

## PLANNING COMMITTEE

16<sup>th</sup> December 2019

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

**Officers** – Planning Solicitor, Planning Manager, Planning Officer (2) and Senior Democratic Services Officer.

Ward Representatives : Councillor Lis (Application 2019/20673/VAR), Councillor Pringle (Application 2019/20773/FUL).

Start: 1.35pm

Finish: 3.30pm

Councillor Morrell arrived at 1.40pm.

Note: The Committee took a comfort break at 2.45pm.

The minutes of the Committee's meetings held on 26<sup>th</sup> November 2019 were confirmed and signed by the Chairman.

### Minutes for Report

PL.953

#### 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 2019/20673/VAR**, Councillor Lis indicated he had been lobbied against the application.

**Application 2019/21049/FUL**, Councillors Brown, Harbron, Heseltine, Morrell, Place, Pringle, Shuttleworth, Sutcliffe and Welch indicated they had been lobbied in favour of the application.

Councillors Brockbank, Brown, Harbron, Heseltine, Lis, Morrell, Pringle, Shuttleworth, Sutcliffe and Welch indicated they had been lobbied against the application.

**Application 2019/20724/FUL**, Councillors Brown and Sutcliffe indicated that they had both been lobbied for and against the application.

**Application 2019/20773/FUL**, Councillor Sutcliffe indicated he had been lobbied for and against the application. Councillor Pringle indicated he had been lobbied for the application. Councillor Brown indicated he had been lobbied against the application.

PL.954

#### PUBLIC PARTICIPATION

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

Application 2019/21049/FUL: Mr Tony Barrett (Skipton Town Council)  
Mrs Ann Fowler (objector/for the objectors)  
Mr Adam Clark (for the applicant)

Application 2019/20724/FUL Mr Peter Williams (for the applicant)

Application 2019/20773/FUL: Mr Alastair Skelton (for the applicant)

PL.956

## **APPLICATIONS FOR PLANNING PERMISSION**

### **a. Delegated Matters**

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

2018/19563/REM Revised description 188 dwellings with associated internal roads, parking and landscaping alongside highways and drainage infrastructure for this development and the wider development site. The original outline application was EIA development and an Environmental Statement was submitted to the planning authority at that time. Land north of A629 and west of Carleton Road, Skipton, BD23 3BT. Approved with Conditions.

2018/20053/CND Application to discharge condition no. 23 of planning approval referenced 2017/18136/VAR granted 16.03.2018 on land north of A629 and west of Carleton Road, Skipton. DOC satisfactory.

2019/20701/MMA Minor material amendment application to vary condition no 2 (Approved Plans) of Planning Application 2018/19646/FUL and Listed Building Consent 2018/19647/LBC granted 24.01.2019 at Gill Bottom Cottages, Lower Gill Bottom, Shop Lane, Cowling, Keighley BD22 0LS. Approved with Conditions.

2019/20743/FUL Single detached dwelling, garage and kennels, associated landscaping and new vehicle access on land off Mill Lane, Low Betham LA2 7DF. Approved with Conditions.

2019/20762/MMA Minor Material Amendment to previously approved application reference number: 32/2015/15768 granted 23/12/2015 to allow an amendment to condition number 1 (approved plans) to vary the design details for Plot 50. Land to the east of Green Lane, Glusburn, Keighley BD20 8RT. Approved with Conditions.

2019/20861/CND Application to discharge condition number 3 (access), condition 6 (tree survey), condition 7 (drainage details) and condition 8 (construction method statement) on planning permission referenced 22/2017/18068 granted 09 August 2017. Lumb Mill Farm, Carr Head Lane, Cowling, Keighley BD20 8DX. DOC satisfactory.

2019/20880/HH Install of air source heat pumps to 1. Hill Side and 2. Annex to Hill Side consented under application 2018/20033/FUL at Hill Side, Skipton Road, Silsden, Keighley BD20 9AB. Approved with Conditions.

2019/20885/FUL Change of use from mixed use to residential upstairs and commercial downstairs at 2 – 4 King Street, Cononley, Keighley BD20 8LH. Approved with Conditions.

