unacceptable impact on the landscape;
- has a design and uses materials that relate to the setting;
- can accommodate the traffic generated by the development satisfactorily;
- can provide services and infrastructure without a serious harmful change to the character and appearance of the area.

9.14 The proposal is considered to be compatible with the area as it effectively replicates the existing residential development nearby. The construction of a dwelling in the proposed location would extend the existing village envelope by a small amount but would not be visually intrusive to a significant degree and would not have an adverse impact on the landscape to a degree that would warrant refusal of planning permission. In addition to the above the application site would have satisfactory parking arrangements. For these reasons the proposal is considered to be compliant with bullet points 1 to 4 of saved Local Plan policy ENV2. With regards to the final bullet point it is considered that there is no reason to suppose that services and infrastructure could not be provided given the location of the application site.

9.15 In conclusion, there are no specific Local Plan policy restrictions that would prohibit the proposed house design and in consideration of the NPPF requirement that local planning authorities should refuse '*development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions*' it is officers opinion that the proposal does not represent poor design (paragraph 130 refers). In this case it is officer's opinion that the development represents good design that should be supported.

Impact on amenity:

9.16 The location of the proposed house is such that there is only the immediately neighbouring property that would potentially be impacted upon. The orientation and design of the new dwelling are such that there would be no loss of privacy and there would only be potential for overshadowing towards the latter end of the day and not to an extent that would be adverse to the amenity of the existing house. With regards to the general arrangement and proximity of the new house to the existing neighbouring property it would lie immediately adjacent but not in a position that would be unduly overbearing. On this basis it is considered that the impact on the neighbouring property would not occur to an extent that would warrant refusal of planning permission.

9.17 Overall the siting and design of the proposed new dwelling are not considered to be harmful to the amenity of the occupiers of any of the existing dwellings.

**Officer note:** The occupier of the neighbouring dwelling has not objected to the application.

Impact on setting of conservation area:

9.18 Advice on development in relation to heritage assets is set out at paragraphs 184 to 202 of the NPPF. In summary, the requirement is to ensure that the significance of the affected heritage asset is fully understood and is not harmed through development unless the benefits of the development can be clearly demonstrated to outweigh any harm that may be caused.



9.19 In this case the heritage asset in question is the Cononley conservation area (CA) and of note is the significant view (HD3) identified in the Cononley Conservation Area Appraisal (CAAA). In this case it is considered that the impact on the CA would not be significant given that the proposal would be a single dwelling located on the edge of the existing residential development that would not be in any way visually intrusive or prominent. Similarly, it is not considered that the views along Netherghyll Lane across the village and to the wider landscape would be harmed in any degree.

9.20 The conclusion drawn is that the proposal would not result in significant harm to the CA and therefore planning permission should be approved.

Highway safety:

9.21 The site would have adequate access and visibility and can accommodate adequate parking and turning spaces for vehicles. No objections have been raised by NYCC Highways and it is not considered that the proposal would give rise to any highway safety issues. The NPPF requirement in relation to highways issues is that *'development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe'*.

9.22 In this case it is not considered that the proposal would give rise to any impact on highway safety or lead to any significant intensification of vehicle movements such that the proposal should be refused on highway safety grounds.

Impact on trees:

9.23 As set out in paragraph 2.8 above the application would result in the removal of trees both within and adjacent to the application site although this is to be offset by replacement planting that includes a row of planting to the south of the site adjacent Gibside Lane.

9.24 Under the terms of saved Local Plan Policy ENV10: 'Protection of Trees and Woodland' any trees that are located within a conservation area or which contribute towards landscape diversity, the setting of nearby existing or proposed buildings, a wildlife habitat or visual amenity are safeguarded from harm or unjustifiable loss. The policy has the proviso that where the Council approves the loss of a tree which is safeguarded under ENV10 it will require suitable replacement planting either within the same site or on land within the applicant's control.

9.25 In this case the application has been considered by the Council's Tree Officer who has advised that he has no objections in principle to the proposed tree removal subject to the applicant undertaking replacement planting. The planting now proposed by the applicant fully accords with the Tree Officer's recommendations and it is considered that the proposals, subject to implementation of the replacement planting, are compliant with saved Local Plan Policy ENV10 and are acceptable in terms of the impact on the protected trees.

9.26 It is proposed that conditions will be attached to any subsequent planning permission requiring protective fencing the location of which would require prior approval and implementation of the replacement planting set out in the submitted landscaping plan.

Conclusion:

9.27 Notwithstanding the likely conflict of this proposal with the emerging plan Policy SP4, (a policy based on a new spatial strategy for housing growth in the plan area), it is officers opinion that insufficient weight can be attached to the draft policy at this time to justify a refusal planning permission. Equally, saved Local Plan policy ENV1 is now out of date and therefore cannot be given significant weight. For these reasons the application falls to be considered against the saved Local Plan policies that remain consistent with the NPPF (and therefore have weight) and national planning policy as set out in the NPPF.

9.28 Under the terms of the NPPF and relevant saved Local Plan policy requirements, this proposal represents sustainable development which is not isolated development in the countryside and is considered to be consistent with the NPPF as it is suitably located for the kind and scale of residential development proposed. Equally, it is not considered that the proposal would be harmful

to the character of the wider street scene, the surrounding countryside or the designated heritage asset of the Cononley Conservation Area. In terms of highway safety and the proposed tree works the proposals are not considered to result in any significant adverse impacts that would justify refusal of planning permission. Accordingly, it is recommended that the application is granted planning permission.

10. Recommendation

10.1 Approve with Conditions

Conditions

**Time Limit for Commencement**

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

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

**Approved Plans**

- 2 This permission relates to the following plans:

Drawing Nos:

P1955/001, 002a, 3a, 5 and 6 received 5th April 2019

P1955/004a, 7a, 8a and 9a received 28th 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) Local Plan and the NPPF.

**Before you Commence Development**

- 3 Before their first use on site samples of the materials to be used in the construction of the external surfaces of the dwelling and the hard surfacing areas hereby permitted, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan.

- 4 Prior to the commencement of the development hereby approved protective barrier fencing shall be erected around the existing trees located to the west and south of the proposed house. The fencing shall be erected in accordance with a plan that shall first be submitted to and approved in writing by the Local Planning Authority.

The barrier fencing shall comply with BS 5837 (2012) and within the fenced areas no development, vehicle manoeuvring, storage of materials or plant or the addition of soil shall take place. The fencing shall not be moved and shall remain in place until completion of all of the development work hereby approved.



Reason: To prevent damage to trees during construction work.

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

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

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

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

- 6 Prior to the occupation of the dwelling hereby approved replacement tree planting shall be undertaken in the areas shown on the approved plans the exact species of which and location for planting shall be as approved by the local planning authority.

All planting shall be subsequently carried out in accordance with the approved details and shall be maintained as such thereafter including the replacement of any dead, diseased or dying tree with the same species to that originally planted.

Reason: In the interests of visual amenity.

### Ongoing Conditions

- 7 The residential curtilage associated with the dwelling hereby approved shall be as defined on the approved location plan and for the avoidance of doubt shall not extend westwards or southwards beyond the approved boundary.

Reason: In order to clarify the extent of the approved residential curtilage associated with the approved dwellinghouse.

- 8 Prior to the occupation of the dwelling hereby approved the vehicle parking and turning areas shall be constructed in accordance with the approved plans. once created the parking/turning areas shall be retained and kept clear of any obstruction at all times.

Reason; In order to ensure satisfactory provision of parking in the interests of the safety and general amenity of the development.

- 9 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 Netherghyll Lane from a point measured 2m down the centre line of the access road.

The eye height will be 1.05m and the object height shall be 1.05m. 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.

### Informatives

#### 1. Bats

The applicant is reminded that under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during the development all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Any works involving the destruction of a bat roost will require a European Protected Species Licence from Natural England.

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

#### 2. Charging Points

The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.

Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld.

#### 3. 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.

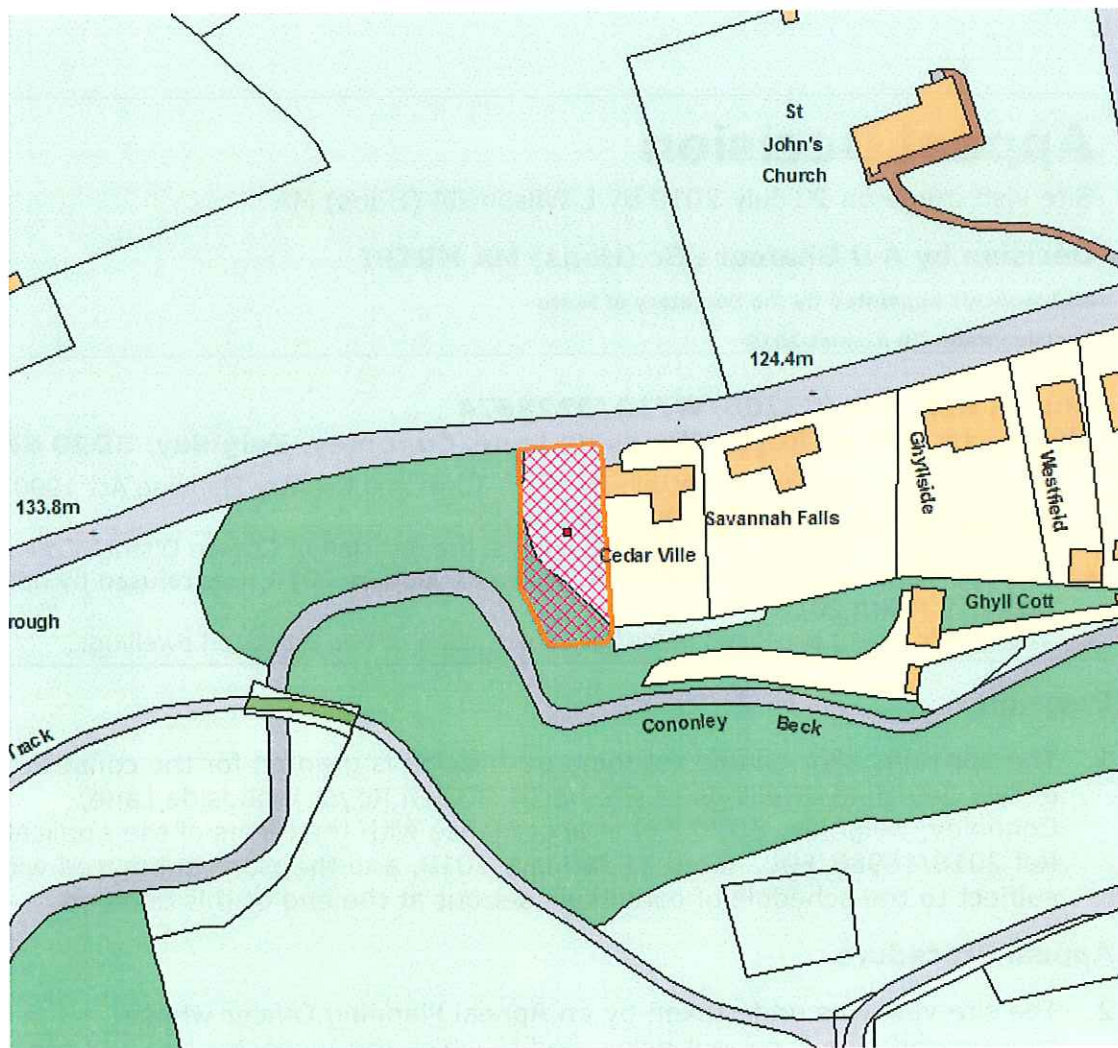
#### 4. Noise

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.

#### 5. Statement of Positive Engagement:

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





**Application Number:** 2019/20401/FUL

**Proposal:** Proposed dwelling

**Site Address:** Land Off Netherghyll Lane Cononley Keighley BD20 8PB

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



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## Appeal Decision

Site visit made on 23 July 2019 by L Wilson BA (Hons) MA

**Decision by A U Ghafoor BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 29 August 2019**

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**Appeal Ref: APP/C2708/W/19/3228674**

**Site north of Glen Royd, Woodside Lane, Cononley, Keighley, BD20 8NJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr C Calvert<sup>1</sup> against the decision of Craven District Council.
  - The application Ref 2018/18988/FUL, dated 31 January 2018, was refused by notice dated 19 March 2019.
  - The development proposed is for the construction of two detached dwellings.
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### Decision

1. The appeal is allowed and planning permission is granted for the construction of two detached dwellings at site north of Glen Royd, Woodside Lane, Cononley, Keighley, BD20 8NJ in accordance with the terms of the application, Ref 2018/18988/FUL, dated 31 January 2018, and the plans submitted with it, subject to the schedule of conditions set out at the end of this decision.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Application for Costs

3. An application for costs was made by the appellant against the Council. This application is attached as a separate Decision.

### Main Issue

4. Whether the proposed development would be acceptable having regard to the site's location and its effect upon the character and appearance of the surrounding area.

### Reasons for the Recommendation - Location

5. Reference is made to saved Policies ENV1 and ENV2 of the Craven District (outside the Yorkshire Dales National Park) Local Plan (1999) (LP). There is some concern as to whether these policies are out-of-date. The National Planning Policy Framework (the Framework), at paragraph 213, indicates that existing policies should not be considered out-of-date simply because they were adopted or made prior to its publication. Due weight should be given to them, according to their degree of consistency with this Framework (the closer

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<sup>1</sup> Taken from the appeal form.



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

6. The Council consider it reasonable to apply LP Policy ENV1 as they argue it is consistent with Framework paragraph 170, which requires policies and decisions to recognise the intrinsic character and beauty of the countryside. They contend that the site lies outside the development limits and is therefore in the open countryside. Given the nature of the development, the proposal can reasonably be regarded as small scale for Policy ENV1 purposes. Development is only permitted under this policy where it would benefit the rural economy, helps to maintain or enhance landscape character, essential for the efficient operation of agriculture or forestry and is essential to the needs of the rural community. Although small scale, the proposal would not comply with Policy ENV1. Policy ENV2 is applicable where development is acceptable in principle under Policy ENV1.
7. References have been made to other approved developments<sup>2</sup> in Cononley, which are located outside the development limits. These decisions highlight that LP Policy ENV1 is out-of-date. An Inspector has recently found Policy ENV1 to apply a more restrictive approach to the type of development that it permits outside the development limits compared to the Framework, and therefore afforded limited weight to conflict with the Policy<sup>3</sup>. However, these decisions appear to be for larger schemes. Policy ENV1 distinguishes between small and large-scale developments, hence the decisions cannot be directly compared to this appeal. In addition, since the appeal decision the Council can now demonstrate a 5-year supply of housing sites.
8. The Framework, at paragraph 78, seeks to promote sustainable development in rural areas and indicates housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 79 seeks to avoid isolated homes in the countryside and sets out criteria. In the context of this appeal, I too find that LP Policy ENV1 is inconsistent with the aims and objectives of the Framework and is therefore out-of-date. Although the phraseology of LP Policy ENV2 is not the same as the Framework, it is broadly consistent with it as it essentially seeks to ensure development is compatible with the character of the area. I shall proceed on this basis.
9. The appeal site is located on the eastern side of Woodside Lane to the north of Cononley, close to the development limits. The site is undeveloped, rectangular in shape and situated between two existing properties. The village contains local services which are approximately a five-minute walk from the site and the train station is approximately a ten-minute walk away. Skipton, a market town, is approximately 3 miles away and Cross Hills, a larger village, is approximately 1.5 miles away. The dwellings would be accessible to local services. The site would be suitable for this kind of residential development because dwellings would be located within walking distance to both Cononley and the train station. Future occupiers would have good vehicular access to nearby larger settlements. The site is not isolated. The scale of development is small and represents an efficient use of land. The site therefore constitutes an accessible and sustainable location.

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<sup>2</sup> 21/2016/17019, 21/2016/16967 and 2017/18492/OUT

<sup>3</sup> APP/C2708/W/18/3210048



10. Taking all of the above points together, the grant of planning permission would result in dwellings outside the development limits, but I find that the site would be suitably located for the kind and scale of residential development proposed.

#### *Character and Appearance*

11. Contrary to the Council's arguments, the site does not significantly contribute to the character of the area. The stone and hedge boundary prevent views into the site when seen from Woodside Lane. On the opposite side of the highway there is also a tall hedge. The high boundaries result in a sense of enclosure rather than openness. Given the limited scale of development proposed, the scheme would have a localised visual impact, but it would not represent unacceptable encroachment in to the countryside.
12. The properties would be sympathetically designed. The proposed detailing and materials would result in a traditional appearance, which would be in-keeping with the area. The dwellings would be of an appropriate scale, relative to the immediate setting. The proposed boundary wall and hedge to the front would help soften the impact of built development and maintain the character of the area.
13. The layout of the development would alter the appearance of the site and introduce a form of urbanisation. Nonetheless, due to the small-scale nature and sympathetic design of the new dwellings, the change to the appearance of the site would not be visually harmful to the surrounding area. Gaps between the neighbouring properties would be maintained and the dwellings would be set back from Woodside Lane. This would ensure the area would still maintain its current rural character and it would not represent encroachment given the site's location relative to the settlement.
14. I find that the development would not have a materially harmful visual effect upon the character and appearance of the surrounding area. Accordingly, the scheme would comply with LP Policy ENV2.

#### **Other Matters**

15. The Council refers to the Framework paragraph 14, but there is no made Neighbourhood Plan. The site is located close to the Cononley Conservation Area (CA), but views are limited from the CA in to the site. Given the sympathetic design of the proposed dwellings, the proposal would not harm the setting of the CA. I too agree with the Council that the proposal would preserve the setting of the CA.

