

CRAVEN DISTRICT COUNCIL

PLANNING COMMITTEE – SITE VISIT

18 February 2020

AGENDA

Please note that the Committee will visit the following sites on Tuesday 18th February 2020. Members are asked **to meet at The Granary, Peel Green, Hellifield, BD23 4LD at 11am**, or alternatively at the Belle Vue Square Offices car park **no later than 10.40am**. **The site visit at Bell Busk will take place at approximately 11.35am.**

Application No. 2019/20611/FUL and Application No. 2019/21181/LB part demolition and change of use of ‘granary’ buildings to create holiday cottage (Use Class C3), glasshouse, extensions and alterations, parking and access.

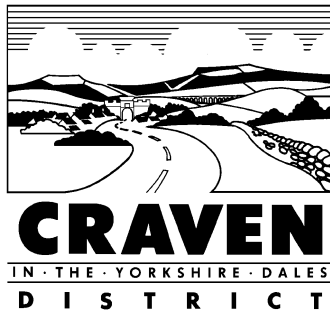
Application No. 2019/21234/FUL for repair and extension to access bridge at Mill House, Bell Busk, BD23 4DU.

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

Agenda Contact Officer: Vicky Davies
E-mail : committees@cravendc.gov.uk
Tel. 01756 706486
10 February 2020.

Planning Committee Site Visit Procedure

- A. On arrival, the Chairman will call the Members of the Planning Committee, any Ward Representative(s) and others invited to be present to order. The Chairman will explain the purpose of the site visit so that all are aware that it is a fact finding exercise only and that no decision will be taken until the Committee meeting.
 - B. The Chairman will then ask the appropriate officer to describe the proposal to Members, identify relevant features of the site, and raise the principal planning considerations. The Officer may also draw Members' attention to the relevant points regarding objections/observations received.
 - C. The Chairman will then ask any other officer, e.g. Highways Officer, Environmental Health Officer, to address the Members.
 - D. Members will then be invited through the Chairman to ask any questions or seek clarification of facts from the Officers present. Members should not direct these questions to the applicant or others present. Any matters not to hand will be reported at the Committee meeting. Discussion on the merits of the application will not be permitted, and Members should refrain from making comments on the proposal.
 - E. A representative of the Parish or Town Council or Parish Meeting will be invited to advise Members on matters of fact relating to the application site.
 - F. The applicant and others present will not be allowed to speak unless he or she is specifically asked by the Chairman or a senior officer to
 - point out particular matters on site, or
 - to clarify or respond to Member's questions in respect of particular factual matters, relevant to the site of the planning application/planning matter.
- Applicants/agents will be given prior notice of the time and date of the site visit.
- G. When the Chairman considers that the purpose of the site visit has been achieved, (s)he will declare the site visit finished and Members will promptly leave the site.
 - H. Whilst conducting the site visits Members will have due regard to the health and safety of themselves and others and will follow appropriate safety instructions on site, including any guidance on parking and access. Under no circumstances will Members or Officers enter a site without wearing the appropriate safety equipment (if any) required.
 - I. A note will be taken by the appropriate officer of those present at each site visit.
 - J. Members should be aware at all times that site visits mainly take place on privately owned land. They should be careful not to damage any property or do anything that may cause problems for or distress to the landowner.
 - K. Where arrangements have been made for a site visit to take place on land which does not form part of the specific area under consideration/application site, the appropriate officer will have sought the necessary permission from the occupier of that land in writing.



PLANNING COMMITTEE

1.30pm on Tuesday 18th February 2020
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 comfort break of 15 minutes 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** – 21st January 2020.
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@cravenc.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
10 February 2020.

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

21st January 2020

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

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

Apologies for absence were received from Councillors Harbron and Heseltine.

Ward Representatives : Councillor Brockbank (Application 2019/21006/HH) and Councillor Pringle (Application 2019/20912/FUL).

Start: 1.42pm

Finish: 3.59pm

Note: The Committee took a comfort break at 3.27pm.

The minutes of the Committee's meetings held on 16th December 2019 were confirmed and signed by the Chairman.

Minutes for Report

PL.958

CALENDAR OF MEETINGS 2020/21

The Democratic Services Manager submitted a report asking Members to consider a request from the Chairman of the Planning Committee to reschedule the date of Planning Committee from Tuesday, 5th May 2020 to Monday, 4th May 2020.