2019/20908/CND Application to discharge condition no. 16 (groundworks) and no. 17 (highway works) on planning permission 21/2016/16967 on land off Meadow Lane, Cononley, Keighley BD20 8NA. DOC satisfactory.

2019/20914/FUL Construction of new storage shed at The Sidings Business Park, The Sidings, Skipton BD23 1TB. Approved with Conditions.

2019/20924/FUL 1 detached dwelling on land to the rear of Westfield House, Matthew Lane, Low Bradley, Keighley BD20 9DF. Approved with Conditions.

2019/20935/OUT Outline application with some matters reserved for demolition of existing workshops and construction of 7 no. houses (resubmission of previous application referenced 63/2016/17196 Pendle Street Garage, Broughton Road, Skipton, North Yorkshire BD23 1SS. Application Withdrawn.

2019/20942/FUL Agricultural building to cover an existing outdoor feeding area for cattle on land south of Royd House Lingah Hill, Cononley Road, Glusburn. Approved with Conditions.

2019/20953/HH First floor bedroom extension above existing garage at 11 Windsor Avenue, Skipton, North Yorkshire BD23 1HS. Approved with Conditions.

2019/20966/HH Loft conversion including new rooflights and installation of PV Panels at Garland, Doctors Hill, Low Bentham, Lancaster LA2 7DZ. Approved with Conditions.

2019/20967/HH First floor extension over existing garage at Maple House, Ingleton, Carnforth, Lancaster LA6 3DE. Application Withdrawn.

2019/20972/HH First floor rear extension at 7 Harrison Place, Colne Road, Glusburn, Keighley, West Yorkshire BD20 8QS. Approved with Conditions.

2019/20974/HH Front and rear single storey extension (Resubmission of previously approved scheme under reference 2019/20507/HH granted 18 July 2019) at 107 New Village, Ingleton, Carnforth LA6 3DJ. Approved with Conditions.

2019/20979/MMA Application to vary condition no. 2 on application reference numbers: 2017/18769/LBC and 2017/18775/FUL to allow stone cladding of the gable wall in a different plane to the existing outer leaf. Barn 3, Stott Fold Farm, Cowling Hill Lane, Cowling, Keighley. Approved with Conditions.

2019/20984/FUL Proposed erection of funeral parlour and temporary change of use of agricultural building to funeral parlour at Bent Laithe Farm, Mitton Lane, Lothersdale, Keighley. BD20 8HS. Approved with Conditions.

2019/20986/MMA Application to vary condition no. 2 (Plans) on application reference number 2019/20438/FUL granted 06 June 2019 to allow Co-op Estates to make changes to the layout and external alterations to the elevations. United Co-operatives Late Shop, Main Street, High Bentham, Lancaster LA2 7HE. Approved with Conditions.

2019/20989/CPL Single storey rear extension at Storrs Cottage, High Street, Ingleton, Carnforth LA6 3AH. Refuse Cert. Lawful Development.

2019/20991/FUL Partial change of use from retail to residential and 2-storey rear extension at 82 Broughton Road, Skipton BD23 1TT. Approved with Conditions.

2019/20992/CPL 60 ft restaurant and function boat. The boat will be used for private, tourist and commercial events to be carried out whilst cruising on the canal. Leeds Liverpool Canal, adjacent to The Rendezvous Hotel, Keighley Road, Skipton BD23 2TA. Refuse Cert. Lawful Development.

2019/20995/HH Partial demolition of existing rear lean to roof structure and replacement with new single storey lean to extension at South View Farm, Low Lane, Draughton, Skipton BD23 6EB. Approved with Conditions.

2019/20997/HH Conversion of loft into master bedroom suite with new dormer and velux roof window at Sunny Bank, 48 Mount Pleasant, High Bentham, Lancaster LA2 7LA. Approved with Conditions.

2019/21003/FUL Change of use from retail area to additional residential area and external alterations at Black Bicycle, 8 Station Road, High Bentham, Lancaster LA2 7LF. Application Withdrawn.

2019/21044/PPP Proposed re-development of the site including demolition of the existing building and erection of five dwellings including garages and car parking on land and buildings at the old school, Bank Newton, Skipton, BD23 3NT. Refused.