#### **Conditions**

16. The Council's suggested conditions have been considered having regard to the Planning Practice Guidance. A commencement and approved plans conditions are necessary for certainty. In the interests of safeguarding the character and appearance of the area, a condition requiring sample of materials to be used on the external elevations of the dwellings is necessary. Condition 4), 6), and 7) are required for highway safety purposes. Condition 8) and 9) are necessary as soft landscaping would assist in safeguarding the character of the area given the site's location. Additionally, the Council suggested a condition requiring separate systems of drainage for foul and surface water. Condition 5) achieves that objective and is precise.



## Conclusions

17. The grant of planning permission would result in dwellings in the countryside and conflict with LP Policy ENV1, but substantial weight is given to the finding that the site is suitably located for this kind and scale of residential development. Significant weight is given to the finding that the scheme would not materially harm character and appearance of the surrounding area. The perceived harm on localised views would be suitably addressed by the imposition of conditions. Additionally, the proposal would have some economic and social benefits in terms of the overall supply of housing land. I therefore attach limited weight to the conflict with Policy ENV1 and recommend that the appeal should be allowed.

*L M Wilson*

APPEALS PLANNING OFFICER

## Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be allowed subject to the conditions in the attached schedule.

*A U Ghaffoor*

INSPECTOR

## Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: SR-2048-1A, SR-2048-2A and SR-2048-3.
- 3) No development above slab level shall take place until a sample panel of the materials to be used in the construction of the external surfaces shall have been prepared on site for inspection and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved sample, which shall not be removed from the site until completion of the development.
- 4) No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas:
  - i) have been constructed in accordance with the submitted drawing (Ref: SR-2048-2A)
  - ii) are available for use unless otherwise approved in writing by the Local Planning Authority.

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

- 5) None of the dwellings hereby permitted shall be occupied until works for the disposal of sewage shall have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

- 6) Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access to the site has 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.
  - (iii) Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
  - (iv) That part of the access(es) extending 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1:20.
  - (v) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway (or vice-versa) shall be constructed in accordance with the approved details, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
  - (vi) The final surfacing of any private access within 6 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing public highway.
- 7) There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 28 metres measured along both channel lines of the major road Woodside Lane from a point measured 2 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 8) Notwithstanding any details shown on the approved plans, before the development is first occupied, a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
- 9) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.





## The Planning Inspectorate

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### Costs Decision

Site visit made on 23 July 2019 by L Wilson BA (Hons) MA

**Decision by A U Ghafoor BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 29 August 2019**

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**Costs application in relation to Appeal Ref: APP/C2708/W/19/3228674  
Site north of Glen Royd, Woodside Lane, Cononley, Keighley, BD20 8NJ**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Mr C Calvert for a full award of costs against Craven District Council.
  - The appeal was against the refusal of planning permission for the construction of two detached dwellings.
- 

#### Decision

1. The application for an award of costs is allowed and the terms set are out below.

#### Reasons

2. The Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The argument is that the respondent acted unreasonably in refusing the application which has led to the unnecessary expense of an appeal. The planning application was deferred so members of the planning committee could carry out a site visit to assess highway impacts of the development, and there was no concern in relation to LP Policy ENV1 or ENV2. Subsequently, when the proposal was reconsidered the development was refused on the basis that the proposal would be contrary to Policy ENV1 and ENV2.
4. This case required an exercise of planning judgement and I have found favour with the applicant's case. The evidence presented shows that, before the planning application was determined at planning committee there was no concern in relation to the conflict with LP Policy ENV1 or ENV2. The Officer's report appraises the proposal having regard to the relevant policies and recommended granting planning permission. The respondent subsequently refused planning permission on grounds that the scheme would have a harmful effect on the character of the countryside and would fail to comply with Policy ENV1 and ENV2.
5. Members of the planning committee adopted a different view to the officer's recommendation, but it was unclear as to how other material considerations

were assessed and weighed in the overall planning balance. There was an over-reliance upon LP Policy ENV1 yet a lack of explanation as to how or why the policy was consistent with national planning policy. The respondent's statement of case provided limited explanation or cogent reasoning as to why planning permission was withheld. The respondent's defence of its stance lacked precision as to how or why the proposed scheme should be dismissed. The case advanced did not substantiate the reason for refusal. Its approach resulted in a vague and generalised assertion about the proposal's impact on character and appearance. The lack of persuasive argument in support of the reason for refusal was indicative of a misapplication of local and national planning policy.

6. Furthermore, the respondent introduced locational factors at appeal. The respondent prevented development which should clearly have been permitted having regard to local and national planning policy. There was nothing in the appeal statement that indicated the respondent properly assessed the merits of the development resulting in an unnecessary appeal and expense.
7. I therefore find that unreasonable behaviour as described in the PPG has been demonstrated and that a full award of costs is justified.

#### **Costs Order**

8. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Craven District Council shall pay to Mr C Calvert, the costs of the appeal proceedings described in the heading of this decision limited to those costs incurred in dealing with the appeal; such costs to be assessed in the Senior Courts Costs Office if not agreed.
9. The applicant is now invited to submit to Craven District Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

*L M Wilson*

APPEALS PLANNING OFFICER

#### **Inspector's Decision**

10. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the should be allowed as set out in the Costs Order above.

*A U Ghafoor*

INSPECTOR



## REPORT TO PLANNING COMMITTEE ON 23rd September 2019

**Application Number:** 2019/20463/REG3

**Proposal:** Development of site to form 53 residential dwellings with off street parking and all associated works.

**Site Address:** Land To The North Of Airedale Avenue Skipton

**On behalf of:** Craven Barnfield Regeneration Ltd

**Date Registered:** 29th April 2019

**Expiry Date:** 29th July 2019

**EOT Date, if applicable:**

**Case Officer:** Andrea Muscroft

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**The application is referred to Planning Committee as the application has been made on behalf of the Council and was deferred from the August Planning Committee Meeting.**

1. Site Description

- 1.1 The application site is a triangular shaped parcel of land extending to approximately 2.48 hectares in area located to the southeast of Otley Road in the town of Skipton.
- 1.2 The site is currently used as agricultural land and has a grouping of trees along the boundary with the railway line. The land to the east of the site consists of agricultural land, to the south east is a new residential development (Elsey Croft) with more established residential development located to the south, west and north west of the site.
- 1.3 The ground levels of the site fall in a northwards direction with the perimeter marked by drystone wall. Running south to north in the far western section of the site is a non-designated footpath which goes under the railway bridge linking the site with Otley Road.
- 1.4 The application site is located outside of the development limits and also lies adjacent to protected railway track beds as defined by the 1999 Local Plan.
- 1.5 The application site for the majority lies within Flood Zone 1 with the exception of the far NW boundary which lies within Flood Zone 2 as defined by the Environment Agency.
- 1.6 The site has been identified for housing within the Emerging Local Plan (ref: SK089 & SK090).

2. Proposal

- 2.1 The proposal is seeking full planning approval for the construction of 53 dwellings with associated off street parking and associated infrastructure.
- 2.2 The proposed mix for the development would consist of the following:
  - Affordable Housing Provision consisting of 1, 2 or 3 bedroom residential units.
  - Market Housing Provision consisting of 2, 3 and 4 bedroom residential units.

- 2.3 The submitted drawing shows the dwellings being accessed via a new access off Airedale Avenue. Landscaping is proposed throughout the site with a buffer being created between the application site and Wensleydale Avenue.
- 2.4 The proposal would provide a cycle/pedestrian path within the NW area of the site and would provide two play areas.
- 2.5 The proposal has been submitted with the following supporting reports which have been considered by officers and consultees:
- 2.6 Landscape Visual Impact Assessment  
Phase 1 GEO – Environmental Assessment.  
Phase 2 GEO – Environmental Assessment  
Preliminary Ecological Appraisal  
Archaeological Desk Based Assessment  
Arboriculture Survey Report  
Design and Access Statement.  
FRA and Drainage Strategy.  
Run off Analysis of Existing Greenfield Area Report.  
Surface Water Calculations Report.  
Planning Statement.  
Residential/Dwelling Units Supplementary Report.  
Transport Statement.
3. Planning History
- 3.1 Pre-application advice was sought from the applicant, seeking guidance with regards to the development principles for the development of the site, the provision and location of affordable dwellings on the site and the provision of open space. This pre application advice was conducted via meetings with the relevant departments within the Council and was the precursor to the current application.
4. Planning Policy Background
- 4.1 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for Craven comprises the saved policies of the Craven District (Outside the Yorkshire Dales National Park) Local Plan 1999 (the 'CDLP').
- 4.2 The Emerging Local Plan (ELP) that would cover the period up to 2032 has now been submitted for examination. Notwithstanding this, the ELP is not the adopted development plan for the district.
- 4.3 Saved Policies in The Craven District (Outside the Yorkshire Dales National Park) Local Plan (1999).  
ENV1 – Development in the Open Countryside.  
ENV2 – Requirements for Development in Open Countryside.  
T2 – Road Hierarchy



- 4.4 Emerging Local Plan Policies
  - SP1 – Meeting Housing Need
  - SP3 – Housing Mix and Density
  - SP4 – Spatial Strategy and Housing Growth
  - SP5 – Strategy for Skipton
  - ENV1 – Countryside and Landscape
  - ENV3 – Good Design
  - ENV4 – Biodiversity
  - ENV5 – Green Infrastructure
  - ENV6 – Flood Risk
  - ENV7 – Land and Air Quality
  - ENV8 – Water Resources, Water Quality and Groundwater
  - ENV10 – Local Green Space
  - ENV12 – Footpaths, Bridleways, Byways and Cycle Routes
  - H2 – Affordable Housing
  - INF3 – Sport, Open Space and Recreation Facilities
  - INF4 – Parking Provision
  - INF6 – Education Provision
- 4.5 National Policy
  - The National Planning Policy Framework – NPPF 2019
  - Planning Policy Guidance
- 5. Parish/Town Council Comments
- 5.1 **Skipton Town Council:** Concerns regarding the increased traffic volume that would be created and the impact this would have on road management and pedestrian safety. There are also concerns regarding contractors requiring access to the site through Greatwood area due to height restrictions on the railway bridge on Shortbank Road.
- 5.2 Councillors note the comments made by neighbouring properties.
- 6. Consultations
- 6.1 **CDC Environment Health Officer:** Comments provided suggesting conditions relating to noise, vibration, dust, topsoil be imposed should the proposal be granted planning permission.
- 6.2 **CDC Open Space Officer:** The proposal triggers the policy requirements for development over 10 units with regards to the provision of adequate play and recreational needs.
- 6.3 Details submitted have been reviewed and it is confirmed that the application is acceptable in relation to SRC2 with the proposed on site POS play area provision of approx. 600m<sup>2</sup> and subject to an off-site contribution of £62,500 to address the policy requirements and in catchment deficiency in provision for youth and adult provision: playing fields and allotments.

- 6.4 As the works required to comply with Saved Policy SRC2 are off-site, should the Council be mindful to grant planning permission, the following recommendation is made:
- 6.5 That members resolve to grant delegated authority to the Strategic Manger for Planning to grant planning permission subject to the applicant first entering into a S106 Planning Obligation or equivalent legal agreement to secure the on-site play provision and off- site planning gain contribution.
- 6.6 It is considered that the S106 agreement is necessary in the interests of residential amenity to ensure adequate provisions of Public Open Space to meet local needs in accordance with the NPPF and saved local plan policy.
- 6.7 **CDC Strategic Housing Officer:** The proposal is for the construction of 53 homes which includes 16 – 1, 2 and 3 bed affordable homes, both for rent and shared ownership. This equates to 30% affordable housing as required by the emerging Local Plan on greenfield sites of 11 dwellings and above (unless submission of a financial appraisal demonstrates provision is not viable at this level).
- 6.8 The Council's evidence base (November 2017) demonstrates a need for 126 affordable homes to be provided within the District each year. In addition, the Council holds a register of approximately 150 first time buyer households who cannot afford to rent or buy on the open market and who have expressed a wish to buy a shared ownership property.
- 6.9 The proposal is strongly supported by Strategic Housing.
- 6.10 **CDC Tree Officer:** The proposal involves the removal of some trees, however, none of these have long term potential. It is therefore considered that the landscaping and tree planting plan to be acceptable.
- 6.11 **Environment Agency:** No comments received within the statutory consultation period.
- 6.12 **Officer Note:** The application was submitted with Flood Risk Assessment and it is considered to comply with the Environment Agency's standing advice.
- 6.13 **Network Rail:** With reference to the protection of the railway, Network Rail has no objection in principle to the development, but there are some requirements which must be met, must be located to discharge away from the railway infrastructure.
- 6.14 **NYCC Designing Out Crime Officer:** Submitted information has been reviewed. Following a review of the submitted details advice and recommendations have been provided. The applicant/developer is advised that should the proposal be granted approval that they apply for Secured by Design (SBD) accreditation.
- 6.15 **NYCC Highways:** In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters: Existing Highway Layout to the site.
- 6.16 The Highway Authority has no objection to the proposal on the grounds of highway safety, capacity or amenity issues.
- 6.17 Consequently the Local Highway Authority recommends that conditions be attached to any permission in relation to details required under a S38 application and conditions relating to construction of roads, footpaths etc and management of construction traffic.
- 6.18 **Yorkshire Water:** Thank you for consulting YW regarding the above development. If planning permission is to be granted, conditions should be attached in order to protect the local aquatic environment and YW Infrastructure. Conditions relate to details ref protection



of main water pipe within site, separate drainage systems for foul and surface water and details of outfall of surface water.

- 6.19 **Officer Note:** Further comments received on the 9<sup>th</sup> August 2019 following receipt of details relating to waste water. Based on the information submitted, YW has no further comments and the previous comments and conditions still stand.
- 6.20 **NYCC Heritage and Archaeological Officer:** Have reviewed the geophysical survey and note that it is largely clear of anomalies on interest with the exception of a faint curvilinear response in the north east corner of the survey area. This form of the anomaly could represent a small prehistoric enclosure or on the other hand could represent changes in the underlying geology.
- 6.21 In either case the feature is discrete and is unlikely to represent anything of major significance. It is recommended that this be investigated prior to the development. It is recommended that a trial trench is dug to assess if it is of archaeological significance. If this is the case then a large area could be opened to record the feature. This staged investigation could be secured by a planning condition which is recommend should the proposal be granted planning approval.
- 6.22 **Officer Note:** It is considered that this can be managed through the use of an appropriate condition should be proposal be granted planning approval.
- 6.23 **NYCC Public Rights Officer:** Recommend informative: No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development. Applicants are advised to contact the County Council's Access and Public Rights of team at County Hall, Northallerton via [paths@northyorks.gov.uk](mailto:paths@northyorks.gov.uk) to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.
- 6.24 **NYCC Suds Officer:** Further to the additional information submitted on Friday 6<sup>th</sup> September  
Greenfield Area Plan – 18164-PWA-00-XX-DR-C-1000 – PO2  
Run Off Analysis of Existing Greenfield Area, Paul Waite Associates, Report Ref:18164-PWA-00-XX-CA-C-1003-PO2, Dated September 2019  
Drainage Layout– 18164-PWA-00-XX-DR-C-1003 – PO2, Dated 4/09/2019  
Surface Water Calculations, Paul Waite Associates, Report Ref:18164-PWA-00-XX-CA-C-1002-PO3
- 6.25 Since our last comments dated 22<sup>nd</sup> August 2019, given the timescales involved, the applicant has not been able to provide further capacity and survey information on the culvert. In acknowledging this, the applicant has therefore limited the surface water runoff rate from the site to the proportion of the site that is currently draining the watercourse located in the northern extent of the site.
- 6.26 The applicant's consulting engineers suggest that the area that drains to the watercourse may be significantly larger than that presented on the submitted greenfield area plan due to a ditch that runs along the toe of the railway embankment. However, given that hard evidence in the form of more detailed topographic surveys have not been provided, it cannot be definitively proved that this larger area does indeed drain to the watercourse. The applicant's engineers have therefore adopted an ultra-conservative area that can be shown to drain to the watercourse by a watershed line across the contours. It is understood that

further detailed analysis will be undertaken as part of the drainage design to confirm the capacity of the culvert and the wider catchment that drains into the watercourse.

- 6.27 The applicant has also provided on 27<sup>th</sup> August 2019, a management strategy document for the drainage. The LLFA is satisfied that there maintenance responsibilities have been identified and a management regime has been proposed.
- 6.28 The LLFA is satisfied that the proposed drainage scheme demonstrates that the site can be delivered without increasing runoff into the watercourse and increasing flood risk on and off site. In accordance with paragraph 163 of the NPPF.
- 6.29 The LLFA is also satisfied that a SuDS system can be implemented on site and maintained for its lifetime in accordance with the requirements of Paragraph 165 of the NPPF.
- 6.30 The LLFA can now support the approval of this planning application subject to conditions requiring a detailed drainage design and exceedance flow route plan to be submitted.
- 6.31 **Yorkshire Dales National Park:** Thank you for the consultation on the above application. The NPA offers the following comments: No comment
- 6.32 **Officer Note:** The above is a summary of the comments received on this application. The full written text is available for inspection on the Council's website at:  
<https://publicaccess.cravenc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PQKSLCFKL0300>

## 7. Representations

- 7.1 The proposal was advertised in the Craven Herald on the 16<sup>th</sup> May 2019 and a Site Notice was posted adjacent to the site on the 17<sup>th</sup> May 2019. In addition, notification letters were circulated to neighbouring properties.