Members discussed the rescheduling in detail and whether or not all Planning Committees should be held on a Monday and, it was

Resolved – That, wherever possible, all Meetings of the Planning Committee for the 2020/21 Municipal Year are rescheduled to take place on a Monday, except when a Bank Holiday falls on a Monday.

PL.959

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

Application 2019/20912/FUL, all Members present indicated that they had been lobbied for the application.

PL.960

PUBLIC PARTICIPATION

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

Application 2019/21006/HH: Ms Karen Aspinall (objector/for the objectors)

PL.961

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:

31/2015/16238 Huntworth Farm, Buck Haw Brow To Huntworth, Giggleswick, Settle, North Yorkshire BD24 0DJ. Conversion of an existing barn to form two holiday lets with ancillary car parking and treatment plant. Finally Disposed Of.

2018/19542/CND Application to discharge condition no's 5, 8, 10, 11, 14, 19 and 20 of original planning permission 63/2014/15027 granted 21.08.2015 at Clitheroe Works, Clitheroe Street, Skipton BD23 1SU. DOC satisfactory.

2018/19670/FUL Relocation of sports recreation playing field and creation of new play area at Hellifield Recreation Ground, Thorndale Street, Hellifield, Skipton. Application Withdrawn.

2018/19671/FUL Construction of 8 No. dwellings, new sports changing facilities, on-site parking provision and siting of shipping container with timber enclosure for storage of equipment at Hellifield Recreation Ground, Thorndale Street, Hellifield, Skipton. Application Withdrawn

2018/19784/S106 Proposed modification to Section 106 Agreement relating to planning application 45/2010/10758 (amendment to affordable housing aspects) at a disused highways depot, Back Gate, Ingleton, Carnforth, LA6 3BJ. Variation to existing S106 Agreement.

2018/19838/FUL Change of use from agricultural to recreation on land to the west of Ashville, Skipton Road to Wenningber, Hellifield, Skipton. Application Withdrawn.

2019/20646/MMA Application for a minor material amendment to vary condition 2 (plans condition) of original planning consent 2018/18989/HH at Estate Barn, Moorber Lane, Conisiton Cold, BD23 4ED. Approved with Conditions.

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 footprint of dwellinghouse including increased depth of front gable extension and increased height of side bay window, single storey extension to rear, increased height and footprint of garage, amendment to garage door) on land opposite Greta Villas, Main Street, Ingleton, Carnforth LA6 3BZ. Approved with Conditions.

2019/20678/CND Application to discharge condition no's 12 & 13 (protection of features) on listed building consent referenced 32/2016/17098 granted 16 May 2018 at Malsis, Colne Road, Glusburn, Keighley BD20 8DS. DOC satisfactory.

2019/20679/CND Application to discharge condition no. 14 (protection of features) on listed building consent referenced 32/2016/17098 granted 16 May 2018 at Malsis, Colne Road, Glusburn, Keighley. DOC satisfactory.

2019/20724/FUL Retention of existing biomass boilers at Anchor Croft Farm, Hellifield Road, Gargrave, Skipton BD23 3NB. Approved with Conditions.

2019/20747/FUL Construction of a farm track on land South East of Crickle Grange, East Marton, Skipton, BD23 3JD. Approved with Conditions.

2019/20785/OUT Relocation of allotments and erection of 1 no two storey house at Cross Haw Lane, Clapham, Lancaster. Approved with Conditions.

2019/20849/FUL Proposed (replacement) treehouse for use as holiday accommodation at Higher Meresyke, Wigglesworth, Skipton, BD23 4SN. Approved with Conditions.

2019/20870/CND Application to discharge condition no's 3 (surface water), 4 (water supply), 5 (private water supply), 11 (building materials), 14 (boundary treatments) on planning permission referenced 2018/19100/FUL granted 01.08.2018. Pennine Haulage, Brow Garage, Rook Street, Lothersdale, Keighley BD20 8EH. Split Decision

2019/20895/FUL Demolition of dwelling and remediation of former National Grid gasworks site on land North of Station Road, Settle. Approved with Conditions.

2019/20905/FUL Change of use from holiday accommodation to voluntary sector hub (Sui Generis use class) Unit 10A Commercial Court Yard, Duke Street, Settle BD24 9RH. Approved with Conditions.