2019/21011/FUL Proposed detached dwelling at New Brighton House, Gargrave, Skipton BD23 3NS. Refused.

2019/21010/FUL Change of use of agricultural land adjacent to approved house site, to allow for extensions to approved house on land adjacent to Moss End Farm, Moss End Lane, Cowling, Keighley BD22 0NA. Approved with Conditions.

2019/21018/HH Two storey side extension and rear dormer window at 44 Greenroyd Drive, Sutton-in-Craven, Keighley BD20 7JL. Approved with Conditions.

2019/21127/TCA T1 Hawthorn - Crown hard to leave approx 5' diameter round shape. T2 Apple - Small crown lift and draw back branch growing over outbuilding roof window. T3 Bay - Reduce by approx 1m in height and trim back. T4 Lilac - Cut back to approx 1.5 - 1.8 m in height. T5 Holly - Trim/shape. Underwood, 4 Constitution Hill, Settle BD24 9ER. Approved Tree Works in Conservation Area.

2019/21022/MMA Minor material amendment to vary condition no. 2 (Approved Plans) of planning approval referenced 2018/19910/MMA land off Matthew Lane, Low Bradley, Keighley BD20 9DH. Approved with Conditions.

2019/21026/HH Single storey rear sunroom extension; side/front extension to form double garage; formation of glazed front porch at Stonecroft, Ingleton, Carnforth LA6 3DU. Approved with Conditions.

2019/21027/HH Proposed Extension to Rear and New Porch To Side Of Existing Dwelling To Include Other Associated Internal And External Alterations. Resubmission of application referenced 2019/20818/HH withdrawn 23 September 2019 Beckansgill, Henbusk Lane, Newby, Clapham, Lancaster LA2 8HR. Approved with Conditions.

2019/21028/HH Single storey rear extensions to existing kitchen and office / snug. Replacement of external door and roof over existing office / snug at 11 Collinge Road, Cowling, Keighley BD22 0AG. Approved with Conditions.

2019/21031/HH Proposed change of use of first floor of garage from games room to form ancillary accommodation at Woodlands, Netherghyll Lane, Keighley BD20 8PB. Approved with Conditions.

2019/21039/TPO T1 and T4 Rowan - remove. T2 and T5 Maples - reduce by 20% and crownlift. T3 Willow - Reduce by 20% and crownlift at 9 Cross Bank, Skipton BD23 6AH. Approved Tree Work under TPO.

2019/21046/CND Application to discharge condition no. 23 (carriageway and footpath) on planning approval 2017/18656/FUL granted 14 December 2017 former allotments and garages, Broughton Road, Skipton BD23 1SZ. DOC satisfactory.

2019/21055/TPO Fell 2 no. Larch at 19 Gainsborough Court, Skipton BD23 1QG. Approved Tree Work under TPO.

2019/21063/CPE Confirmation of commencement of development works within three years at Park Lane Garages, granted planning permission ref 17/2016/17560 at Park Lane garages, Park Lane, Carleton, Skipton BD23 3DJ. Approved Cert. Lawful Devt.

2019/21054/FUL Agricultural portal frame shed for rearing beef cattle at High Malsis Farm, High Malsis, Malsis Lane, Sutton-in-Craven, Keighley BD20 8DU. Approved with Conditions.

2019/21072/LBC Replacement aluminium powder coated cream bifold doors in existing opening at 16 North Street, Gargrave, Skipton BD23 3RN. Approved with Conditions.

2019/21083/FUL Retention of portacabins for a temporary period of six months at unit 10, Riparian Way, Cross Hills, Keighley BD20 7BW. Approved with Conditions.

2019/21069/CND Application to discharge condition no. 3 (Materials) on planning permission referenced 2019/20686/HH granted 27 September 2019 Stainton Cotes Farm, Moorber Lane, Coniston Cold, Skipton BD23 4EN. DOC satisfactory.

2019/21086/FUL New garage, link corridor and 2 storey extension; change of use of land to residential curtilage at Willow Tree, Austwick, Lancaster LA2 8AH. Approved with Conditions.