- 7.2 As a consequence of the publicity the Council received 16 letters of representation within the statutory consultation period.

### 7.3 **Visual**

Unsuitable development.

**Officer Note:** The development is considered to be appropriate to the local context in terms of height, scale and massing and is not considered to be unsuitable development.

### 7.4 **Amenity**

Increase noise.

Loss of outlook.

- 7.5 **Officer Note:** The loss of an outlook is not a material planning consideration.

### 7.6 **Highways**

Increase traffic.

Inadequate vehicular access.

Development should only be contemplated once a new access has been constructed from farm land accessed via Otley Road in connection with the development of SK90.

**Officer Note:** The development of SK90 lies outside of the scope of this proposal and is therefore not a material planning consideration. The Local Plan Inspector proposed Main Modifications deleting reference to access to Otley Road.



## 7.7 Drainage and Flooding

Strain on existing infrastructure.

Footpath under the bridge onto Otley Road regularly floods and this proposal would make the situation worse.

Concern that the development would result in an increase in flooding.

**Officer Note:** Concerns are noted, however, the development of this site through the use of appropriate conditions recommended by Yorkshire Water and NYCC Suds, combined by the Flood Mediation Measures that have been implemented by the Environment Agency would not result in any unacceptable flooding or place a strain on existing infrastructure.

## 7.8 Other

Increased air pollution.

Population not being looked after in what is already an over developed area.

No need for housing.

Adverse impact on local wildlife.

Why no affordable housing being provided by scheme?

**Officer Note:** It is confirmed that the proposal is seeking to provide affordable housing.

Increase pressure on local amenities/services.

The development would will cause the house price to drop of No 11 Airedale Avenue.

7.9 **Officer Note:** The change in house prices is not a material planning consideration.

## 7.10 Observations

Development should incorporate more green energy.

7.11 As a consequence of the publicity the Council also received one letter of representation from the NHS Airedale Foundation Trust.

7.12 Comments have been summarised below:

The Trust is currently operating at full capacity in the provision of acute and planned healthcare. However, a contribution is being sought not to support a government body but rather to enable that body to provide services needed by the occupants of the new homes.

7.13 **Officers Note:** There is no policy requirement for financial contributions towards healthcare services.

7.14 The above is a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <https://publicaccess.cravendc.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

## 8.0 Summary of Principal Planning Issues

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

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

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

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

Principle of development

Affordable Housing

Open Space

Visual impact

Amenity issues

Highway issues

Drainage & Flooding

Other issues

9. Analysis

9.1 **Policy context**

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

9.3 **Principle of development.**

- 9.4 The application site lies outside of the development limits defined on the 1999 Local Plan, and accordingly the site lies within the open countryside. Saved Policy ENV1 is therefore of relevance. Saved Policy ENV1 indicates that the Council will protect the character and quality of the open countryside and prevent this from being spoilt by sporadic development. However, this policy does not preclude development in the open countryside.

- 9.5 Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). As the CDLP was adopted in 1999, in instances where conflicts between the Local Plan and the NPPF arise, paragraph 213 of the NPPF makes clear that the policies in the Framework must take precedence.

- 9.6 Furthermore, the NPPF also makes allowances for other types of development in rural areas which do not strictly fall within the categories identified in policy ENV1.

- 9.7 In this instance, it is acknowledged that the proposal cannot be considered small scale nor meet the requirements as set out of saved Policy ENV1. As such, the proposal conflicts with saved Policy ENV1. Notwithstanding this, it does not follow that this is sufficient grounds to resist the principle of development.



- 9.8 As outlined above, it is acknowledged that the application site lies outside but adjacent to the development limits of Skipton, and thus lies in open countryside. However, paragraph 72 of the NPPF advises that large numbers of new homes can often be best achieved through planning for larger scale development, through extensions of existing villages and towns.
- 9.9 In accordance with the aims and objectives of the NPPF emerging policy SP4 sets out a 5 tier settlement hierarchy which seeks to direct the majority of development to key service centres and local service centres in urban areas of the District with the greatest accessibility to local services, employment and transport opportunities. Furthermore, emerging policy SP5 identifies the specific preferred sites of which this is one of, that aim to deliver the Councils spatial strategy and deliver the sustainable development that is needed for the district.
- 9.10 As outlined above the site has been identified for housing within the emerging local plan ref: SK089 & SK090 (ref SK090 will be brought forward at a later date), but until adopted carries limited weight. Nevertheless, as a matter of general principle as outlined in the NPPF development should be directed towards the main settlements, which is the aim of this proposal.
- 9.11 Therefore, taking into account the proximity of the site to the town centre and all the facilities available, combined with the Council's settlement level analysis (Sustainability Appraisal) undertaken during the assessment of the preferred sites, which deemed this site sustainable in accordance with the requirements as set out in the NPPF. It is therefore considered, that this site would not result in isolated dwellings in the countryside for the purposes of the NPPF.
- 9.12 In conclusion the development of this site is acceptable in principle for housing, subject to compliance with other LP considerations.
- 9.13 **Affordable Housing Provision.**
- 9.14 The NPPF refers to the social dimension of sustainable development and the need to provide a supply of housing to meet the needs of present and future generations. It goes on to state that local authorities should plan for a mix of housing based on the needs of different groups in the community and identify the size, type, tenure and range of housing that is required in different locations.
- 9.15 There is no adopted policy in the CDLP relating to the provision of affordable housing. However, policy H2 of the ELP seeks affordable housing at a minimum rate of 30% for schemes of 11 dwellings or more.
- 9.16 Despite the absence of an adopted Local Plan policy concerning the provision of affordable housing and the 'limited weight' which can be attached to ELP policy H2, the delivery of affordable housing is an objective of the NPPF and so is a material consideration which must be given significant weight.
- 9.17 The Council's 2017 Strategic Housing Market Assessment (SHMA) identifies a need for 126 affordable homes to be provided within the District each year. While this cannot translate into a policy requirement, it is nevertheless clear that the evidence in the SHMA provides a strong indication of ongoing need for affordable housing in the district.
- 9.18 Details submitted indicate that the proposal will provide 30% affordable dwellings, equal to 16 affordable dwellings. In addition, Craven District Council has negotiated the acquisition of four further affordable homes, subject to the award of Homes England grant. These will be two bedroomed houses offered on a shared ownership basis to first time buyers. Initial

shares of between 25% and 75% will be available. These homes will not be included in a s106 agreement as they are additional to those provided by the developer, but will be covered by grant conditions and will meet the NPPF definition of affordable homes. Subject to a successful grant bid, this will bring the percentage of affordable housing delivered on this site to 38%.

- 9.19 CDC Strategic Housing have reviewed the information and have confirmed no objection to the proposal subject to the provision of affordable housing being secured via the applicant entering into a S106 Planning Obligation/equivalent legal agreement or appropriate condition.

9.20 **Open Space**

- 9.21 CLDP policy SRC2 requires new residential developments to provide local open space "within or close to the site" commensurate with the size and nature of the development.

- 9.22 The application seeks approval for the construction of 53 dwellings. Consequently, the proposal triggers the requirements of Policy SCR2 of the Local Plan.

- 9.23 The Council's Sports officer has been consulted and has confirmed no objection to the proposal subject to an off-site contribution being secured via the applicant entering into a S106 Planning Obligation/ or equivalent legal agreement or appropriate condition.

9.24 **Visual impact**

- 9.25 CDLP policy ENV2 sets out four criteria for developments in the open countryside. While the opening text to the policy indicates that policy ENV2 is most directly applicable to development deemed acceptable in principle under policy ENV1 (which is not the case with this development), it contains more detailed general design criteria for developments in the open countryside which are considered to be relevant in assessing the scheme's layout. Specifically, criteria (1), (2) and (4) of the policy indicate that development within the open countryside will only be permitted where:

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

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

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

- 9.26 Section 12 of the NPPF highlights the importance of good design and its key role in providing sustainable development. Paragraph 127 states that LPAs should ensure that developments are visually attractive, are sympathetic to local character and history, and establish a strong sense of place.

- 9.27 Paragraph 130 however, does state that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area, taking into account local design standards or style guides. Conversely, where the design accords with clear expectations in plan policies, design should not be used by the decision maker as a valid reason to object to development.

9.28 **Layout, scale, appearance and landscaping.**

- 9.29 The proposed layout follows the principles set out within Saved Policy ENV2 and emerging policy ENV3 with respect to the internal highway network, public open space and the



provision of landscape buffer. In addition, the internal layout would ensure that the dwellings did not appear cramped and would be of a similar density compatible with the character of the surrounding residential development.

- 9.30 Dwellings would be arranged with both inward and outward facing aspects to flanking estate roads. This approach would achieve both active frontages to the roadside but also good natural surveillance.
- 9.31 Guidance within the NPPF advises that development should deliver a good mix of both types and size of dwellings. The majority of the new dwellings would be two storeys in height, although taller 3 storey dwellings are proposed to be constructed in the middle of the site. Notwithstanding this, it is considered that these larger dwellings which would be dispersed within the two storey dwellings, combined with the changes in topography would not result in these dwellings appearing as dominant or incongruous features in the wider context of the surrounding area.
- 9.32 The proposed dwellings in terms of their details, fenestration and materials would complement surrounding dwellings, with interest added to the dwellings through a combination of projecting porches, canopies, balconies and facing gables. The proposed dwellings would sit comfortably alongside existing dwellings located within the surrounding area and would not appear incongruous in the context of the site when read as a whole.
- 9.33 The proposed layout of the dwellings would include front garden aspects with rear private amenity areas enclosed by timber fencing. Public open space would be created with an existing stream that runs parallel to the railway line being enhanced. In addition, a public play area would also be created.
- 9.34 The layout, scale, appearance and landscaping of the development would be compatible with the density, character and appearance of the surrounding area. Therefore, for the reasons outlined above it is considered that the proposal does not conflict with saved local plan policies, nor emerging local plan policies or the aims and objectives of the NPPF.
- 9.35 **Amenity**
- 9.36 Paragraph 127 (f) states that planning decisions should create places that are safe, inclusive with a high standard of amenity for existing and future users.
- 9.37 The nearest dwelling to the application site has been identified as No. 20 Airedale Avenue located to the south of the site at a separation distance of approximately 5m between gable to gable of plot 52. This separation distance complies with national guidance with regards to space between dwellings. In addition, this separation distance combined with the orientation of these dwellings would ensure that the occupants of this properties would not experience any unacceptable loss of privacy or any overshadowing. Furthermore, for reasons outlined above the proposed dwelling would not appear overbearing or dominant when viewed from the private amenity areas associated with No. 20 Airedale Avenue.
- 9.38 The next nearest dwelling to the site would be No. 11 Airedale Avenue also located to the south of the site at a separation distance of approximately 12.5m from the side gable of Plot 1. To maintain the privacy of No. 11 the proposed building has been orientated to ensure that the occupants of this property do not experience any unacceptable loss of privacy or amenity as a result of this proposal. Similarly, the proposal would not appear dominant or overbearing.
- 9.39 The next group of dwellings located close to the application site are located on Wensleydale Avenue. The proposed layout shows the creation of a green buffer directly between dwellings on Wensleydale Avenue and the proposed dwellings. As a result of the green

buffer, combined with the separation distances and the changes in topography it is not considered that the proposal would have an adverse impact on the privacy or amenity of the occupants of these dwellings.

- 9.40 With regards to the amenity of future occupants of the site it is considered that there is sufficient living accommodation to meet the needs of future residents. In addition, the separation distances between proposed properties is sufficient to ensure that no future occupants experience any unacceptable loss of privacy.
- 9.41 The layout, spacing, orientation and plot sizes of the development would not have any adverse effects on the privacy or amenity of neighbouring properties through the loss of outlook, overlooking or overshadowing, nor on any future occupants. Therefore, for reasons outlined above it is considered that the proposal does not conflict with the aims and objectives of the NPPF.
- 9.42 **Highway Issues**
- 9.43 Saved Policy T2 is permissive of development proposal that are appropriate to the highway network where, amongst other things, they do not generate traffic in excess of the capacity of the highway network; any new or greater use of an access onto a primary, district or local distributor road is acceptable in design and road safety; and the highway impact has regard to the surrounding landscape.
- 9.44 Paragraph 108 of the NPPF states that applications for development should ensure that:  
*Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*  
*Safe and suitable access to the site can be achieved for all users; and*  
*Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*
- 9.45 Paragraph 109 of the Framework indicates that “*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*”
- 9.46 Access to the development would be off Airedale Avenue and would merge with the main estate roads. Within the site the development would provide 100 parking spaces, visitor parking, turning areas and pedestrian footpaths. The proposal would also seek improved visibility splays to the Hurrs Road junction.
- 9.47 The proposed parking provision is considered acceptable. Furthermore, NYCC Highways have reviewed the internal layout arrangements and have not raised any objections on highway safety grounds.
- 9.48 It is acknowledged that the development would result in an increase in the number of vehicles accessing the road network and that concerns have been raised by local residents about the potential impact on the development on the existing highway network. Whilst it is accepted that the development would give rise to an increase in usage on the surrounding network there is no evidence to demonstrate that the surrounding highway network is unable to accommodate the increased level of traffic. Furthermore, the applicants transport consultants have been in communication with the Highway Authority with regards to ensuring that the development does not adversely affect the existing highway network or on highway safety. As such, NYCC Highways have been consulted with regards to the proposal and have not recommended refusal on the grounds that the development would



have significant impacts on the highway network. The Highway Authority have recommended revisions to the road markings at the Hurrs Road junction to improve visibility this is within the highway and can be addressed by condition.

- 9.49 In conclusion, it is considered that the proposal would provide a safe and suitable means of access to the site which would not give rise to a serve residual cumulative impact on the capacity of the surrounding highway network. Furthermore, the internal road layout would provide safe movement of vehicles through the site with a suitable level of parking provision provided to ensure that the development would not have an adverse impact on highway safety. It therefore accords with the requirements of saved Policy T2 of the Local Plan and guidance contained within the NPPF.
- 9.50 **Flooding & Drainage**
- 9.51 The majority of the site (which forms the majority of the site area) falls in flood zone 1 (land with a less than 1 in 1,000 or <0.1% annual probability of river/sea flooding). However, the far western part of the site is located in flood zones 2 (land with between a 1 in 100 and 1 in 1000 or 1% - 0.1% annual probability of river/sea flooding) as defined on the Environment Agency's Flood Map.
- 9.52 With regards to this site, flood risk vulnerability classification identifies this proposal as being within the 'more vulnerable' classification where this form of development is considered appropriate subject to the submission of a Strategic Flood Risk Assessment.
- 9.53 The agent has submitted a Flood Risk Assessment and Drainage Strategy in support of the proposal. The document and supportive drawings outline the mitigation measures proposed with surface water drainage and confirms that plots 1-3 would be constructed with finished floor levels set higher to reduce any potential flooding to these plots. In addition, following a request for further information by NYCC Suds officer the agent has provided additional information/plans and calculations. The additional information was subject to re-consultation with NYCC Suds who has now confirmed that they support the proposal.
- 9.54 The Council also carried out a sequential test for residential development with regards to the emerging local plan and especially with regards to this site (SK89). The assessment showed that the site was suitable for development thus was included as a preferred site within the emerging local plan. In addition, the Environment Agency has implemented a programme of flood alleviation measures in and around Skipton which would reduce the potential for flooding in the future.
- 9.55 Yorkshire Water have also been consulted with regard to the proposal and have not recommended refusal subject to the use of conditions on any approval requiring the submission of details for the disposal of surface and foul water.
- 9.56 In conclusion, it is not considered that the development of this site would result in an unacceptable increase in flooding elsewhere in Skipton and therefore accords with the aims and objective outlined in the NPPF.
- 9.57 **Other issues.**
- 9.58 Concerns have been raised with regards to increased air pollution. The Council's Environmental Health team have been consulted and have raised an objection to the proposal with regards to potential increase in pollution.
- 9.59 Concerns have been raised over the potential impact of the development on local wildlife. It is acknowledged that the development would result in the loss of an area of agricultural

land. However, it is considered that there would be no unacceptable impact upon the local wildlife sufficient to withhold planning approval.

- 9.60 Concerns have also been expressed with regards to increased pressure on local amenities and services. It is not envisaged that a development of this scale would put significant pressure on local infrastructure and services to withhold planning approval.

9.61 **Planning Balance and Conclusion**

- 9.62 The application relates to a parcel of agricultural land which lies outside of the development limits for Skipton. Nevertheless, the site has been taken forward in the emerging local plan as a preferred site for housing.

- 9.63 The site lies adjacent to existing residential dwellings, therefore, whilst the proposal would result in the loss of an agricultural field, the relatively close relationship between this application site and adjacent dwellings would mean that the development would be seen against the backdrop of existing buildings.

- 9.64 The proposal in terms of design, scale, siting and landscaping would achieve a form of development that would not result in any unacceptable harm to the character and appearance of the surrounding area.

- 9.65 The proposed access to the site via Airedale Avenue is considered safe and suitable for all users. The internal layout would also provide suitable pedestrian and vehicle movement and off street parking. It is acknowledged that the development would see an increase in traffic using the existing road network, however, it is considered that the traffic generated by the development would not have any severe residual effects on the capacity of the surrounding highway network.

- 9.66 It is acknowledged that the development of this site would result in a loss of outlook for some nearby residents. However, the proposal has been design to ensure that there would be no unacceptable loss of privacy or amenity to these adjacent residents or those located further away.

- 9.67 No adverse effects would arise with respect to ecology, flood risk that would significantly and demonstrably outweigh the scheme's benefits. Accordingly, the proposal is considered to represent sustainable development in accordance with relevant policies contained within the Local Plan the aims and objectives of the NPPF.