2019/20927/FUL Re-roofing of mill, replacement of existing timber windows and doors with powder coated aluminium windows and doors, repainting of garage doors and lift shaft at Victoria Mill, Belmont Wharf, Skipton. Approved with Conditions.

2019/20928/LBC Re-roof mill in natural slates at Victoria Mill, Belmont Wharf, Skipton BD23 1RL. Approved with Conditions.

2019/20929/FUL Conversion of agricultural buildings to 4 dwellings at Raygill Farm, Raygill Lane, Lothersdale, Keighley BD20 8HH. Approved with Conditions.

2019/20962/FUL Proposed basement conversion to form 1 no. residential unit & 1 no. commercial A1 unit at Ackroyds Wine Bar, 2 Water Lane, Skipton, BD23 1PB. Approved with Conditions.

2019/20963/LBC Proposed basement conversion to form 1 no. residential unit & 1 no. commercial A1 unit at Ackroyds Wine Bar, 2 Water Street, Skipton BD23 1PB. Approved with Conditions.

2019/20976/VAR Application to vary condition no's 6, 10 and 14 on application reference number 22/2016/17201 for construction of split level dwelling with associated off street parking. Land to South West of Nan Scar, Cowling, Keighley. Refused.

2019/20990/VAR Application to vary condition numbers 6 and 9 of planning permission referenced 66/2007/7290 granted 12 June 2007 at Stable Cottage, Malsis, Colne Road, Glusburn, Keighley BD20 8DS. Approved with Conditions.

2019/20993/FUL Retention of boundary fence and septic tank in relation to previous application ref: 2018/19124/FUL. Scaleber Farm, Back Lane, Low Bentham, Lancaster LA2 8NZ. Refused.

2019/20994/HH Single-storey extension to rear and side of existing dwelling at 35 Princes Crescent, Skipton, BD23 1HH. Approved with Conditions.

2019/20999/TPO T1 Willow - Remove. T2 Alder - Remove. 16 Highgate Cottage, Lothersdale Road, Glusburn, Keighley BD20 8JN. Approved Tree Work under TPO.

2019/21008/VAR Variation of Condition 4 of 69/2016/17521 Higher Shed Laithe, Colne and Broughton Road, Thornton-in-Craven, Skipton. BD23 3ST. Approved with Conditions.

2019/21005/ADV Fascia with external trough lighting. Non-illuminated hanging sign. Interior digital media screen displayed minimum of 1 metre back from shopfront. 22 Sheep Street, Skipton, BD23 1HX. Approved with Conditions.

2019/21012/FUL Change of use from haulage yard (sui generis) to metalwork engineering and fabrication (use class B1c) (Retrospective), Smith and Rhodes, Kirk Sykes Farm, Lothersdale, Keighley BD20 8HX. Approved with Conditions.

2019/21013/VAR Application to remove condition no. 2 (occupation restriction) of application reference number 53/2007/7607 granted 25 June 2007 at Kirk Syke Barn, Kirk Syke Farm, Lothersdale, BD20 8HX. Approved with Conditions.

2019/21016/HH Garage conversion, first floor balcony and associated external alterations at 4 Goffa Mill, Gargrave, Skipton. BD23 3NG. Approved with Conditions.

2019/21020/MMA Minor Material Amendment of condition no. 1 (to vary the design details of Plot 44) of planning permission 32/2015/15768 on land to the East of Green Lane, Glusburn, Keighley BD20 8RT. Approved with Conditions.

2019/21032/FUL Proposed agricultural building on land to the North West of New Laithe, Gargrave, Skipton. Approved with Conditions.

2019/21034/HH Formation of balcony and external alterations at 5 Goffa Mill, Gargrave, Skipton, BD23 3NG. Approved with Conditions.

2019/21040/HH Proposed house and garage extensions at Stubbing Hill Farm, West Lane, Sutton-in-Craven, Keighley, BD20 7AU. Approved with Conditions.

2019/21048/REM Approval of details with regards to layout, appearance, landscaping and scale as reserved on outline consent ref 2019/20426/OUT granted 02 August 2019 for a farm workers dwelling and agricultural building on land off Strikes Lane, Sutton-in-Craven, Keighley BD20 7BU. Approved with Conditions

2019/21049/FUL Construct 4 dwellings between 3 & 4 bedrooms with associated vehicular access and landscaping at Rockwood House, Park Wood Close, Skipton BD23 1QW. Approved with Conditions.