2019/21087 /LHSHLD Single storey rear extension to provide dining room, measuring 4.5m beyond rear wall; 2.77m in height from ground level; 2.77m in height to eaves from ground level (prior approval notification) 17 Regent Road, Skipton BD23 1AT. PD HH Refuse Details.

2019/21074/HH Construction of garage for domestic use at Stone Gappe Hall, Lothersdale, Keighley BD20 8EE. Approved with Conditions.

2019/21089/TCA T1 Sycamore - Crown reduction by 30% at Burlington High Barn, Lothersdale, Keighley BD20 8EL. Approve Tree Works in Conservation Area.

2019/21077/TCA T1 - Rowan - Reduce back by approx 0.5m in height and up to 1 metre in width to bring back into shape. T2 - Cherry - Reduce by 2.5 m in height and shape the sides  
T3 - Hazel - Cut back to approx 0.5m in height in order to allow managed regrowth. Croft Mount, Silsden Road, Low Bradley, Keighley BD20 9EB. Approved Tree Works in Conservation Area.

2019/21097/CND Application to discharge conditions 3 (Samples of external surfaces) and 5 (Method statement) of 2019/20268/MMA Raygill Barn, Raygill Lane, Lothersdale. DOC satisfactory.

2019/21091/FUL Change of use of field from agricultural to dog walking field secured by fencing (resubmission of application ref. 2019/20777/FUL) Moss Bar Farm, Colne Road, Cowling BD22 0NA. Approved with Conditions.

2019/21094/TCA T1 Cherry - Fell. 7 Low Street, Burton-in-Lonsdale, Carnforth LA6 3LF. Approved Tree Works in Conservation Area.

2019/21099/PNAG Extension to existing agricultural building (Prior Notification) Fairplace Farm, Piper Lane, Cowling, Keighley BD22 0NS. PN Process Not Applicable.

2019/21109/TCA Trees 3 x Laylandii - Fell. T4 Willow - Fell. T5 Beech – Fell. T6 and T7 Beech – Fell. At Station Gates, Main Street, Ingleton, Carnforth LA6 3HG. Approved Tree Works in Conservation Area.

2019/21130/ OFFRES Prior approval of change of use from office to a dwellinghouse at 4 Victoria Street, Skipton BD23 1JE. PN Refused and Application Required.

2019/21124/TCA 1 no. Scotts Pine Tree - Fell. At Oak Bank, Main Street, Farnhill, Keighley BD20 9BW. Approved Tree Works in Conservation Area.

2019/21131/TCA T1 Ash – Fell. At Meraly, Gill Lane, Cowling, Keighley BD22 0DF. Approved Tree Works in Conservation Area.

## **b. Applications**

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

### **Permission Granted**

**2019/20673/VAR Application to vary condition no. 2 (drawings) of original planning consent reference 45/2016/17387 granted 21.11.2016 (Plot 2 – re-orientation of dwellinghouse and garage, increased height and footprint of dwellinghouse including increased depth of front gable extension and increased height of side bay window, window and door amendments to front and rear of dwellinghouse, increased height and footprint of garage, amendment to garage door and additional door and windows to side elevation) on land opposite Greta Villas, Main Street, Ingleton, LA6 3BZ – subject to the conditions listed below and that a condition be included that the garage shall be used**

for ancillary domestic purposes only, the actual wording to be formulated by the Planning Manager.

## Conditions

### **Time Limit for Commencement**

- 1 Condition 1 (ref. approval 45/2016/17387) was a time limit condition, but as the development has commenced the condition is no longer applicable.