10. Recommendation

That subject to the completion of a planning obligation in accordance with the provisions of the S106 legal agreement of the Town and Country Planning Act (as amended) or equivalent legal agreement to secure contributions/planning obligations towards:

The provision of on-site Affordable Housing

Public Open Space Contributions

Authority is delegated to the Planning Manager to Grant Planning permission subject to the following condition.

If the S106 legal agreement or equivalent legal agreement is not signed/completed by the (3 months from the date of the due decision/committee meeting) or the expiration of any further agreed extension of time, then powers be delegated to officers to refuse planning permission based on the unacceptability of the development without the required contributions and undertaking as outlined in the report.



10. Recommendation

10.1 New S106 Agreement Required

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 and documents:

- 01-A-Site Location Plan
- 02-Existing Site Layout
- 03-C-Proposed Site Layout
- 04-Site Block Plans
- 05-Existing Site Sections
- 06-Proposed Site Sections A-A + B-B
- 10-B-Proposed Floor Plans & Elevations Type A
- 11-B-Proposed Floor Plans & Elevations Type B
- 12-B-Proposed Floor Plans & Elevations Type C
- 13-B-Proposed Floor Plans & Elevations Type D
- 14-D-Proposed Floor Plans & Elevations Type E
- 15-D-Proposed Floor Plans & Elevations Type F
- 16-C-Proposed Floor Plans & Elevations Type G
- 17-C-Proposed Floor Plans & Elevations Type H
- 18-C-Proposed Floor Plans & Elevations Type I
- 19-B-Proposed Floor Plans & Elevations Type J
- 20-C-Proposed Floor Plans & Elevations Type K
- 21-B-Proposed Floor Plans & Elevations Type L & M
- 22-B-Proposed Floor Plans & Elevations Type N
- A-Design & Access Statement

**Topographical Survey Drawings**

- TRI-2477-01-A1 - TriCAD Solutions Ltd
- TRI-2477-02-A1 - TriCAD Solutions Ltd
- TRI-2477-03-A1 - TriCAD Solutions Ltd
- TRI-2477-04-A1 - TriCAD Solutions Ltd
- TRI-2477-05-A1 - TriCAD Solutions Ltd
- TRI-2477-06-A1 - TriCAD Solutions Ltd
  
- Archaeological Desk Based Assessment - On Site Archaeology Ltd
- Geophysical Survey - On Site Archaeology Ltd
- Phase I Geo-Environmental Assessment - Paul Waite Associates
- Phase II Geo Environmental Assess - Paul Waite Associates
- FRA and Drainage Strategy - Paul Waite Associates inc drawing 18164 DR 01 P06

- 18164 PW A 00 XX DR C 5000 PO1 Section 104 Drainage
- 18164 PWA A 00 XX DR C 5001 PO1 Flood Routing Plan
- 1001-P03-Impermeable Area Plan - Paul Waite Associates
- 2000-P07-External Works - Paul Waite Associates
- 2001-P01-Retaining Wall Details Sheet 1, 2 & 3 - Paul Waite Associates
- 3000-P06-Earthworks Analysis - Paul Waite Associates
- 4000-P01-Remediation Strategy - Paul Waite Associates
  
- LL01-A - Landscape Plan - Smeeden Foreman
- LL02-A - Landscape Plan - Smeeden Foreman
- Landscape Visual Impact Assessment- Smeeden Foreman
- Arboricultural Survey Report - Smeeden Foreman
- TPP01 - Tree Protection Plan - Smeeden Foreman
- Preliminary Ecological Appraisal - Smeeden Foreman
- LMP01 - Landscape Management Plans
- 6000\_P02
- Transport Statement - AMATP
- Financial Viability Appraisal (Exception Circumstances) - Planning Potential Ltd

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

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

### **Before you Commence Development**

- 3 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 24m measured along both channel lines of the major road Hurrs Road from a point measured 2m down the centre line of the access road. The eye height will be 1.05m and the object height shall be 1.05m. This can be achieved with the installation of new junction markings as per the proposed offsite Highway works showing on drawing 6000\_P02 received 8.8.2019.

Reason: In accordance with saved Policy T2 of the Craven District (outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework.

- 4 No development shall take place until an appropriate Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority. Site design must be such that when SuDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site.

Reason: to prevent flooding to properties during extreme flood events and to mitigate against the risk of flooding on and off the site and to accord with guidance contained within the National Planning Policy Framework.

- 5 Prior to commencement of development on the site a Geophysical Survey shall be submitted to and approved in writing by the Local Planning Authority.



Reason: To ensure that a suitable programme of archaeological investigation is implemented prior to the commencement of any construction works in order to record and advance the understanding of the archaeological significance of the site and to accord with guidance contained within the National Planning Policy Framework.

- 6 Development shall not commence until a scheme restricting the rate of development flow runoff from the site has been submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to the Qbar greenfield runoff rate for all events up to the 1 in 100 year event. A 30% allowance shall be included for climate change effects and a further 10% for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, in accordance with the requirements of and the National Planning Policy Framework.

### **During Building Works**

- 7 No construction works within 10m of the water main crossing the site shall commence until measures to protect the main that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority .

The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. Furthermore, no trees shall be planted within 5 metres of the centre line of the aforementioned water main.

Reason: In the interest of public health and maintaining the public water supply and to accord with the requirements of the National Planning Policy Framework.

- 8 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 and to accord with the requirements of the National Planning Policy Framework.

- 9 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage , for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading , surface water is not discharged to the foul sewer network and to accord with the requirements of the National Planning Policy Framework.

- 10 Prior to any above ground works, a scheme for the provision of 4 affordable housing units shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme. Affordable housing shall meet the definition of affordable housing in the nPPF or any future guidance that replaces it. The scheme shall include:

the type, tenure and location on the site of the affordable housing provision to be made.

the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing

the arrangements for the transfer of the affordable housing to an affordable housing provider (or the management of the affordable housing) (if no Registered Provider is involved)

the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means of which such occupancy criteria shall be enforced;

Reason: To secure the provision of affordable housing on site in accordance with the NPPF.

11 During construction works there shall be no:

- a. Light Goods Vehicles exceeding 3.5 tonnes
- b. Medium Goods Vehicles up to 7.5 tonnes
- c. Heavy Goods Vehicles exceeding 7.5 tonnes

permitted to arrive, depart, be loaded or unloaded on Sunday or a Bank Holiday nor at any time, except between the hours of 07:00 and 18:00 on Mondays to Fridays and 08:00 to 18:00 on Saturdays.

Reason: To avoid conflict with vulnerable road users and to accord with the requirements of the National Planning Policy Framework.

12 There shall be no access or egress between the highway and the application site by any vehicles other than via the existing access with the public highway at Airedale Avenue.

The access shall be maintained in a safe manner which shall include the repair of any damage to the existing adopted highway occurring during construction.

Reason: In the interests of both vehicle and pedestrian safety and the visual amenity of the area and to accord with the requirements of the National Planning Policy Framework.

13 Drawings and details to be submitted under one S38 application to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

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

- the proposed highway layout including the highway boundary dimensions of any carriageway, cycleway, footway, and verges
- visibility splays
- the proposed buildings and site layout, including levels
- accesses and driveways
- drainage and sewerage system
- lining and signing
- traffic calming measures
- all types of surfacing (including tactiles), kerbing and edging.

b. Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:

- the existing ground level
- the proposed road channel and centre line levels



- full details of surface water drainage proposals.
- c. Full highway construction details including:
- typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
  - when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
  - kerb and edging construction details
  - typical drainage construction details.
- d. Details of the method and means of surface water disposal.
- e. Details of all proposed street lighting.
- f. Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.
- g. Full working drawings for any structures which affect or form part of the highway network.
- h. A programme for completing the works. The development shall only be carried out in full compliance with the approved drawings and details unless agreed otherwise in writing by the Local Planning Authority with the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interests of highway safety and to accord with saved Policy T2 of the Craven District (outside the Yorkshire Dales National Park) Local Plan and the requirements of the National Planning Policy Framework.

- 14 Prior to any above ground works, a scheme shall be submitted to and approved in writing by the local planning authority to provide that the buildings are designed and constructed so as to ensure that vibration dose values do not exceed 0.4m/s<sup>1.75</sup> between 07.00 and 23.00 hours, and 0.26m/s<sup>1.75</sup> between 23.00 and 07.00 hours, as calculated in accordance with BS 6842-1:2008, entitled Guide to Evaluation of Human Exposure to Vibration in Buildings. The dwellings shall be constructed in accordance with the approved scheme and maintained for the life of the approved development.

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

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

Reason: In order to ensure satisfactory treatment of hard surfaced areas and a satisfactory standard of engineering works in the interests of visual amenity in accordance with Saved Policy ENV2 of the Craven District (outside the Yorkshire Dales National Park) Local Plan and guidance contained within the National Planning Policy Framework.

- 16 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 plan submitted with application showing siting of boundary wall and fencing 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 in accordance with the requirements of the National Planning Policy Framework.

- 17 Notwithstanding any description of materials in the application, no above ground works shall take place until full details of all materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

Reason: To ensure use of appropriate materials which are sympathetic to the character of the rural area and the site's surroundings in the interests of visual amenity in accordance with the requirements of Craven District (Outside the Yorkshire Dales National Park) Local Plan policy ENV2 and the National Planning Policy Framework.

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

- 18 Prior to occupation, a fully detailed scheme for the sound insulation of the residential buildings against externally generated noise shall be submitted to and approved in writing by the Local Planning Authority; the approved works shall be implemented prior to the occupation of the buildings and thereafter permanently retained.

The sound insulation works shall be engineered so the dB levels within the residential buildings adhere to BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings ( See Table 4, page 24) .

Reason: In order to ensure that no undue disturbance is caused to individual occupants by the transmission of airborne sound and to accord with guidance contained within the National Planning Policy Framework.

- 19 Prior to the first occupation details of the trespass proof fence (adjacent to Network Rail's boundary minimum approx. 1.8m high) shall be submitted and approved by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the duly approved details.

Reason: To ensure appropriate measures are put in place to safeguard existing network rail infrastructure adjacent to the site and to safeguard the future occupants of these dwellings in accordance with the requirements of the National Planning Policy Framework.

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

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

- 21 Prior to the occupation of any dwellings, a management plan for the future maintenance of the open grassed spaces and trees/hedges as shown on the approved drawings (excluding the private amenity spaces associated with each dwelling) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the open grassed areas shall be permanently maintained in accordance with the approved management plan.

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

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



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

Reason: To ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents. accord with the requirements of the National Planning Policy Framework.

### Ongoing Conditions

- 23 The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellings.

Reason: To reduce the risk of flooding and pollution and increase the levels of sustainability of the development.

#### Informatives

1. A 10" water main is very close (possibly within) the most eastern point of the site; whilst it does not appear to be directly affected by the development the "green infrastructure zone appears to be located over a small length of the pipe. No ground levels must occur over or close to the pipe and no trees should be planted within 5 meters of its centre-line.

The pipe is located and marked out by YW prior to construction activity commencing and to arrange a visit the developer should contact [tech\\_support.engineer\\_west@yorkshirewater.co.uk](mailto:tech_support.engineer_west@yorkshirewater.co.uk)

2. Please note that there are private surface water drains crossing the site.

3. Broadband Connectivity

The applicant is advised to undertake early engagement with telecommunication providers to ensure the development benefits from the highest quality broadband connectivity available. Lead times for the provision of broadband services can be in excess of 9 months prior to occupation of the first dwelling.

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

4. Charging Points

The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.

5. 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.

6. 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.

7. 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.

8. 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.

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

10. All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soakaways must be located so as to discharge away from the railway infrastructure. The following points need to be addressed:

There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.

All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.

Attenuation should be included as necessary to protect the existing surface water drainage systems from any increase in average or peak loadings due to normal and extreme rainfall events.

Attenuation ponds, next to the railway, should be designed by a competent specialist engineer and should include adequate storm capacity and overflow arrangements such that there is no risk of flooding of the adjacent railway line during either normal or exceptional rainfall events.

11. 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.

12. 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 Rail's infrastructure or railway land.

13. 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
14. An Armco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing / wall must not be removed or damaged. Given the considerable number of vehicle movements likely provision should be made at each turning area/roadway/car parking area adjacent to the railway.
15. Although the existing NR fence is adequate in preventing trespass there will inevitably be pressure from the new residents to soften or even attempt to alter its appearance. It should be noted that our fence should not be altered or moved in any way and nothing should be put in place to prevent us from maintaining our boundary fence as we are obliged to do so in law. It is our experience that most developments seek to provide their own boundary enclosure so as to avoid such future problems. It would also help to reduce the impact of railway noise. We would advise that the developer should provide a trespass proof fence adjacent to Network Rail's boundary (minimum 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged.
16. Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address 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.
17. 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, contact details as below. 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.
18. 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
19. Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed
20. With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.
21. Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at

least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

22. 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.
23. The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.
24. 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. We 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. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Acceptable:

Birch (*Betula*), Crab Apple (*Malus Sylvestris*), Field Maple (*Acer Campestre*), Bird Cherry (*Prunus Padus*), Wild Pear (*Pyrus Communis*), Fir Trees - Pines (*Pinus*), Hawthorne (*Crataegus*), Mountain Ash - Whitebeams (*Sorbus*), False Acacia (*Robinia*), Willow Shrubs (*Shrubby Salix*), Thuja Plicata "Zebрина"

Not Acceptable:

Acer (*Acer pseudoplatanus*), Aspen - Poplar (*Populus*), Small-leaved Lime (*Tilia Cordata*), Sycamore - Norway Maple (*Acer*), Horse Chestnut (*Aesculus Hippocastanum*), Sweet Chestnut (*Castanea Sativa*), Ash (*Fraxinus excelsior*), Black poplar (*Populus nigra* var, *betulifolia*), Lombardy Poplar (*Populus nigra* var, *italica*), Large-leaved lime (*Tilia platyphyllos*), Common lime (*Tilia x europea*)

A comprehensive list of permitted tree species is available upon request.

25. 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. Detail of any external lighting should be provided as a condition if not already indicated on the application.
26. 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.



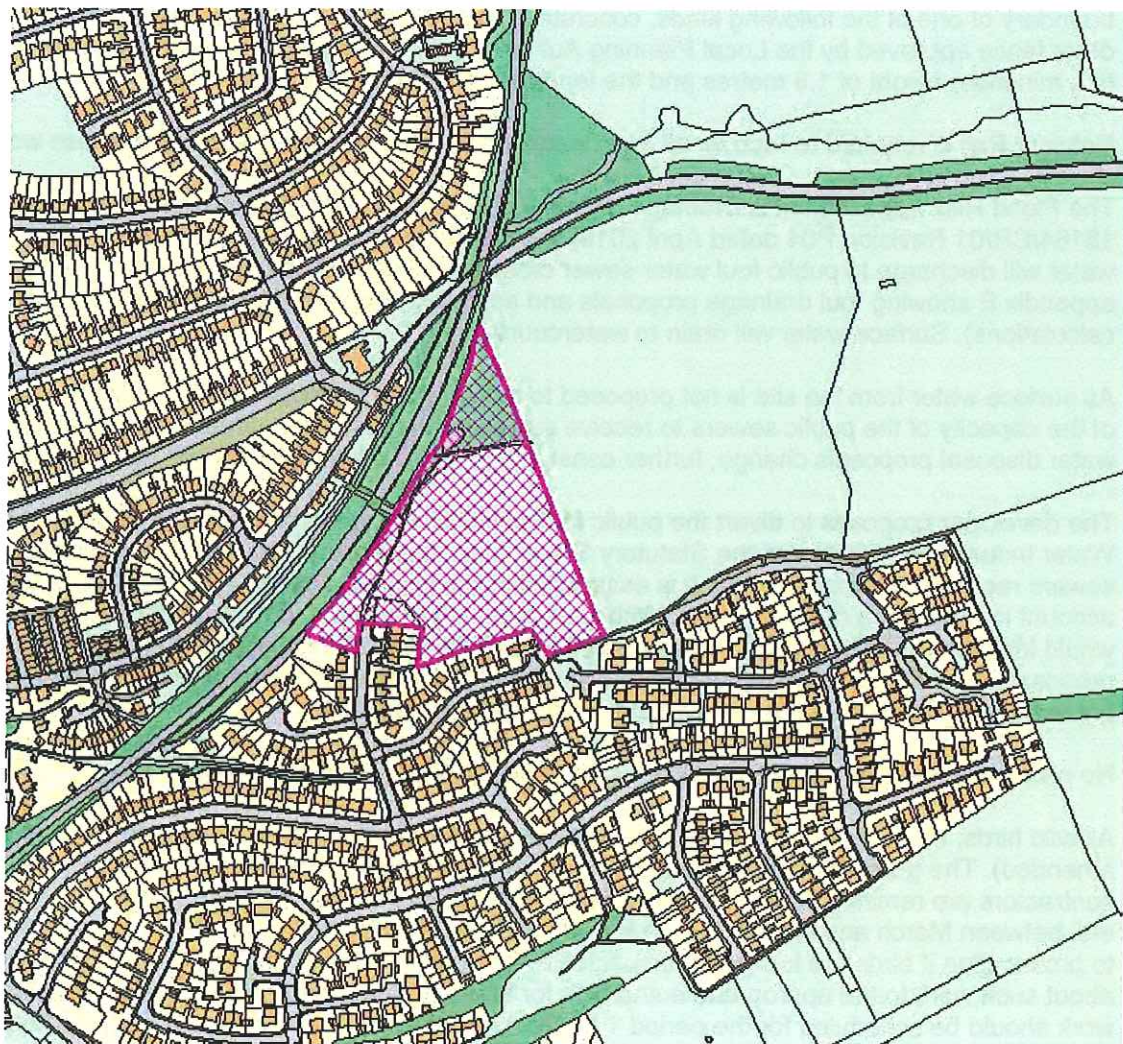
27. Children's play areas, open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railings, steel palisade or such other fence approved by the Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 1.8 metres and the fence should not be able to be climbed.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

28. The Flood Risk Assessment & Drainage Strategy prepared by Paul Waite Associates (Report 18164/CR/01 Revision P04 dated April 2019) is acceptable. In summary, the report states that foul water will discharge to public foul water sewer crossing the site (although the report makes reference to appendix E showing foul drainage proposals and appendix E appears to provide surface water calculations). Surface water will drain to watercourse.