2019/21053/MMA Minor Material Amendment to Condition No. 2 (Approved Plans) on approved planning application reference number 2019/20433/FUL granted 13 August 2019. Settle Creamery, Southward Industrial Estate, Sowarth Field, Settle, BD24 9AF. Approved with Conditions.

2019/21056/FUL Installation of CCTV cameras, two gates to an internal quadrangle area and 33m of additional fencing at Ermysteds Grammar School, Gargrave Road, Skipton, BD23 1PL. Approved with Conditions.

2019/21057/LBC Installation of CCTV cameras, two gates to an internal quadrangle area and 33m of additional fencing at Ermysteds Grammar School, Gargrave Road, Skipton, BD23 1PL. Approved with Conditions.

2019/21064/HH First floor side extension, single and two storey rear extensions and alterations at 7 Barrel Sykes, Langcliffe, Settle, BD24 9JT. Approved with Conditions.

2019/21070/LBC Retention of boundary fence and septic tank to Scaleber Farm in relation to previous application 2018/19124/FUL, Scaleber Farm, Back Lane, Low Bentham, Lancaster, LA2 8NZ. Refused.

2019/21071/NMA Non-material amendment of 2019/20802/HH to allow larger and additional window at 2 Lower Crikle Barn, East Marton, Skipton BD23 3JD. Non-material amendment approved.

2019/21078/HH Demolition of existing rear conservatory and lean to and construct new single storey extension together with the demolition and re-building of a detached garage at Station Masters House, 1 Station Villas, Station Road, Hellifield, Skipton BD23 4HL. Approved with Conditions.

2019/21082/HH Construction of single storey dining room extension at The Barn, Crag View, Cross Hills Road, Cononley, Keighley BD20 8JU. Approved with Conditions.

2019/21084/OUT Outline application with some matters reserved for two bungalows (resubmission of previous application refused under referenced number 2018/19509/OUT) land adjacent to Back Church Street, Church Street, Settle. Approved with Conditions.

2019/21085/FUL Change of use of ground floor from A1 (Retail) to C3 (Dwellinghouse). Combining ground floor and first floor to create 1 dwellinghouse at 68 Keighley Road, Cowling, Keighley BD22 0BH. Approved with Conditions.

2019/21105/FUL Demolition of single storey workshop and the erection of a three bedroom detached two storey dwelling on land within the curtilage of Stone Bank, Main Street, Cononley, Keighley BD20 8LR. Approved with Conditions.

2019/21090/HH Replacement of existing conservatory with single storey rear extension at White Hall, 25 Uppergate, Ingleton, Carnforth LA6 3BD. Approved with Conditions.

2019/21092/FUL Erection of new dwelling together with new tree planting and landscaping (resubmission of previously refused application under reference number 2019/20594/FUL) on land at Thorlby House, Stirton, BD23 3LQ. Approved with Conditions.

2019/21098/FUL Proposed new storage building, hardstanding and animal enclosure at Black Leach Farm. Hesley Lane to Black Leach, Rathmell, Settle. BD24 0JX. Approved with Conditions.

2019/21103/HH Garden room extension, 6 no. rooflights and solar panels to main roof, internal alterations and new outbuilding at White House, High Bradley Lane, High Bradley, Keighley BD20 9EX. Application Withdrawn.

2019/21104/LBC 6 no. rooflights and internal alterations at White House, High Bradley Lane, High Bradley, Keighley, BD20 9EX. Approved with Conditions.

2019/21106/FUL Change of use from business and domestic to domestic. Division of existing property into 2 smaller dwellings at 30 Ash Grove, Keighley Road, Cross Hills, Keighley BD20 7RU. Approved with Conditions.

2019/21110/HH Single storey extension, alterations to window/door openings, re-pointing (resubmission of application reference 2018/19885/HH) at Moorview, Lane Ends Lane, Cowling, Keighley BD22 0NX. Approved with Conditions.

2019/21111/LBC Single storey extension, alterations to window/door openings, re-pointing at Moorview, Lane Ends Lane, Cowling, Keighley BD22 0NX. Approved with Conditions.