### **Approved Plans**

- 2 The permission relates to the following plans in relation to Plot 2 only:

- Location plan - received 10th July 2019
- Site plan - revision C - received 1st November 2019
- Proposed plans - revision C - received 1st November 2019
- Proposed elevations - revision C - received 1st November 2019
- Proposed garage plans - revision C - received 1st November 2019
- Street scene - received 1st November 2019

The following plans are extant approved plans from planning permission 45/2016/17387:

- 1434DH/IVI/CP-01 Rev C 'Constraints Plan' -received by the Local Planning Authority on the 30th September 2016.
- 1434DH/IVI/PL01 Rev C 'Planning Layout' - received by the Local Planning Authority on the 30th September 2016.
- 1434DH/IVI/PB-01 Rev C 'Plot boundary Plan' - received by the Local Planning Authority on the 30th September 2016.
- 1434DH/IVI/P01-SS Rev B 'Site Sections' - received by the Local Planning Authority on the 30th September 2016.
- 1434DH/IVI/P1-EL Rev B 'Elevation drawings for Plot 1' - received by the Local Planning Authority on the 30th September 2016.
- 1434DH/IVI/P1- DGP(E) 'Detached garages' - received by the Local Planning Authority on the 30th September 2016.
- 1434DH/IVI/P1-FP Rev B 'Floor Plan for Plot 1' - received by the Local Planning Authority on the 30th September 2016.

### **Informative**

Details of site boundaries and details of individual house types and site layout have been amended in respect of plots number 3 and 4 previously. The most recent approved plans detailed above relate specifically to Plot 2. However, floor levels have not been specified as part of the current application and consequently, for the avoidance of doubt, floor levels for each of the plots across the whole of the site, shall be as approved under planning consent reference 45/2016/17387.

The development shall be completed in accordance with the approved plans including the insertion of the stone jambs, heads, cills and stone quoins except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

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

### **During Building Works**

- 3 Subject to compliance with the approved details and materials agreed by discharge of condition reference 45/2017/18069 issued 31.05.2017, Condition 3 is discharged.

Reason: In the interest of the visual amenity of the area in accordance with Policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

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

Reason: In the interests of road safety.

- 5 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 60 metres measured along both channel lines of the major road Main Street Ingleton from a point measured 2 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of road safety.

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

- 6 Prior to occupation, the site access(es) will be set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

- (i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (ii) (c) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
- (iii) Any gates or barriers shall be erected a minimum distance of 4.5 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 4.5 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10.
- (v) 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, and/or the specification of the Highway Authority, and maintained thereafter to prevent such discharges.
- (vi) 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: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

- 7 Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

#### **Ongoing Conditions**

- 8 Subject to compliance with the approved details agreed by discharge of condition reference 45/2017/18069 issued 31.05.2017, and the maintenance of the agreed landscaping scheme, Condition 4 is discharged.
- Reason: In the interest of the visual amenity of the area in accordance with Policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.
- 9 Notwithstanding the provision of any Town and Country Planning General Permitted Order 2015 or any Order revoking or re-enacting that Order, the areas shown on Planning Layout for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.
- Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.
- 10 Subject to compliance with the approved details agreed by discharge of condition reference 45/2017/18069 issued 31.05.2017, and the maintenance of the agreed surface water drainage scheme, Condition 10 is discharged.
- Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.
- 11 Subject to compliance with the approved details agreed by discharge of condition reference 45/2017/18069 issued 31.05.2017, and the maintenance of the agreed sustainable drainage management and maintenance plan, Condition 11 is discharged.
- Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.
- 12 Subject to compliance with the approved scheme agreed by discharge of condition reference 45/2017/18069 issued 31.05.2017, Condition 12 is discharged.
- Reason: To ensure the provision of adequate parking arrangements during construction in the interests of highway safety.
- 13 The detached garage hereby approved shall be used solely for ancillary residential purposes only and shall not at any time be used for any other purpose.
- Reason: To ensure the garage is kept available for its intended use in the interests of highway safety and the general amenity of the development.

### Informatives

1. The development is shown to be adjacent to or affect Electricity North West operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Estates and Wayleaves, Frederick Road, Salford, Manchester M6 6QH.
- The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity. The applicant should also be referred to two relevant documents produced by the Health and Safety



Executive, which are available from The Stationery Office Publications Centre and The Stationery Office. Bookshops, and advised to follow the guidance given.

The documents are as follows:-

oHS(G)47 - Avoiding danger from underground services.  
oGS6 - Avoidance of danger from overhead electric lines.