As surface water from the site is not proposed to discharge to the public sewer network, no assessment of the capacity of the public sewers to receive surface water has been undertaken. Should the surface water disposal proposals change, further consultation with Yorkshire Water will be required.

29. The developer proposes to divert the public foul sewer crossing the site (subject to Section 185 of the Water Industry Act 1991). On the Statutory Sewer Map, there are 100mm & 225mm diameter public foul sewers recorded to cross the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme. With regards to the 100mm & 225mm public foul sewers, YWS would look for this matter to be controlled by Requirement H4 of the Building Regulations 2000. The proposal by the developer to divert the foul sewer will be subject to YW requirements and formal procedure in accordance with Section 185 Water Industry Act 1991.
30. No new trees must be planted 5m either side of any public sewer centre-line.
31. All wild birds, nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that persons undertaking site clearance, hedgerow removal, demolition works etc. between March and August may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September-28 February wherever possible. Otherwise, a qualified ecologist should make a careful check before work begins.



**Application Number:** 2019/20463/REG3

**Proposal:** Development of site to form 53 residential dwellings with off street parking and all associated works.

**Site Address:** Land To The North Of Airedale Avenue Skipton

**On behalf of:** Craven Barnfield Regeneration Ltd



## REPORT TO PLANNING COMMITTEE ON 23rd September 2019

**Application Number:** 2019/20785/OUT

**Proposal:** Relocation of allotments and erection of 1 no two storey house.

**Site Address:** Allotment Site Cross Haw Lane Clapham

**On behalf of:** Trustees Of Dr. J A Farrer Discretionary Will Trust

**Date Registered:** 25th July 2019

**Expiry Date:** 19th September 2019

**EOT Date, if applicable:** 27th September 2019

**Case Officer:** Mr David Coates

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**This application has been referred to Planning Committee by Councillor Lis as objections from the Parish Council and local residents raise objections on matters of planning policy.**

1. Site Description

- 1.1 The application site irregular shaped parcel of land which fronts onto Cross Haw Lane/Old Road on the edge of Clapham. The front area is currently used as allotments with the separate rear area of land being grazed by a pony, but has a concrete hardstanding on which was sited a former grain store shed. The site is bounded by stone walls, although the southern boundary includes partial hedges.
- 1.2 The western side of Cross Haw Lane and Old Road is characterised by a single row of ribbon style development. In particular to Old Road, the rear gardens are of irregular shapes and sizes. The application site is outside but adjoins the Yorkshire Dales National Park and also the Clapham Conservation Area.
- 1.3 The application site lies wholly within the development boundary for Clapham as indicated on the inset map as part of the Development Plan.

2. Proposal

- 2.1 The proposal is to relocate the current allotments from the eastern end of the site to the western end of the site, and it replace with a 2 two storey house and detached garage adjacent to the south-west corner of the neighbouring property to the north (Croft House). The western side of the site would become the new allotment area.
- 2.2 The proposal is in outline only, with all matters (except access), reserved for future approval.
- 2.3 For clarity the bungalow which formed part of the original submission has been deleted from the scheme. The description has been amended accordingly.

3. Planning History

- 3.1 None relevant

4. Planning Policy Background

- 4.1 The development plan includes the Craven District (Outside the Yorkshire Dales National Park) Local Plan adopted in 1999. The application area lies within the development limits as defined on the settlement inset plans.

- 4.2 Policy H4 permits small-scale residential development within the development limits of villages subject to criteria including appropriate standards of scale, density and layout; no adverse effect on the surrounding landscape; design is appropriate to the character of area; no loss of or damage to land of recreation or amenity value; no unacceptable impact on neighbouring properties; no adverse effect on areas of building or historic or architectural interest; and will not be prejudice to highway safety.
- 4.3 The Council's emerging Local Plan has been subject to an Examination in Public and following consultation of proposed modifications it is at an advanced stage. Notwithstanding this advanced stage, it can only be given little weight, and for making decisions on planning applications for the purposes of section 38(6) it is not the development plan.
- 4.4 The NPPF provides advice on sustainable development, and considering the impact of development on National Parks, and heritage assets including Conservation Areas.
5. Parish/Town Council Comments
- 5.1 The Parish Council responded on 20 August 2019 objecting to the proposal on the grounds of the emerging Local Plan should be taken into account; the neighbourhood plan is under consideration and the proposal fails to fall into the identified categories of the Neighbourhood Plan; conflict with the Clapham Conservation Area; Loss of visual amenity with particular reference to the bungalow; the increased use of the access will increase risk of collisions. It concludes that: The Parish Council has formed its view on the application as a whole. Were it to be re-submitted to encompass only the house within the existing allotment boundary, it would be prepared to re-consider.
- 5.2 The Parish Council was re-consulted following receipt of revised plans deleting the bungalow from the scheme. It responded on 5 September 2019 maintaining its objection:
- The Parish Council has already submitted objections. These were based on the original plans but the amended plans still refer to two residential units and there is some concern over the red line boundary as depicted.
- It is understood that there may be some further amendment required to correct at least one error in the plans.
- Given continuing uncertainties, the Parish Council would wish to consider this matter further at its meeting on the 24th of September, 2019. In the interim it would wish its earlier objections to stand.
- (Officer Note: the plans are titled proposed house and bungalow, however the Revision A states that the bungalow is deleted from the scheme and the amended plans only provide details the proposed house)
6. Consultations
- 6.1 Historic England responded on 12 August 2019 indicating it did not wish to comment on the proposal.
- 6.2 The NYCC Highway Authority was consulted on 5 September 2019 but no response has been received.
- 6.3 The Yorkshire Dales National Park Authority was consulted on 6 August 2019 but no response has been received
- 6.4 The Forest of Bowland AONB was consulted on 6 August 2019 but no response has been received.
- 6.5 The LLFA responded on 7 August 2019 citing that the proposal is not a major development and 'subsequent to the above and noting the development is in flood zone 1 with low flood risk the LLFA has no comments to make on this application'.
7. Representations
- 7.1 A press notice dated 15 August 2019.



7.2 A site notice dated 9 August 2019 was erected on site and 11 properties were notified by letter. 18 letters of representation have been received making the following points:

- ☐ Conflict with the emerging Local Plan;
- ☐ Proposed bungalow outside line of properties;
- ☐ The proposed neighbourhood plan should be considered;
- ☐ Need for cheaper accommodation/affordable housing;
- ☐ Too many new unsold houses in Clapham;
- ☐ Additional traffic with difficult sight lines;
- ☐ Inadequate access;
- ☐ Out of keeping with the character of the area;
- ☐ Outcome of September meeting of the Parish Council needed;
- ☐ Impairs Clapham's Conservation Area;
- ☐ Overshadows existing dwelling.

8. Summary of Principal Planning Issues

8.1 The main issues are:

- ☐ The principle of Development
- ☐ Effect on the landscape character including the National Park
- ☐ Effect on the character and setting of the Conservation Area
- ☐ Access
- ☐ Effect on the living conditions of residents nearby

9. Analysis

9.1 Principle of Development

9.2 The application site lies wholly within the development limits of Clapham as defined in the Local Plan Inset map. As a result, the proposal for residential development is acceptable in principle subject to criteria and considerations as set out below.

Landscape Character

9.3 The National Park boundary is Cross Haw Lane and Old Road which abuts the application site. National Parks are afforded the highest level of protection as advised in paragraph 172 of the NPPF. In this particular case, housing along Cross Haw Lane/Old Road to the west side of the road is a linear form of built development. The submitted scheme which included a bungalow would have introduced development projecting towards the west out into the countryside. Whilst this would be entirely within the development limits as defined on the Inset Map, it would nevertheless introduce a change in the general pattern and grain of development. This would adversely affect the character of the local area and adversely affect the National Park. As a result, the applicant subsequently revised the scheme to delete the proposed bungalow, and re-position the proposed 2 storey house and garage. This revised scheme is more in line with the general grain of development. The adjacent property (Croft House) has a shorter rear garden than other houses and the proposed dwelling, but this does not detract from the overall built up form of housing in that area.

9.4 Given that the proposal is now more reflective of the built form, it is considered there would no detriment to the character of the local area or to the National Park.

9.5 Conservation Area

9.6 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers whereby *'attention shall be paid to the desirability of preserving or enhancing the character or appearance of special that area'*. The NPPG provides advice in paragraphs 193 – 196 on considering potential impacts on heritage assets including Conservation Areas. In this particular case, the proposed dwelling to the east of the site and the relocated allotments to the west of the site would result in less than substantial harm to the significance of the heritage asset. However, the public benefit from the provision of housing and the allotments available for public use outweighs the identified harm on a site which lies within the development limits.

9.7 The applicant has indicated that the site of the former poultry shed is a brownfield site, however the absence of a building for so long which was merely a building constructed of temporary material, is not considered to be a heritage asset and has not been included in the planning balance. In any event, the site has the general appearance as a paddock and is currently grazed.

Access

9.8 The proposal includes a new access in addition to the that which serves the dwelling to the south (Hill View). The new access would have a visibility splay of 2m x 43m and have stone setts for the first 5m, and thereafter be a crushed stone track which would also provide access to the existing fields. The Manual for Street indicates that the Standard Stopping Distance for a 30mph road would be 43m, and the application site is located within the 30mph speed restriction zone. The Highway Authority has not responded but the proposed visibility splay is consistent with The Manual for Streets and can be achieved.

9.9 There have been concerns raised about the proposed access and that it is substandard. However, it meets the required standards as set out the Manual for Streets and accordingly, any refusal of planning permission on highway grounds cannot be justified.

Living Conditions

9.10 The submitted scheme included a bungalow which would have been in close proximity to the existing house called Croft House located to the north. The revised scheme no longer includes that bungalow. As a consequence, there would be little or no overlooking of the existing house, which means there would be no adverse detriment to the living conditions of those residents with particular reference to overlooking. The revised scheme now leaves the central portion open and free from development.

9.11 Whilst the proposed allotments would be at the western end of the site, they would be behind a proposed stone wall which reduces any harm that the users of the allotments would cause. The new stone wall would be 18m from the rear boundary of Croft House at its nearest point. Overall, it is considered that the proposed allotments would generate low levels of noise by the nature of their use, which together being sited behind the stone walls would not give rise to an unacceptable level of disturbance. In any event, the proposed allotments are simply the relocation of existing ones and therefore no new activity is actually proposed.

Other matters

9.12 The proposal for a single dwelling does not trigger any affordable housing provision particularly as the site is located within the development limits, and there is no saved Local Plan policy.

9.13 Reference has been made to existing housing elsewhere within the village which is slow to sell, but this is not a planning matter which can be taken into consideration.

9.14 Although there is a neighbourhood plan which is under preparation, this has not been confirmed in a referendum and accordingly cannot be considered as part of the development plan for the purposes of determining planning applications.

Conclusion



- 9.15 The proposed dwelling and the relocation of existing allotments would not give rise to development which would cause unacceptable harm to the character or appearance of the Conservation Area and the National Park and accords with requirements of saved policy H4 and the NPPF.

10. Recommendation

- 10.1 Approve with Conditions

Conditions

**Time Limit for Commencement**

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

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

**Approved Plans**

- 2 This permission relates to the following plans:

Drawing no. 002 Rev A received by the Council on 27 August 2019

Drawing no. 003 Rev A received by the Council on 27 August 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) Local Plan and the National Planning Policy Framework.

**Before the Development is Occupied**

- 3 Prior to the first occupation of the dwelling hereby approved the relocated allotments shall be created and be brought into use and shall thereafter be retained unless otherwise approved in writing by the local planning authority.

Reason: For the avoidance of doubt and to ensure the relocated allotments are made available to use.

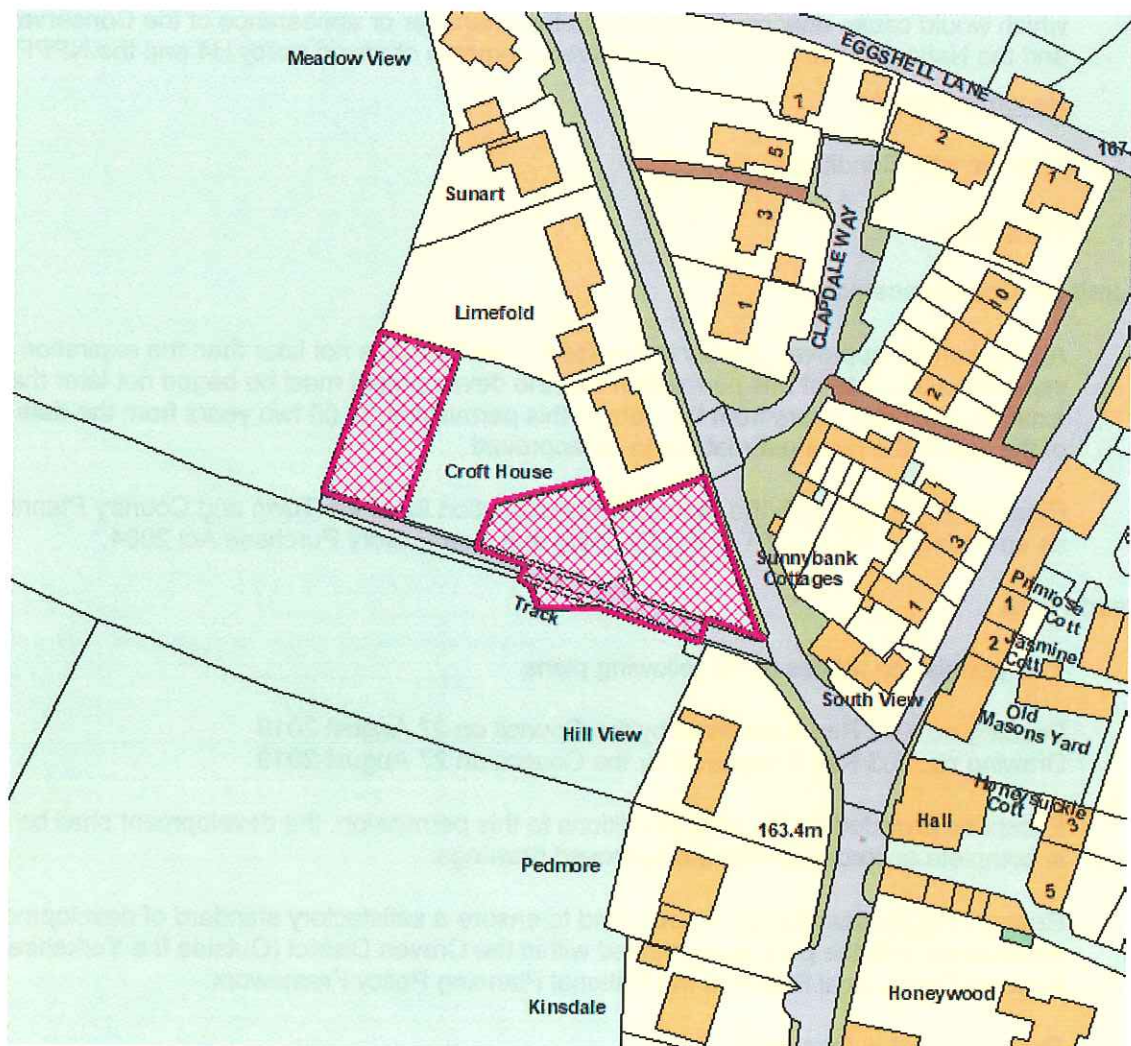
Informatives

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.



**Application Number:** 2019/20785/OUT

**Proposal:** Relocation of allotments and erection of 1 no two storey house.

**Site Address:** Allotment Site Cross Haw Lane Clapham

**On behalf of:** Trustees Of Dr. J A Farrer Discretionary Will Trust



## REPORT TO PLANNING COMMITTEE ON 23rd September 2019

**Application Number:** 2019/20427/FUL

**Proposal:** Proposed 3 no. new detached dwellings

**Site Address:** Land Off Dick Lane Cowling Keighley BD22 0JY

**On behalf of:** Ryan Homes And Developments

**Date Registered:** 14th June 2019

**Expiry Date:** 9th August 2019

**EOT Date, if applicable:** 30th September 2019

**Case Officer:** Mr Sam Binney

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**The application is referred to Planning Committee in accordance with paragraph 9 of the Scheme of Delegation as it is fundamentally the same scheme as one which has previously been considered by the Committee**

### 1. Site Description

- 1.1 The application site comprises a rectangular area of grazing farmland located on the eastern side of Dick Lane, Cowling. The site measures 79m along its eastern edge and has a road frontage 58m in length. At its widest point (northernmost edge) the site is 25m but is tapered at its southern end.
- 1.2 The site lies immediately adjacent to the southern boundary of a development of 3 dormer bungalows that was granted planning permission on appeal. The proposed development would be a continuation of existing residential development located on the eastern side of Dick Lane.
- 1.3 There is a ribbon of residential properties located opposite the site on the western side of the lane which comprise bungalows at the southern end, two of which were built sometime in the early 1990's, and two storey development at the northern end nearer to the junction with the main road.
- 1.4 Beyond the residential development and the application site to the west, east and south there is open countryside comprised mostly of farm land whereas to the north lies a main road and the easternmost part of the settlement of Cowling.
- 1.5 The site is bounded along its frontage by an established hedgerow which is the remaining part of a much larger hedge that previously ran along a substantial part of the eastern side of Dick Lane. There are some trees located towards the southern end of the application site. The remainder of the site is grassed over and generally rises from north to south.  
**Officer note:** The hedgerow at the frontage of the site immediately to the north has been translocated and is subject to monitoring by the planning enforcement team following complaints from the occupiers of neighbouring properties.
- 1.6 The site lies outside of the Development Limits of Cowling in an area defined as open countryside in the 1999 Local Plan. The western side of Dick Lane, immediately opposite the site, is located within the designated Cowling Conservation Area.