2019/21114/CPL Certificate of Lawful Development (proposed) for a replacement storage shed at The Furrows, 1 Teenley Croft, Wigglesworth, Skipton BD23 4RW. Application Withdrawn.

2019/21116/LBC Replacement of softwood windows and doors with powder coated aluminium products at Bridge House Cottage, Eldroth Road, Austwick, Lancaster LA2 8AQ. Approved with Conditions.

2019/21118/LBC Replace existing PVC plastic windows with wood at Shackleton Ghyll Farm, 121 Main Street, Cononley, Keighley. Approved with Conditions.

2019/21119/MMA Minor material amendment to vary condition 2 (approved plans) of planning approval referenced 2019/20546/HH to allow reduction in size of rear extension at 10 Marina Crescent, Skipton BD23 1TR. Approved with Conditions.

2019/21126/FUL Change of use from financial and professional services (use class A2) to drinking establishment (use class A4) and minor exterior works including replacement of front door, reinstatement of rear window and siting of condenser units within rear yard at 111 Keighley Road, Cowling, Keighley BD22 0BE. Approved with Conditions.

2019/21128/HH Single storey extension to rear wing of property at 3 Gainsborough Court, Skipton, BD23 1QG. Approved with Conditions.

2019/21129/LBC Single storey extension to rear wing of property at 3 Gainsborough Court, Skipton, BD23 1QG. Approved with Conditions.

2019/21066/CPE Application for Lawful Development Certificate (existing) for shed to rear of property, 18 Cross Street, Skipton, BD23 2AH. Approved Cert. Lawful Devt.

2019/21132/HH Installation of photo-voltaic cells to rear roof slopes at 1 South View, Leeming Lane, Burton-in-Lonsdale, Carnforth LA6 3LE. Approved with Conditions.

2019/21134/TCA; T1 Silver Birch - Crown lift to 5m; T2 Lime - Remove 3 dead limbs; T3 Sycamore - Shorten 2 limbs over drive; T4 Sycamore - remove. Regrowing stump in riverbed; T5 Willow - Remove. Regrowing stump in riverbed; G1 - 8 Cypress to reduce to 4m (old cut points) at Bridge House, 1 Church Street, Gargrave, Skipton BD23 3NE. Approved Tree Works in Conservation Area.

2019/21136/ AGRRES Prior approval for proposed change of use of agricultural building to dwelling west of Mearbeck Farm, Long Preston, Skipton BD23 4PQ. Prior Approval Granted.

2019/21135/HH Replacement of existing windows with anthracite grey (RAL 7016) powder-coated aluminium framed windows at 6 Old Hall Croft, Gargrave, Skipton, BD23 3PQ. Approved with Conditions.

2019/21139/FUL Change of use of existing portal frame building to a D2 use at Barrett Building, Airedale Business Centre, Keighley, Skipton, BD23 2TZ. Refused.

2019/21141/TCA Fell 2 no. Spruce at 2 Manor House Mews, Kildwick, Keighley BD20 9AD. Approved Tree Works in Conservation Area.

2019/21143/CND Discharge of condition 9 (Design and construction) and 10 (Boundary treatment) of 2017/18190/FUL granted 29 November 2017 at Barn and Croft, Brook View, Carleton, Skipton BD23 3EX. DOC satisfactory.

2019/21145/CPL Certificate of Lawful Development (proposed) for 12 No. opening windows at first floor level, 1 No. external door at first floor level (fire escape), 1 No. external door at ground floor level (fire escape), and 1 No. external steel escape stair at Unit 4, Skelton Industrial Estate, Skelton Road, Cross Hills, Keighley, North Yorkshire BD20 7BY. Split Decision.

2019/21146/LHSHLD Prior approval notification for larger home extension for a single storey rear extension measuring: measuring 4m beyond the rear wall; 3.4m in height from ground level; 2.4m in height to eaves from ground level. PD HH PA Not Required

2019/21152/PNAG Proposed extension to an agricultural storage building at Keasden Head, Keasden Road, Clapham, Lancaster LA2 8EZ. PN Refuse and Application Required.

2019/21149/TCA T1 Cypress. Reduce by 30% in height and spread at 3 Grove Court, High Hill Grove Street, Settle, BD24 9QR. Approved Tree Works in Conservation Area.