The applicant should also be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. The applicant should be aware of our requirements for access to inspect, maintain, adjust, repair, or alter any of our distribution equipment. This includes carrying out works incidental to any of these purposes and this could require works at any time of day or night. Our Electricity Services Desk (Tel No. 0800 1954141) will advise on any issues regarding diversions or modifications.

Electricity North West offers a fully supported mapping service, at a modest cost, for our electricity assets. This is a service which is constantly updated by our Data Management Team who can be contacted by telephone on 0800 195 4141 or access the website <http://www.enwl.co.uk/ourservices/know-before-youdig!>

It is recommended that the applicant give early consideration in project design as it is better value than traditional methods of data gathering. It is, however, the applicant's responsibility to demonstrate the exact relationship on site between any assets that may cross the site and any proposed development. Deep rooted shrubs and trees shall not be planted within the canopy width (at mature height) of the public sewer and overflow systems. Trees should not be planted directly over sewers or where excavation onto the sewer would require removal of the tree. A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

Should this planning application be approved, the applicant should contact United Utilities on 03456 723 723 regarding connection to the water mains or public sewers. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offers a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 03707 510101 to obtain maps of the site. Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

2. The applicant is advised that advice regarding permeable and porous hard surfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website ([www.communities.gov.uk](http://www.communities.gov.uk)) 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 Right of Way Manager at County Hall, Northallerton on 0845 8 727274 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.

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.

3. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

4. The hours of operation during construction phase of development and delivery of construction materials or equipment to the site and associate with the construction of the development hereby permitted should be limited to 0730 hours to 1800 hours on Monday to Fridays and 0730 hours to 1300 hours on Saturday. No work should take place on Sundays or Bank/Public Holidays.
5. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, restrictive covenant, Byelaw, Order or Regulation. The permission does not confer any rights of ownership or access over any land outside the ownership of the applicant or developer.

The developer should comply with the requirements of the Party Wall Act whilst undertaking the development hereby approved.

6. Statement of Positive Engagement:

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

**2019/21049/FUL Application for the construction of 4 dwellings between 3 & 4 bedrooms with associated vehicular access and landscaping** - 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:
  - Drawing No. 808.01(--)-001 - Location Plan, received 9th October 2019;
  - Drawing No. 808.01(--)-002 - Existing Site Plan, received 9th October 2019;
  - Drawing No. 808/01/200 Rev B - Additional Planting, received 9th October 2019;
  - Drawing No. 808/01/201 - Plots 1 & 2, received 9th October 2019;
  - Drawing No. 808/01/202 - Plots 3 & 4, received 9th October 2019;
  - Drawing No. 808/01/203 - Section Drawings, received 9th October 2019;
  - Attenuation Report dated 3rd October 2019, received 21st October 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 Local Plan and the National Planning Policy Framework.

- 3 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site, until the following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:
- a. Details engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:
    - The proposed highway layout including the highway boundary
    - Dimensions of any carriageway, cycleway, footway, and verges
    - The proposed buildings and site layout, including levels
    - Accesses and driveways
    - Drainage and sewerage system
    - Lining and signing
    - Traffic calming measures
    - All types of surfacing (including tactiles), kerbing and edging.
  - b. Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:
    - The existing ground level
    - The proposed road channel and centre line levels
    - Full details of surface water drainage proposals.
  - c. Full highway construction details including:
    - Typical highway cross-sections to scale of not less than 1:50 showing a specification for all types of construction proposed for carriageways, cycleways and footways/footpaths
    - When requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
    - Kerb and edging construction details
    - Typical drainage construction details
  - d. Details of the method and means of surface water disposal.
  - e. Details of all proposed street lighting.
  - f. Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.
  - g. Full working drawings for any structures which affect or form part of the highway network.
  - h. A programme for completing the works.

The development shall only be carried out in full compliance with the approved drawings and details unless agreed otherwise in writing by the Local Planning Authority with the Local Planning Authority in consultation with the Highway Authority.

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users.

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

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

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

- 5 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 completions 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.

- 6 Notwithstanding any details shown on the approved plans and the requirement of condition 2 of this permission, prior to any of the dwellinghouses hereby approved being occupied, a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs. The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements.