2. Proposal
- 2.1 The application seeks planning permission for the construction of 3 detached dormer bungalows. They will be sited to the east of Dick Lane with access directly off this highway. Adjacent to the dwellings, there will be detached garages with associated hardstanding for off-street parking.
- 2.2 The dwellings will be constructed of natural stone walls, blue slate roof, grey upvc window and black upvc rainwater goods.
3. Planning History
- 3.1 22/2013/13463: Construction Of 2 No. Houses & 1 No. Bungalow With Garages. Withdrawn 20/05/2013.
- 3.2 22/2013/13614: Construction Of 3 No. Bungalows With Garages (Re-Submission Of Previous Planning Application 22/2013/13463). Refused 02/09/2013.
- 3.3 22/2014/15325: Reserved matters application to previous planning application ref: 22/2013/13614 for appearance and landscaping. Withdrawn 02/03/2015.
- 3.4 22/2015/15414: Full application for 3 No. bungalows with garages and first floor dormers. Withdrawn 02/03/2015.
- 3.5 22/2015/15510: Application to discharge conditions 13 and 14 of appeal decision ref. APP/C2708/A/14/2213630 granted 23 July 2014. Approved 13/03/2015.
- 3.6 22/2015/15770: Reserved matters application to previous planning application ref: 22/2013/13614 for appearance and landscaping (Resubmission of withdrawn application 22/2014/15325). Approved 08/07/2015.
- 3.7 22/2015/15868: Discharge of conditions 5, 6, 7, 9, 10 and 12 of outline planning permission reference 22/2013/13614 and conditions 2, 3 and 4 of reserved matters permission reference 22/2015/15770. Approved 25/08/2015.
- 3.8 22/2016/17439: Outline application with appearance reserved for proposed 3 no dormer bungalows. Approved 10/05/2017.
- 3.9 2018/19894/FUL: Erection of 3 new dwellings. Withdrawn 18/02/2019.
- 3.10 2019/20213/REM: Construction of three detached dwellings with associated infrastructure and off street parking. Withdrawn 05/04/2019.
4. Planning Policy Background
- 4.1 Saved Policies in the Craven District (Outside the Yorkshire Dales National Park) Local Plan:  
ENV1: Development in the Open Countryside.  
ENV2: Requirements for Development in Open Countryside.  
ENV10: Protection of Trees and Woodland.  
T2: Road Hierarchy.
- 4.2 Submission Draft Local Plan policies:  
SD1: The Presumption in Favour of Sustainable Development  
SP1: Meeting Housing Need  
SP4: Spatial Strategy and Housing Growth  
ENV1: Countryside and Landscape  
ENV2: Heritage  
ENV3: Good Design  
ENV6: Flood Risk



#### INF4: Parking Provision

- 4.3 The Emerging Local Plan (ELP) that would cover the period up to 2032 has now been submitted for examination. Notwithstanding this, the ELP is not the adopted development plan for the district.
- 4.4 National Planning Policy Framework (NPPF).
- 4.5 National Planning Practice Guidance.
5. Parish/Town Council Comments
- 5.1 Cowling Parish Council: Recommend Refusal. Comments on Section 10 of the Application Form are incorrect. This area is within the conservation area and would mean removal of ancient hedgerow. Also there is a substantial flood risk to the dwellings situated below, Containment would be required.
6. Consultations
- 6.1 **NYCC Highways:** "In assessing the submitted proposal and reaching its recommendation the Local Highway Authority has taken into account the following matters:
- 6.2 The design standard for the site is MFS and the required visibility splays is 45 metres by 2 metres. The required visibility is achievable."
- 6.3 Consequently, the Local Highway Authority recommends a condition regarding verge crossings construction.
- 6.4 **Natural England:** "Natural England has no comments to make on this application".
- 6.5 **CDC Tree Officer:** No comments received within consultation period.
- 6.6 **CDC Environmental Health:** No objections subject to conditions regarding construction hours, noise levels, dust, and clean topsoil.
- 6.7 **Yorkshire Water:** If planning permission is to be granted, conditions regarding waste water drainage systems should be attached in order to protect the local aquatic environment and Yorkshire Water infrastructure. Further drainage information is requested. The developer needs to provide points of discharge for foul and surface water. Yorkshire Water has no sewers mapped in Dick Lane, so would like to know which sewer network the developer is proposing to connect.
- Officer's Note:** Following this consultation response, an amended plan was received on 23rd July 2019 from the applicant's agent to address this issue. No comments have been received from the reconsultation. However, the recommended condition is to be attached.
7. Representations
- 7.1 Site Notice dated 21st June 2019.
- 7.2 Press Notice published 27th June 2019.
- 7.3 Notification letters sent to 14 neighbouring properties.
- 7.4 2 letters of representation have been received. A summary of the letters is outlined below:
- Request to adjust the plans so that all garages are set back to the furthest possible point to enable the largest possible amount of off-road parking as Dick Lane is narrow and on road parking will make traffic safety difficult.
  - Assumption that translocation of the existing hedgerow is to be used for this site as with previous permissions.
  - Request that applicant is made aware of the bird nesting season in regard to timing of translocation.
  - Imperative that a suitable drainage system is installed because of run-off water from the hill above.

- Concern over height of the proposed dwellings.
- Concern over loss of hedgerow.
- Request for a no parking restriction on Dick Lane for construction traffic and worker vehicles. Site traffic should be parked on site.
- Risk of flooding if damage is done to existing stream and culvert.

## 8. Summary of Principal Planning Issues

- 8.1 Principle of development.
- 8.2 Visual impact and design/impact on heritage assets.
- 8.3 Impact on amenity.
- 8.4 Highway safety.
- 8.5 Landscaping.
- 8.6 Flooding issues.

## 9. Analysis

### **Principle of development**

- 9.1 The Local Plan was adopted in 1999 it was not prepared under the Planning & Compulsory Purchase Act 2004. Paragraph 213 of the NPPF states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework stating that 'due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.
- 9.2 The main thrust of the NPPF is an overarching presumption in favour of sustainable development. This guidance reaffirms that it is the Government's clear expectation that local planning authorities should deal promptly and favourably with applications that comply with up to date plans and that where plans are out of date, there will be a strong presumption in favour of sustainable development that accords with national planning policies.
- 9.3 The site has not been identified as a preferred site for housing in the Emerging Local Plan. Notwithstanding this, the Submission Draft policies do not form part of the existing Development Plan and the Council's decision on this application must be considered on its own merits having regard to the relevant national and Saved Local Plan Policies currently in force.
- 9.4 Paragraph 47 of the NPPF requires local planning authorities to boost significantly the supply of housing by identifying "specific, deliverable sites for years one to five of the plan period' and 'specific, deliverable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan'.
- 9.5 Paragraph 73 of the NPPF states that the figures (above) need to be calculated with an appropriate buffer. This is calculated as:
  - 5% to ensure choice and competition in the market for land; or
  - 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plans, to account for any fluctuations in the market during that year; or
  - 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 9.6 In March 2018 the Council submitted the Council's New Local Plan to the Secretary of State. The Housing Trajectory 2012 to 2032, including the 2018 update for Submission indicates that the Council can now demonstrate a 5 year supply of housing sites. However, the stated existence of



the Five Year Housing Land Supply is not reason in itself to justify refusal of a planning application. It is a material consideration in planning that can be given weight in the decision making process. In effect it is one of many planning issues that should be taken into account when determining a planning application.

- 9.7 Paragraph 78 of the NPPF recognises that, depending on its location, housing is capable of contributing to the vitality of rural communities by supporting services within neighbouring settlements. In regards to housing in rural areas, the main purpose of paragraph 79 of the NPPF is to avoid isolated homes in the countryside unless certain circumstances are applicable.
- 9.8 The term 'isolated homes in the countryside,' and its interpretation, was considered in a recent appeal case, Braintree District Council v Secretary of State for Communities and Local Government, Greyread Limited & Granville Developments Limited [2017] EWHC 2743 (Admin); [2018] EWCA Civ 610. In accordance with the judgement on that case 'isolated' in the context of the NPPF should be given its dictionary meaning, with the distinction between settlements and the countryside being a physical analysis rather than a mixture of the functional and physical. Based on this judgement therefore, the key test to apply when considering isolation is whether the proposal is physically adjacent to other dwellings.
- 9.9 The site is outside identified development limit boundaries but is close to other residential properties. The area has good vehicular access to local services and facilities (e.g. Primary School, Secondary School, Public Houses & Local Town Shops). The proposed development is in accordance with the objectives of the NPPF in that the site would provide some economic and social benefits. Therefore, with regard to the advice in the NPPF, taken overall the proposal is in principle considered to be capable of forming sustainable development.
- 9.10 As the application site lies outside the development limits of Cowling, saved policies ENV1 and ENV2 apply. Saved Policy ENV1 seeks to protect the character and quality of the open countryside from being spoilt by sporadic development. Further, small scale development appropriate for the enjoyment of the scenic qualities of the countryside and other small scale development having a rural character will only be permitted in the open countryside where it:
- Clearly benefits the rural economy
  - Helps to maintain or enhance landscape character
  - Is essential for the efficient operation of agriculture or forestry; or
  - Is essential to the needs of the rural community.
- 9.11 Saved Local Plan policy ENV2 seeks to ensure that any development acceptable in principle under saved policy ENV1 is compatible with the character of the area and does not have an unacceptable impact on the landscape; that the design and materials used relate to the setting; that traffic generated by the development can be accommodated satisfactorily and that services and infrastructure can be provided without a serious harmful change to the character and appearance of the area. These are general planning considerations that fall broadly in line with the NPPF.
- 9.12 Saved Policy ENV2 seeks to ensure that any development that is located outside of the development limits but considered to be acceptable in principle; should be compatible with the character of the area; the design, materials used relate to the setting; that traffic generated can be accommodated satisfactorily and; that services and infrastructure can be provided without any serious harm to the character and appearance of the area.
- 9.13 The overall conclusion in terms of the principle of development is that although the application site is not within recognised development limits as defined by the 1999 Local Plan it is located immediately adjacent to residential development and is in an accessible and sustainable location where there would be no significant harm caused by development. Consequently, residential development at this location is capable of forming sustainable development that would be in accordance with NPPF guidance and is therefore acceptable in principle.

#### **Visual impact and design/impact on heritage assets**



- 9.14 The NPPF sets out generic policies that require good design and specifically it is stated as a core planning principle that planning should always seek to secure high quality design and a good standard of amenity for all existing and future users of land and buildings.
- 9.15 Paragraph 127 elaborates planning policies and decisions should ensure that developments should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- 9.16 Saved Local Plan policy ENV1 seeks to limit development in the open countryside where it fails to maintain or enhance landscape character. More detailed criteria under ENV2 requires that development should not have an unacceptable impact on the landscape; that existing landscape features should be protected; that development should relate well to the setting and public views; and finally that it should be accessible and be capable of being serviced without causing a serious harmful change to the locality.
- 9.17 Paragraph 193 of the NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In this case the application site is located to the opposite side of the highway from the boundary of the Cowling Conservation Area. Therefore, the proposal has the potential to affect the setting of that heritage asset.
- 9.18 At paragraph 195 the NPPF advises that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 9.19 In this case the benefits of the provision of housing to meet the Council's housing land supply and the presumption in favour of sustainable development set out in the NPPF needs to be balanced against any adverse impacts of allowing the development to take place.
- 9.20 The main concern of the proposal would derive primarily from the visual impact of the development and the potential impact on the setting of the surrounding area. In terms of planning balance, it is the case that the provision of 3 new properties would be of limited benefit in terms of the overall supply of housing land but equally it is considered that no significant harm would arise from the proposal (i.e. there would be less than substantial harm to heritage assets).
- 9.21 Additionally, it is considered that the development would represent an efficient re-use of a small area of land that is of limited benefit in terms of its contribution to the overall character and appearance of the surrounding area. In coming to this view the site characteristics have been taken into account and the location of the site are considered such that the new dwellings would appear in no way incongruous or have a detrimental visual impact upon any area of important open space.
- 9.22 It is considered that the scale of the proposed houses is acceptable in relation to their immediate setting. Moreover, it is considered that the proposed dwellings would not appear in any way incongruous or overly dominant in the general context of the site. For these reasons it is considered that the proposal is consistent with NPPF policy in terms of design. An objection was raised in regard to the height of the proposed dwellings without excavation of the site. However, while these dwellings will be higher than the dwellings to the west and north, this is due to the natural topography of the surrounding land. The scale of the proposed dormer bungalows is considered appropriate and not overly large to have a significant visual impact upon the surrounding area.
- 9.23 With regards to the location of the site outside the conservation area it is considered that the proposals would not have any adverse impact upon the setting or significance of the designated heritage asset and that the proposed dwellings, which would be located adjacent to a cluster of existing residential development, would be entirely consistent with the NPPF policy requirements.

#### **Impact on amenity**

- 9.24 The proposed dwellings would be sited immediately to the south of existing dwellings, with a further row of dwellings to the west which all front Dick Lane. The dwellings to the north and north-west are positioned such that the site would be largely screened from view from those properties by existing



landscaping. In addition, those houses are in excess of 40m from the proposed site which ensures there is no unacceptable loss of privacy or overshadowing of those houses.

- 9.25 The proposed dwellings are to have blank north (side) elevations, but a mullioned window opening on the south (side) elevations which would serve the kitchen/dining areas. These openings would face the elevated parking areas and the side garden area of the southernmost dwelling. It is considered that these individual openings would not result in significant overlooking or privacy issues.
- 9.26 The proposed dwellings would also have traditional pitched roof dormers on the front and rear roof slopes. To the front these would face out toward the highway and to the rear the associated amenity spaces for the properties. In regard to the property directly to the north of this site, some level of overlooking would occur. However, due to the positioning of the northernmost dormer, the dormer window would only afford minimal, oblique views of the neighbouring amenity areas.
- 9.27 For the aforementioned reasons, the proposal would result in a minimal impact upon the amenity of the occupiers of neighbouring properties and is acceptable.

#### **Highway safety**

- 9.28 Section 9 of the NPPF contains guidance on transport and land use planning, including the promotion of sustainable transport choices and reducing travel by car. Paragraph 109 of the NPPF states that:
- 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.*
- 9.29 In addition to the above the NPPF at paragraph 35 advocates the promotion of sustainable transport modes and to this end recommends that developments should be located and designed where practical to 'give priority first to pedestrian and cycle movements' and to 'create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles'.
- 9.30 Saved Local Plan Policies ENV2 and T2 are permissive of development proposals that are appropriate to the highway network where, amongst other things, they do not generate traffic in excess of the highway network; any new or greater use of an access onto a primary, district or local distributor road is acceptable in terms of design and road safety; and, regard is paid to the highway impact and potential for improvement to the surrounding landscape.
- 9.31 In this case the proposal will require 2 new vehicular accesses created from Dick Lane and the closing of the existing access to the southern end of the site. The Highway Authority was consulted on the proposal and identified no objections to the proposal subject to a condition regarding the construction of the new accesses. Additionally, it was stated that the 45m visibility splay was achievable for the site.
- 9.32 Further to the consultation response, it was considered also considered that the parking areas, including garaging, would be sufficient enough to provide a minimum of 4 car parking spaces per 4-bed dwelling. It is considered that this level of car parking is sufficient for the size of properties proposed and is acceptable.
- 9.33 For the aforementioned reasons, it is considered that the proposal is acceptable in regard to highway safety, subject to the condition regarding the construction requirements for the proposed verge crossings.

#### **Landscaping**

- 9.34 While there are no trees present within the site boundary, there is a substantial native hedgerow to the frontage of Dick Lane. The submitted plans indicate that the majority of this hedgerow is to be retained, with the exception of a section to be removed to allow the construction of the access and driveways from the middle and north properties.

9.35 Within the proposed amenity areas, it has also been indicated that there will be additional landscaping within the garden areas of the proposed dwellings. However, no additional information has been provided. It is therefore considered that landscaping within the proposed garden areas of the dwellings should be required as they will help to soften the development and help to define a boundary to the site. A condition has therefore been attached to the application regarding providing a landscaping plan which will require discharging.

9.36 For the aforementioned reasons, it is considered that the proposed development is acceptable in terms of landscaping subject to the aforementioned condition.

#### **Flooding Issues**

9.37 The site lies entirely within Flood Zone 1, which has a low probability of flooding. Following the Environment Agency standing advice, a flood risk assessment is not necessary.