2019/21150/TCA T1 & 2 Silver Birch - Reduce height by 30%; T3 & 4 Scots Pine – Remove; T5 Silver Birch - Remove limb over summerhouse; T6 Silver Birch – Remove; 5 Chapel Hill, Skipton, BD23 1UH. Split Decision.

2019/21153/HH 2 storey rear extension at Waterside House, High Street to New Road, Burton-in-Lonsdale, Carnforth LA6 3NA. Approved with Conditions.

2019/21154/LBC Replacement window to rear at 8 Constitution Hill, Settle, BD24 9ER. Approved with Conditions.

2019/21159/VAR Application to vary condition number 3 of application reference number 45/2014/15198 granted 09 January 2015 to allow use of holiday property for managerial purposes at The Stable, Stackstead Farm, Warth Lane, Ingleton, Carnforth. Approved with Conditions.

2019/21164/FUL Replacement windows and doors at 7-13, 15-21, 23-29 Banks Way, High Bentham, Lancaster LA2 7JH. Approved with Conditions.

2019/21171/TCA 9 No. Ash Trees - Prune. 5 No. Conifer trees - Reduce height to approx 6'. 1 No. Pine Tree - Remove various branches. Church Croft, 17 Main Street, Ingleton, Carnforth, LA6 3EB. Approved Tree Works in Conservation Area.

2019/21172/TCA T1 Sycamore – Fell T2 Ash - Fell. The Post Office, Draughton, Skipton, BD23 6DU. Approved Tree Works in Conservation Area.

2019/21175/HH Retrospective rear garden room at 10 Whinfield Court, Skipton, BD23 2UY. pproved with Conditions.

2019/21185/TCA 1 x Silver Birch Tree – Remove at Giggleswick School, Church Street, Giggleswick, Settle BD24 0BJ. Approved Tree Works in Conservation Area.

2019/21189/TCA T1 Copper Beach - crown lift by 1.5 meters. T2 Ash - Fell. T3 Cherry - light eshape. T4 Mountain Ash - Fell. East Barn, The Fold, Lothersdale, Keighley BD20 8HD. Approved Tree Works in Conservation Area.

2019/21193/PNAG New crushed stone track at Croft Head Farm, Binns Lane, Glusburn. West Closes Farm, Binns Lane, Glusburn, Keighley BD20 8JJ. PN Refused and Application Required.

2019/21213/CND Application to discharge condition no. 3 (Sample Panel) of planning permission referenced 2019/20684/LBC granted 23 October 2019 at Barn 1, Stott Fold Farm, Cowling Hill Lane, Cowling, Keighley BD22 0LR. DOC satisfactory.

2019/21230/TCA T1 & T5 Yew- reduce by 30%. T2 Rowan-cut back to hedge line. T3 Plum- reduce by 40%. T4 Elderberry-reduce by 50%. T6 Beech- cut back to growing points. T7 Plum Tree-cut back to growing points. T8 Holly & T9 Plum-cut back to previous cut points. 81 Gargrave Road, Skipton, BD23 1QN. Approved Tree Works in Conservation Area.

2019/21247/CND Application to discharge condition no. 2 (landscaping scheme) of 2019/20320/MMA granted 12 September 2019 on land to South East of Riparian Court, Riparian Way, Cross Hills, Keighley. DOC satisfactory.

2019/21250/CND Application to discharge condition no. 27 (Remediation Strategy) attached to Outline planning permission referenced 2017/18136/VAR granted on land North of A629 and West of Carleton Road, Skipton. DOC satisfactory.

2019/21275/NYCC Consultation on planning application for the purposes of the retention of prefabricated classroom unit 0001 for a further 3 years (88 sq. metres) land at Clapham C of E Primary School, The Green, Clapham, Lancaster LA2 8EJ. Response Sent.

b. Applications

Permission Granted

2019/20912/FUL full planning application for the formation of a ten-pitch caravan and camping site and erection of facilities block with manager's flat above at Thornton Hall Farm Visitor Centre, Thornton Hall Farm, Colne and Broughton Road, Thornton-in-Craven, Skipton BD23 3TJ.

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:

696.2574.01 Rev A received by Craven District Council on the 5th December 2019
696.2574 received by Craven District Council on the 29th 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 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.