### **Ongoing Conditions**

- 7 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) (England) Order (2015) (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, to ensure that satisfactory provision of outdoor amenity space for the dwellinghouse is maintained and to safeguard the amenities of the occupiers of adjacent dwellings.

- 8 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning condition.

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

- 9 Notwithstanding the provisions of Schedule 2, Part 1, Class A 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), all bathroom windows (including en-suites and downstairs WC's) in the hereby approved dwellinghouses shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) before the dwellings hereby approved are first occupied, and shall be retained as such thereafter.

Reason: To safeguard the privacy of occupiers of neighbouring dwellings and ensure satisfactory levels of amenity for adjoining residents.

- 10 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.

#### Informatives

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

Operating times for construction should be limited to:

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

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

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

4. In imposing condition no. 3 it is recommended that before a detailed planning submission is made a draft layout is produced for discussion between the applicant, the Local Planning Authority and the Highway Authority in order to avoid abortive work. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition.

5. Charging Points

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

6. Statement of Positive Engagement:

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

**2019/20724/FUL Application for the retention of existing biomass boilers at Anchor Croft Farm, Hellifield Road, Gargrave BD23 3NB – subject to the conditions listed below**

Conditions

**Approved Plans**

- 1 This permission relates to the following plans:
  - Site Location Plan - Drawing No. CD158-1, received 17th July 2019;
  - Site Plan - Drawing No. CD158-2, received 17th July 2019;
  - Elevations - Drawing No. CD158-3, received 17th July 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 Local Plan and the National Planning Policy Framework.

**Ongoing Conditions**

- 2 Emissions from the biomass boilers hereby approved shall be free from dark smoke and shall not exceed the equivalent of Ringlemann Shade 1 as described in British Standard BS2742:2009. In addition emissions shall be free from offensive odour as assessed on the site boundary by the Local Planning Authority.

Reason: To protect the amenity of the locality, especially for people living and working nearby.

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 way, in accordance with the requirements of paragraph 38 (as amended 2018) of the NPPF.

**Delegated Authority**

**2019/20773/FUL Application for a building to be used for agricultural purposes (storage of agricultural materials including hay, straw, feed and wood) at New Laithe Barn, Newton Grange Farm, East Marton, BD23 3NT - is delegated to the Strategic Manager for Planning and Regeneration to conditionally approve the application subject to an**

appropriately worded S.106 Agreement<sup>1</sup> being secured for the removal of the buttresses and subject to the following being included in the Agreement:

### Approved Plans

- 1 This permission relates to the following plans:-  
Location Plan P1572/003 received on 18 July 2019  
Floor Plan received on 18 July 2019  
Elevations received on 18 July 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.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies in the Craven Local Plan 2012- 2032.

### During Building Works

- 2 The building hereby permitted shall be demolished to ground level and all materials resulting from the demolition shall be removed within 28 days of the failure to meet any of the requirements set out below;
  - i) Within six months of the date of this permission the building shall be altered by the removal of the buttresses in accordance with the details shown on the floor plans and elevations received on 18 July 2019.
  - ii) The approved works shall have been carried out and completed
  - iii) Within 5 working days of the completion of the works, the Local Planning Authority shall be notified in writing of the date of completion.

Reason: To ensure compliance with the approved plans in the interests of the visual amenities of the countryside.

### Ongoing Conditions

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 2015 (as amended) or any Order revoking or re-enacting that Order the premises shall only be used for agricultural purposes and for no other purpose whatsoever (including any other purpose in Classes C and D of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order with or without modification

Reason: To ensure compliance with the provisions of the Craven Local Plan 2012-2032

- 4 Notwithstanding the provisions of Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the agricultural building hereby approved shall not be extended or altered without the formal approval in writing of the Local Planning Authority.

Reason: To avoid adverse landscape impact.

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<sup>1</sup> The committee received legal advice to indicate that all relevant matters could properly be dealt with by condition but nevertheless resolved to require a s106 agreement.

PL.957

**PLANNING ENFORCEMENT**

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period 16<sup>th</sup> November 2019 to 4<sup>th</sup> December 2019.

**Minutes for Decision**

- None -

Chairman.