9.38 In this location, while flood risk is not a significant factor from flood risk zones, surface water run-off could become an issue. An objector to the application similarly highlighted that it is imperative that a suitable drainage system is installed because of run-off water from the hill above.

9.39 Consultations have been undertaken with Yorkshire Water who have no objection to the scheme subject to conditions specifying that drainage of surface and foul water shall be on separate systems and that a scheme is required to be submitted regarding the discharge of surface water from the site.

9.40 In addition to this, Yorkshire Water also stated that further drainage information is requested:

9.41 "Require foul and surface water drainage details. The developer needs to provide points of discharge for foul and surface water. YW [Yorkshire Water] has no sewers mapped in Dick Lane, so we would like to know which sewer network the developer is proposing to connect. YW [Yorkshire Water] accepts that soakaways and watercourses are not a practical option for this development".

9.42 It is considered that the requirements for the latest request will be met through Yorkshire Water's recommended condition for drainage connections to the public sewer which will require discharge and formal consultation with Yorkshire Water at that stage of development.

9.43 Finally, in regard to surface water drainage, any permission would require building regulations and will therefore be subject to Approved Document H: Drainage and Waste Disposal.

9.44 For the aforementioned reasons, it is considered that the proposal would not result in significant flooding issues, including surface water run-off, subject to the conditions recommended by Yorkshire Water.

#### Conclusion

9.45 The proposed dwellings would be located in a sustainable location in close proximity to the facilities in the settlement of Cowling and it is considered that the proposal would make a positive contribution to the housing supply and would have a less than significant impact on heritage assets. Taking into account the guidance in paragraph 11 of the NPPF, i.e. the presumption in favour of sustainable development, it is considered that the development is acceptable and should therefore be approved.

#### 10. Recommendation

10.1 Approve with Conditions

#### Conditions

#### **Time Limit for Commencement**

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



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

### Approved Plans

2 The permission relates to the following plans:

- Drawing No. 01 'Proposed Plans and Elevations' received 05th April 2019.
- Drawing No. 02 'Hard and Soft Landscaping with Planting' received 23rd July 2019.
- Drainage Strategy received 12th August 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 of existing positive drainage to public sewer and the current points of connection; and
- ii) The means by which the discharge rate shall be restricted to a maximum rate of (3) litres per second.

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

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

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

Reason: In accordance with policy T2 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

#### Informative

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

- 6 Notwithstanding any details shown on the approved plans of this permission, within three months of development first taking place a soft landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs. The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of Saved Policy ENV10 of the Craven District (outside the Yorkshire Dales National Park) Local Plan.

#### 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.

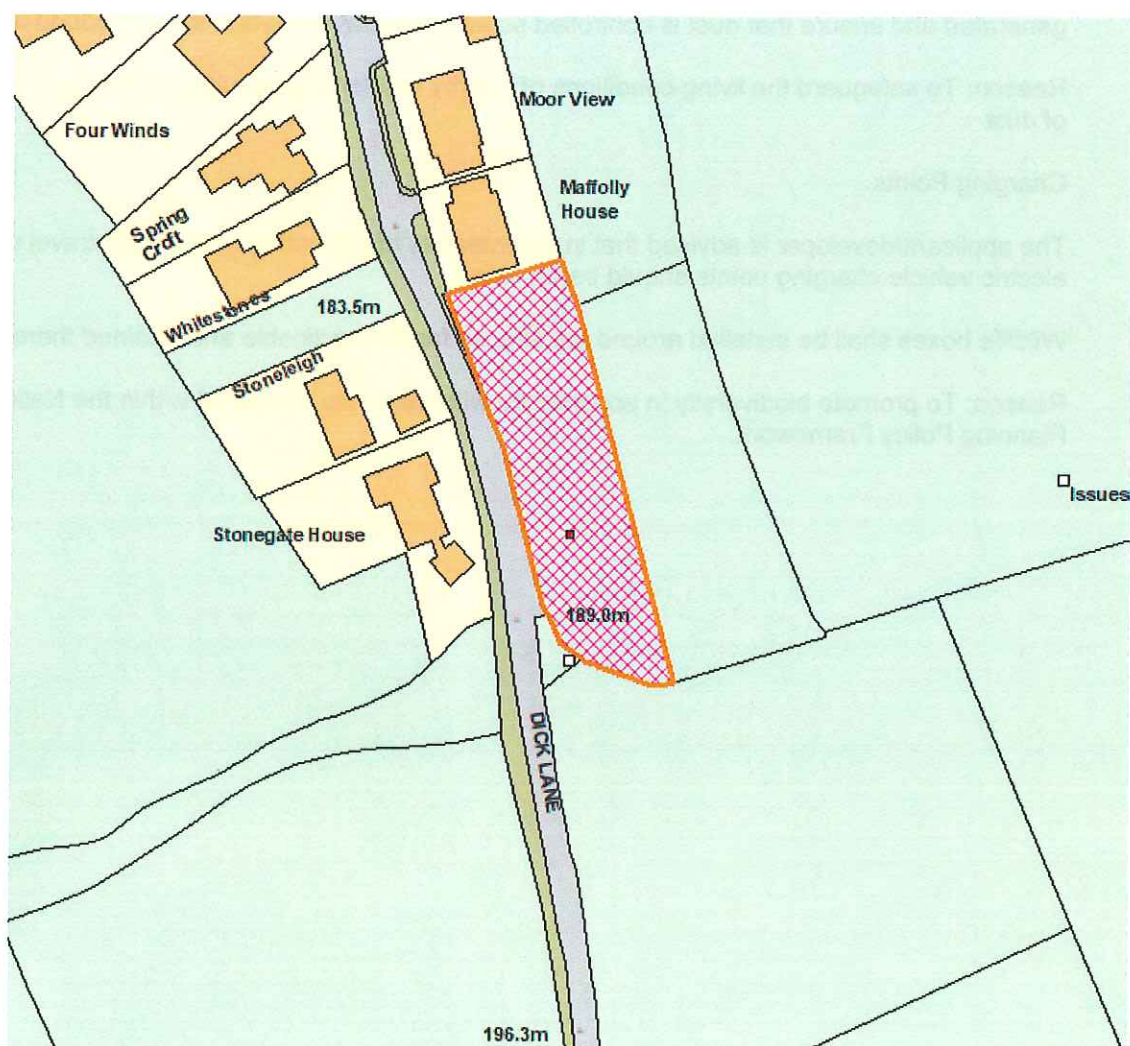
Reason: To safeguard the living conditions of nearby residents particularly with regard to the effects of dust

6. Charging Points

The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.

7. Wildlife boxes shall be installed around the site, so far as practicable and retained thereafter.

Reason: To promote biodiversity in accordance with guidance contained within the National Planning Policy Framework.



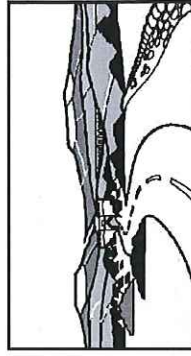
**Application Number:** 2019/20427/FUL

**Proposal:** Proposed 3 no. new detached dwellings

**Site Address:** Land Off Dick Lane Cowling Keighley BD22 0JY

**On behalf of:** Ryan Homes And Developments





**CRAVEN**  
IN - THE - YORKSHIRE - DALES  
**D I S T R I C T**

**Development Management**  
Craven District Council  
1 Belle Vue Square  
Broughton Road  
SKIPTON  
North Yorkshire  
BD23 1FJ  
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## Craven District Council - List of Planning Decisions 15 August to 12 September 2019

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

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2018/19514/LBC	OVIC LTD	Western Part Of Dale End Mill Lothersdale Keighley BD20 8EN	Roofing works to make the structure water tight including replacing skylights and installing roof windows	Approve with Conditions	04.09.2019
2019/20304/FUL	Craven District Council	Land Adjacent To North Parade Skipton	5 No. houses and associated parking/external works.	Approve with Conditions	28.08.2019
2019/20320/MMA	Skipton Properties Limited	Land To South East Of Riparian Court Riparian Way Cross Hills Keighley	Minor material amendment to condition number 2 on application reference number: 2018/19352/FUL granted 15/11/2018. Amendment to design and layout.	Approve with Conditions	12.09.2019
2019/20368/FUL	Tony Spellman	Land To East Of Paget Hall Paget Hall 15 Church Street Gargrave Skipton	Re-siting of existing stables, horsewalker and implement shed into field 3678.	Approve with Conditions	19.08.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20429/LBC	Cathy Cromarty	Cragg House High Bradley Lane High Bradley Keighley BD20 9EX	Alterations to form utility room in garage with replacement internal staircase. Remove garage door and wall up opening to form single door and window. Installation of new window to rear elevation. Replacement of all single glazed timber windows. Remove porch to rear and tank rear wall below path. Alterations to form glazed internal porch.	Approve with Conditions	23.08.2019
2019/20476/VAR	Mr & Mrs David And Jean Ward	Coach House Residential Home Carla Beck Lane Carleton Skipton BD23 3BU	Application to remove condition no. 2 of application reference number 17/2013/14156 granted 13/05/2014.	Approve with Conditions	16.08.2019
2019/20572/FUL	Mr & Mrs Lee And Daniella Holt	Low Barn Keighley Road Low Bradley Keighley BD20 9HF	Conversion of existing car port / store into self-contained accommodation	Approve with Conditions	30.08.2019
2019/20586/VAR	Dr and Mrs P Whitehead	The Maples Raikeswood Drive Skipton BD23 1NA	Application to vary condition 2 (plans) and remove condition 3 (occupation) on previous application referenced 63/2006/6198 granted 02 May 2006	Approve with Conditions	23.08.2019
2019/20588/FUL	The PCC Of St John The Baptist, Low Bentham	St John The Baptist Church Wennington Road Low Bentham LA2 7DD	Single storey extension to church to provide WC facilities. Glazed doors to existing open porch.	Approve with Conditions	29.08.2019
2019/20595/FUL	Ei Group	Old Swan Inn High Street Gargrave Skipton BD23 3RB	Replacement of commercial kitchen mechanical ventilation system (retrospective)	Approve with Conditions	11.09.2019



Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20596/LBC	Ei Group	Old Swan Inn High Street Gargrave Skipton BD23 3RB	Replacement of commercial kitchen mechanical ventilation system	Approve with Conditions	11.09.2019
2019/20599/HH	Mr & Mrs J Choudray	1 Pendle Street Skipton BD23 1SN	Retrospective single storey rear extension	Approve with Conditions	15.08.2019
2019/20603/FUL	WV Hotels T/A Rendezvous	Tow Path To Rear Of Rendezvous Hotel Keighley Road Skipton	60 foot restaurant trip boat for tourist group dining, commercial company activities, local and tourist dining, exhibitions, product launching, private anniversaries etc. All carried out whilst cruising, not whilst moored. (Resubmission of previously refused application referenced 2019/20099/FUL)	Refuse	28.08.2019
2019/20607/HH	Mr S Ali And Mrs M Akhtar	17 Pendle Street Skipton BD23 1SN	Proposed two storey rear extension and front dormer extension (re-submission of refused application reference 2018/19753/HH)	Refuse	03.09.2019
2019/20610/FUL	Coulthurst Craven/Sandyl ands Sports Centre	Coulthurst Craven/Sandylands Sports Centre Engine Shed Lane Carleton New Road Skipton BD23 2AZ	Extension to Skipton Tennis Centre Clubhouse to provide 4 no. indoor tennis courts, together with extensions comprising stores for sports equipment, link corridors, biomass boiler room/wood pellet store and cafe, and additional adjacent car parking.	Approve with Conditions	09.09.2019
2019/20613/LBC	Ermysteds Grammar School	Ermysteds Grammar School Gargrave Road Skipton BD23 1PL	Installation of a 220m long, 1.8m high metal fence to the north and north-west perimeter of the school.	Approve with Conditions	30.08.2019
2019/20614/HH	Mrs Rosemary Kernahan	27 Neville Road Gargrave Skipton BD23 3RE	Single storey side extension (retrospective)	Approve with Conditions	11.09.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20615/CPL	Mr Andrew Moore	Bethany 7 Mount Pleasant High Bentham Lancaster LA2 7JY	Single storey rear extension	Approve Cert. Lawful Devt	04.09.2019
2019/20616/LBC	Mr Richard Rees-Jones	Crag End Farm Sutton-in-craven Keighley BD22 0JU	1) Application for the retention of the already replaced windows and doors and replace remaining UPVC framed windows with timber frames. 2) Installation of Gates to the Westerly Boundary wall adjacent to the property, in order to provide exterior access from the north to the south of the property (and vice versa).	Approve with Conditions	11.09.2019
2019/20617/ADV	Bean Loved	17 Otley Street Skipton BD23 1DY	Replacement non-illuminated shop signage and retention of 3 signs and 2 hangings signs.	Approve with Conditions	19.08.2019
2019/20645/FUL	Melanie Cockett	Foredales Farm Warth Lane Ingletton Carnforth LA6 3HU	Siting of static caravan.	Approve no conditions	30.08.2019
2019/20647/ADV	Co-op Food Programme Delivery Orchid Group	9 Church Street Settle BD24 9JD	Installation of signage to kiosk and petrol forecourt and canopy	Approve with Conditions	23.08.2019
2019/20651/FUL	Mr Shams Deen	Dolly Tub Launderette 39 Gordon Street Sutton-in-craven Keighley	Proposed increase in height of existing single storey building to provide first floor apartment (Resubmission of previously refused application referenced 2019/20065/FUL)	Approve with Conditions	27.08.2019



Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20655/HH	Mr & Mrs Dyson	Copper Coin Netherghyll Lane Cononley Keighley BD20 8PB	Demolition of existing conservatory and roof terrace. Construction of new extension and roof terrace and internal garage conversion.	Approve with Conditions	21.08.2019
2019/20657/FUL	SR Design & Build Ltd	Land Off Greenfoot Lane Low Bentham Lancaster LA2 7ES	Development of 5 no. detached two storey dwellinghouses	Approve with Conditions	05.09.2019
2019/20661/CPL	Mr & Mrs R Jay	7 Sandholme Close Giggleswick Settle BD24 0AF	Certificate of lawful development (proposed) to enlarge kitchen, wall-up external door and provide 2 no. new windows	Approve Cert. Lawful Devt	19.08.2019
2019/20663/HH	Mr A Crabtree	9 Cromwell Street Skipton BD23 2DN	Extension of existing store to rear of dwelling.	Approve with Conditions	28.08.2019
2019/04592/OHL	Northern Powergrid	Hole House Farm Silsden Keighley BD20 9HG	Application to proposed maintenance works for existing electrical overhead distrubtion network a the above location.	Observations made	30.08.2019
2019/20665/FUL	Second Trinity Ltd	Agricultural Building Far Fence End Farm Thornton In Craven Skipton BD23 3JQ	New replacement general purpose agricultural and general purpose storage building on site of former agricultural building.	Approve with Conditions	09.09.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20668/FUL	Mr & Mrs Metcalfe	Enter Farm Enter Lane Ingleton LA6 3DL	Proposed replacement dwelling for existing permanent mobile home.	Approve with Conditions	19.08.2019
2019/20669/FUL	Mr Mark Boothman	Dodge Carr Barn Thornton Road West Marton Skipton BD23 3JH	Change of use first floor outbuilding to holiday let accommodation and construction of new porch.	Approve with Conditions	16.08.2019
2019/20671/TPO	Mrs Oliver	32 Brook Street Skipton BD23 1PP	T1 Lime of MWA Arboricultural report Works - Remove	Refuse Tree Work under TPO	29.08.2019
2019/20685/HH	Mr Mick Outhwaite	Cornerways Colne Road Glusburn Keighley BD20 8PN	Construction of domestic garage	Approve with Conditions	12.09.2019
2019/20689/COU	Mrs Suzanne Mason	Chandlers Cottage 26 Victoria Street Settle BD24 9HD	Change of use from residential to holiday let (retrospective)	Approve with Conditions	06.09.2019
2019/20690/HH	Mr Daniel Inman	1 The Close Skipton BD23 2BZ	Single storey side and rear extension. Replacement of existing timber door and windows with new UPVC anthracite grey units.	Approve with Conditions	06.09.2019
2019/20693/HH	Mr Sajjad Anwar	3 Dalacres Crescent Embsay Skipton BD23 6RW	Two storey and single storey side extensions and new driveway	Approve with Conditions	11.09.2019



Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20694/FUL	Mr Alan Wooley	Ermosteds Grammar School Gargrave Road Skipton BD23 1PL	Installation of a 220m long, 1.8m high metal fence to the north and north-west perimeter of the school.	Approve with Conditions	30.08.2019
2019/20696/MMA	Snell Developments Ltd	Land To West Of Lumb Mill Barn Carr Head Lane Cowling Keighley BD20 8DX	Application for a minor material amendment to vary condition 2 (plans condition) of original planning consent 2018/19713/REM for the removal of 1 no. chimney on each house, change of door & window material, minor door & window alterations to elevations and Plot 3 pitched roof added over first floor rear projection.	Approve with Conditions	15.08.2019
2019/20697/HH	Mr & Mrs Abbott	Glenroyd Holme Lane Sutton-in-craven Keighley BD20 7LN	Proposed single storey extension and first floor extension to rear	Approve with Conditions	21.08.2019
2019/20702/HH	Mr & Mrs J. Allsopp	3 Haw Park Embsay Skipton BD23 6RY	Single storey extensions to the front and rear; conversion of garage to habitable room.	Approve with Conditions	05.09.2019
2019/20706/CPE	Mr Gerald Beresford	Tenley Brow Hellfield Skipton BD23 4JN	Application for a Certificate of Lawful Use to establish the existing use of the property is wholly C3 - Dwellinghouse.	Approve Cert. Lawful Devt	29.08.2019
2019/20707/NAR	Mr & Mrs P. Butler	Toll Bar Gardens Low Bentham Lancaster LA2 7DD	Application to amend conditions no. 2 (Lighting Design), condition no.3 (Soft Landscaping) and condition No. 5 (Hard Landscaping) of application reference number 2017/18255/NAR granted 25/10/2017.	Approve with Conditions	03.09.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20708/FUL	Skipton Baptist Church	Youth Rooms Skipton Baptist Church Skipton BD23 1ET	New access ramp and other alterations.	Approve with Conditions	23.08.2019
2019/20709/HH	Mr & Mrs Jamie McInnes	Heathcliffe Skipton Road Low Bradley Keighley BD20 9EF	Single storey side extension.	Approve with Conditions	22.08.2019
2019/20712/HH	Mrs H Forster	Sunningdale House Main Road Hellfield Skipton BD23 4HX	Single storey sunroom extension to the south eastern elevation (retrospective)	Approve with Conditions	20.08.2019
2019/20713/FUL	The Woodland Trust	Skipton Castle Woods Chapel Hill Skipton	Partial change of use of existing garage/store to a visitor information point	Approve with Conditions	27.08.2019
2019/20714/HH	Mr Aidan Fudge	5 High Castle Rectory Lane Skipton BD23 1FP	Convert garage to form family room (Retrospective Application)	Approve with Conditions	27.08.2019
2019/20716/HH	Mr Craig Bradley	47 Long Meadow Skipton BD23 1BP	Retrospective application for retractable antenna and supporting radio mast to rear. Minimum height of 6m; Maximum height of 10m.	Approve with Conditions	27.08.2019
2019/20720/FUL	JP Walker Developments Ltd	Land To Rear Of Mell Brae Main Street Rathmell BD24 0LH	Amendment to Planning Approval 2018/19234/FUL to include revised curtilage, double garage and minor changes to dwelling	Approve with Conditions	29.08.2019



Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20729/HH	Mr & Mrs Rickaby	Ingleholme Duke Street Settle BD24 9AS	Proposed replacement rear conservatory and various previously completed alterations including replacement of windows and external doors	Approve with Conditions	28.08.2019
2019/20726/CND	Seddon Homes Limited	Malsis Hall Colne Road Glusburn Keighley BD20 8DS	Application to discharge condition number 7 (Footway Links to Colne Road) to the full planning permission referenced 32/2016/17097 granted on 14 August 2018	DOC satisfactory	21.08.2019
2019/20731/HH	Ms Karen Hayton	14 Featherbeck Close Ingletton Carnforth LA6 3BB	Conservatory to front elevation	Approve with Conditions	20.08.2019
2019/20732/HH	Mr Paul Cousin	10 Regent Avenue Skipton BD23 1AZ	Single storey rear and side extension.	Approve with Conditions	05.09.2019
2019/20733/FUL	Mr & Mrs C Hughes	Land Adjacent To Stepping Stones Wigglesworth Skipton BD23 4SN	Four timber camping pods with associated landscaping and access	Application Withdrawn	20.08.2019
2019/20734/FUL	Ingletton Rural Community Association	Inglesborough Community Centre Main Street Ingletton Carnforth LA6 3HG	Creation of a concrete base and the installation of a wooden storage shed.	Approve with Conditions	28.08.2019
2019/20738/MMA	Snell Developments Ltd	7 St. Johns Croft Cononley Keighley BD20 8JG	Minor Material Amendment to proposed alteration to western boundary, addition of 1no. window at first floor to west elevation, addition of 3m wide bi-folding door to garage north elevation	Approve with Conditions	30.08.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20746/CND	Mr Richard Rees-Jones	Crag End Farm Sutton-in-craven Keighley BD22 0JU	Application to discharge condition no. 3 (wall ties) and 4 (stonework sample panel) of listed building consent 22/2017/18116 granted 11 July 2017	DOC satisfactory	09.09.2019
2019/20748/CND	Mrs Birks	Glusburn Institute Institute Street Glusburn Keighley BD20 8PR	Partial discharge of Condition No. 3 (Materials) of planning approval 2018/19285/LBC)	DOC not satisfactory	11.09.2019
2019/20749/TCA	Ms Susan Richardson	Rose Cottage Colne And Broughton Road Thornton In Craven Skipton BD23 3TJ	T1 Willow - Repollard at 4m. Fruit trees to be reduced down to 2 to 3m in height.	Approve Tree Works in Conservation Area	29.08.2019
2019/20751/FUL	Mrs Allyson Bannier	12A Otley Street Skipton BD23 1DZ	Change of use from A1 to D1 for use as a Podiatry Clinic.	Approve with Conditions	29.08.2019
2019/20752/HH	Mr Michael Mulley	28 Main Street Farnhill Keighley BD20 9BJ	Removal of existing skylight with installation of 2 velux windows.	Approve with Conditions	06.09.2019
2019/20754/TPO	Mrs D Kapadia	12A Park Road Cross Hills Keighley BD20 8AY	2 x Sycamore Trees - crown lift to 7m.	Approved Tree Work under TPO	12.09.2019



Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20756/HH	Ms And Mr Jill And Ian Gates And Crossley	Old Manor House The Green Clapham Lancaster LA2 8EH	Demolition of existing conservatory and carport. Erection of single storey sun lounge and carport at rear.	Approve with Conditions	30.08.2019
2019/20761/FUL	Robustrack Ltd	Unit 9 Ingleton Industrial Estate New Road Ingleton Carnforth LA6 3NU	Extension of existing Unit	Approve with Conditions	02.09.2019
2019/20763/TCA	Mrs Sandra Whitaker	9 Heber Drive East Marton Skipton BD23 3LS	Remove 1 no. Sycamore	Approve Tree Works in Conservation Area	12.09.2019
2019/20764/FUL	The Co-Operative Group	Co-op 21 High Street Gargrave Skipton BD23 3RA	Rear extension to create additional warehouse space.	Approve with Conditions	12.09.2019
2019/20766/AGRRES	Mr Temp Moran	Cross Gates Laithe Pikeber Farm Wigglesworth BD23 4RH	Conversion of existing agricultural barn to 1 No. dwelling (Prior Notification). Re-submission of 2019/20550/AGRRES	PN Refuse and Application Required	10.09.2019
2019/20769/CND	Broughton Custodian Fund	Skinner Ground Farm Old Lane (north) Broughton Skipton BD23 3AH	Application to discharge Condition 3 (Construction Method Statement) and Condition 4 Highway Improvement) on planning approval referenced 2018/19750/FUL granted 05 December 2018	DOC satisfactory	20.08.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20774/HH	Mr W Harding	2 Victoria Buildings Main Road Hellifield Skipton	Alterations to roof	Approve with Conditions	11.09.2019
2019/20780/TCA	Mrs Jane Markham	Wooded Area Of Village Green Draughton Skipton BD23 6DU	1 x Horse Chestnut Tree - raise crown to reduce shading	Approve Tree Works in Conservation Area	29.08.2019
2019/20781/TCA	Mrs Jane Markham	The Pines The Spinney Draughton Skipton BD23 6DU	1 x Hornbeam - raise crown because overgrowing garden wall 1 x Salix - raise crown as excessive shading of fruit bushes 2 x Rowan - trim back to encourage healthy growth 3 x Flowering Cherry - raise crown and trim back to encourage healthy growth	Approve Tree Works in Conservation Area	29.08.2019
2019/20791/ADV	Nilorn UK Ltd	Nilorn UK Ltd Station Works Greens Mill Court Cononley Keighley BD20 8FE	1 bus stop illuminated sign, 1 illuminated fascia sign, 1 illuminated entrance sign, 1 illuminated box sign, 1 non-illuminated reception sign, 1 non-illuminated deliveries sign	Approve with Conditions	11.09.2019
2019/20793/HH	Mr Andrew Smithson	Cawder Cottage Cawder Lane Skipton BD23 2TD	Proposed single storey extensions & garage conversion	Approve with Conditions	11.09.2019



Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20800/CND	Miss Barbara Rothwell	Fourlands House Farm (Barn) High Bentham Lancaster LA2 7EX	Application to discharge Condition 3 (Highway), Condition 6 (Materials), (Condition 7 (Roof Tiles), Condition 9 (Off Street Parking), Condition 10 (Boundary Walls - no timber fencing proposed), Condition 11 (Windows and Doors) on planning permission referenced 2018/19794/FUL granted 20.12.2018	Conditions complied with	15.08.2019
2019/20808/CND	Snell Construction Ltd	Lumb Mill Farm Carr Head Lane Cowling Keighley BD20 8DX	Application discharge condition 3 (watercourse protection), 4 (window & door details), 5 (hard surfacing) and 6 (landscape scheme) of 2018/19713/REM.	DOC satisfactory	06.09.2019
2019/20810/TCA	Dr Peter Wynn	11 High Street Burton In Lonsdale Carnforth LA6 3JU	1 x Leylandi tree - Fell	Approve Tree Works in Conservation Area	29.08.2019
2019/20824/NMA	Mr & Mrs A Wroot	146 Burnside Crescent Skipton BD23 2BU	Non material amendment to original planning consent referenced 2018/19534/HH for flat roof in place of pitched roof over single storey side extension.	Approve with Conditions	28.08.2019
2019/20829/NMA	Miss Floyd And Mr Whitaker	Hill Crest Stansfield Bridge To Babyhouse Lane Lothersdale Keighley BD20 8EQ	Non-material amendment to 53/2016/17250 - Change in roofing material of extension from slate to a hybrid conservatory roof finish - Ultraframe Livinroof.	Approve with Conditions	28.08.2019
2019/20831/PNAG	Mr D Leigh	East Berwick Barn Berwick East Draughton Skipton BD23 6DX	New steel portal framed building for storage of agricultural machinery and equipment.	Prior Approval Not Required	19.08.2019

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20836/ LHSHLD	Mr Matthew Denby	6 Burnside Crescent Skipton BD23 2BJ	Single storey rear extension to form kitchen/dining room, measuring 5m beyond rear wall; 3m in height from ground level; 3m in height to eaves from ground level.	PD HH PA Not Required	05.09.2019
2019/20869/CND	Calvert & Woodward	Land Adjacent 9 Black Abbey Lane Glusburn Keighley	Application to discharge condition no. 4 (surface water drainage) on planning permission referenced 2018/19672/FUL granted 29.10.2018	DOC satisfactory	12.09.2019
2019/20901/TCA	Mr David Poole	The Old School House 4 East Lane Embsay Skipton BD23 6QA	Crown lift 1 no. Ash & 1 no. Rowan	Approve Tree Works in Conservation Area	12.09.2019
2019/20918/HH	Mr & Mrs R F Brewster	15 Fell View Embsay Skipton BD23 6RX	Proposed single storey side extension to provide enlarged lounge and bedroom with en-suite, single storey rear extension to provide conservatory, replace main house pitch roof and other external alterations	Application Withdrawn	10.09.2019





**Planning Enforcement**  
Craven District Council  
1 Belle Vue Square  
Broughton Road  
SKIPTON

BD23 1FJ  
Telephone: 01756 706254

**Planning Committee Report of New Cases Registered**  
**From 16/08/2019 to 12/09/2019**

<b>Enforcement Reference</b>	<b>Alleged Breach</b>	<b>Site Address</b>	<b>Ward</b>
ENF/03140/2019	Alleged unauthorised 8ft fence	10 Park View Skipton BD23 1UN	Skipton North
ENF/3141/2019	Caravan being used as a permanent residence	Land At Springfield House Keighley Road Skipton BD23 2TA	Aire Valley with Lothersdale
ENF/03142/2019	Alleged 2 bedroomed static caravan being rented out.	Sandyforth Farm Keighley Road To Sandyforth Cowling Keighley BD22 0NB	Cowling
ENF/03143/2019	Erection of fence all the way around property	23 Hammerton Drive Hellifield Skipton BD23 4LZ	Hellifield And Long Preston
ENF/03145/2019	Alleged unauthorised commencement of development prior to creation of visibility splays	Workshop Park Lane Carleton Skipton BD23 3DJ	West Craven
ENF/03144/2019	Caravan awaiting to be positioned - concerns that it will be too close to gas store, electrical building and neighbouring house	Flying Horse Shoe Caravan Site Crook Beck Bridge To Wenning Bank Bridge Clapham Lancaster LA2 8ES	Ingleton And Clapham

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03146/2019	Alleged plans to start store deliveries from 4.30am (Breach of Condition?)	Marks And Spencer Simply Food Skipton House Jerry Croft Skipton BD23 1EE	Skipton North
ENF/03147/2019	Alleged parking of vehicles on blind bend at Carr Head Lane (Breach of Condition?)	Malsis Colne Road Glusburn Keighley BD20 8DS	Glusburn
ENF/03148/2019	Alleged dwelling being used to run business	Cornerways Colne Road Glusburn Keighley BD20 8PN	Glusburn
ENF/03149/2019	Alleged untidy land	4 & 6 Meadowcroft Gargrave Skipton BD23 3SN	Gargrave And Malhamdale
ENF/03150/2019	1) Alleged creation of opening 2) Condition 2 of planning approval 2018/19708/MMA not discharged in relation to internal and external boundaries.	Land At Moorgarth Ingleton Carnforth LA6 3DN	Ingleton And Clapham
ENF/03151/2019	1) Alleged air conditioning units being placed on roof. 2) Alleged flashing neon lights.	9 - 11 Court Lane Skipton BD23 1DD	Skipton North
ENF/03152/2019	Breach of condition 2 of planning approval referenced 2019/20524/FUL.	Access Road Thornton Hall Farm Thornton In Craven Skipton BD23 3TJ	West Craven
ENF/03153/2019	Alleged velux windows in roof of property in AONB.	The Barn Moss House Keasden Clapham LA2 8EU	Ingleton And Clapham
ENF/03154/2019	Perimeter wall being built - causing access problems	Land Off Bungalow Road Glusburn Keighley BD20 8QA	Glusburn



## Planning Committee Report of Cases Closed From 17/08/2019 to 12/09/2019

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/03141/2019	16th August 219	12th September 2019	No Breach	Caravan being used as a permanent residence	Land At Springfield House Keighley Road Skipton BD23 2TA	Aire Valley With Lothersdale
ENF/02845/2018	10th April 2018	12th September 2019	No Breach	Erection of three garages	37 Hazel Grove Road Sutton-in-craven Keighley BD20 7QT	Sutton-in- Craven
ENF/03017/2019	26th February 2019	12th September 2019	Other Reason	Erection of dormer window - not carried out in accordance with approved plans	42 Manse Way Sutton-in-craven Keighley BD20 8BX	Sutton-in- Craven
ENF/03111/2019	8th July 2019	19th August 2019	Breach Resolved	Advertising for the holiday park en route to the park, possibly on the highway.	Along Benthams Road, En Route To Rivers Edge Holiday Park Ingletton	Ingletton And Clapham

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/03115/2019	11th July 2019	19th August 2019	Breach Resolved	Section of Plot 2 retaining wall not constructed of "Random rubble (sandstone) and gritstone quoins and window surrounds" as required.	Land Opposite Greta Villas Main Street Ingleton Carnforth	Ingleton And Clapham
ENF/03117/2019	19th July 2019	12th September 2019	Other Reason		1 Burnmoor Crescent Ingleton Carnforth LA6 3BS	Ingleton And Clapham
ENF/03124/2019	24th July 2019	19th August 2019	Breach Resolved	Removal of an old stone gate stoop	2 Greenfield Place Binns Lane Glusburn Keighley BD20 8JH	Glusburn
ENF/03128/2019	26th July 2019	19th August 2019	Breach Resolved	Alleged unauthorised bollards	14A Victoria Street Skipton BD23 1JE	Skipton North
ENF/03130/2019	26th July 2019	28th August 2019	Breach Resolved	Conversion of 2 dwellings into 3 - (Properties 1, 2 and 3 Main Street)	Mell Brae Main Street Rathmell Settle BD24 0LH	Settle And Ribbles Banks
ENF/03135/2019	8th August 2019	12th September 2019	No Breach	Excavation works being carried out further towards 13 High Croft	Former High Bentham CP School Main Street High Bentham Lancaster LA2 7JU	Bentham



Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/03137/2019	12th August 2019	12th September 2019	Other Reason	Alleged abandoned trailer outside the property's domestic curtilage.	18 West Lane Embsay Skipton BD23 6RN	Embsay-with-Eastby
ENF/03139/2019	13th August 2019	12th September 2019	Consent granted / Permitted development	Alleged unauthorised access track	Access Track Off Shop Lane Cowling Keighley	Cowling
ENF/03146/2019	26th August 2019	12th September 2019	No Breach	Alleged plans to start store deliveries from 4.30am (Breach of Condition?)	Marks And Spencer Simply Food Skipton House Jerry Croft Skipton BD23 1EE	Skipton North
ENF/03147/2019	28th August 2019	12th September 2019	No Breach	Alleged parking of vehicles on blind bend at Carr Head Lane (Breach of Condition?)	Malsis Colne Road Glusburn Keighley BD20 8DS	Glusburn
ENF/03148/2019	29th August 2019	12th September 2019	No Breach	Alleged dwelling being used to run business	Cornerways Colne Road Glusburn Keighley BD20 8PN	Glusburn
ENF/03154/2019	11th September 2019	12th September 2019	No Breach	Perimeter wall being built - causing access problems	Land Off Bungalow Road Glusburn Keighley BD20 8QA	Glusburn