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 investigation 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:

The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.

The existing access shall be improved by forming a 6.5 metre carriageway width at the highway boundary and formed with 10 metre radius kerbs to the carriageway and constructed in accordance with the standard detail drawing Type 4.

Any gates or barriers shall be erected a minimum distance of 15 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.

The final surfacing of any private access within 15 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.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience and to accord with the guidance and objectives of the National Planning Policy Framework.

During Building Works

- 4 The scheme of soft landscaping for the site shown on the approved plan listed in condition 2 shall be implemented in accordance with approved details and retained thereafter.

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

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

- 5 Prior to the installation of any external lighting full details shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of adjoining properties and comply with guidance contained within the National Planning Policy Framework.

Ongoing Conditions

- 6 The touring caravan pitches hereby approved shall be used for holiday accommodation purposes only and shall not be occupied for any other purpose. In particular the site shall not be used as the sole or principal residence by any of the occupants.

The owners/operators shall maintain an up-to-date register of the names of all owners and occupiers of individual properties and of their main home addresses and shall make this information available at all reasonable time to the Local Planning authority.

Reason: For the avoidance of doubt as this is an open countryside location where new dwellings would not normally be viewed as acceptable in planning policy terms.

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.

2019/21160/FUL application for roofing repairs to concert hall within the Town Hall, High Street, Skipton BD23 1AH – subject to the conditions below

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 proposed works hereby approved shown on drawings and document:

L(PL) 000 Location Plan received by the Council on the 13th November 2019

L(PL) 500 Planning and Listed building consent plans received by the Council on the 13th November 2019

L(PL) 512 Proposed south elevation received by the Council on the 13th November 2019

L(PL) 513 Proposed north elevation received by the Council on the 13th November 2019

L(PL) 511 Proposed plan received by the Council on the 13th November 2019

Design and Access and Heritage Statement received by the Council on the 13th November 2019

The development hereby approved shall be completed in accordance with the approved plans except where conditions attached to this permission indicate otherwise.

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

During Building Works

- 3 The external finishes of the works hereby permitted shall be those detailed within the Design and Access and Heritage Statement and the Application Form and shall be retained thereafter.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy ENV2 of the Local Plan and the aims and objectives of the National Planning Policy Framework.

Informatives

1. Statement of Positive Engagement:

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

2019/21161/LBC application for roofing repairs to concert hall within the Town Hall, High Street, Skipton, BD23 1AH – subject to the conditions 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 comply with requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Approved Plans

- 2 The proposed works hereby approved shown on drawings and document:

L(PL) 000 Location Plan received by the Council on the 13th November 2019
L(PL) 500 Planning and Listed building consent plans received by the Council on the 13th November 2019
L(PL) 512 Proposed south elevation received by the Council on the 13th November 2019
L(PL) 513 Proposed north elevation received by the Council on the 13th November 2019
L(PL) 511 Proposed plan received by the Council on the 13th November 2019

Design and Access and Heritage Statement received by the Council on the 13th November 2019

The development hereby approved shall be completed in accordance with the approved plans except where conditions attached to this permission indicate otherwise.

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

During Building Works

- 3 The vents to be removed must be fully recorded to Level 2 as set out in Historic England Understanding Historic Buildings - A Guide to Good Recording Practice and passed to the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the listed building and to comply with the objectives of the National Planning Policy Framework.

- 4 The external finishes of the works hereby permitted shall be those detailed within the Design and Access and Heritage Statement and the Application Form and shall be retained thereafter.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy ENV2 of the Local Plan and the aims and objectives of the National Planning Policy Framework.

Informatives

1. Statement of Positive Engagement:

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

2. The approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the repair works. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

Permission Refused

2019/21006/HH retrospective application for the retention of rear porch including amendment to roof at 2 Ashfield Cottages, Main Street, High Bentham, Lancaster, LA2 7HZ - the extension by

Planning Committee 21 January 2020

virtue of its size and design is an incongruous addition to the host dwelling and has an overbearing adverse impact on the amenities of the neighbouring property and would therefore conflict with Policy ENV3 of the Craven Local Plan. The exact wording to be formulated by the Planning Manager. (SV).

(SV indicates a site visit was held on the morning of the meeting).

PL.962

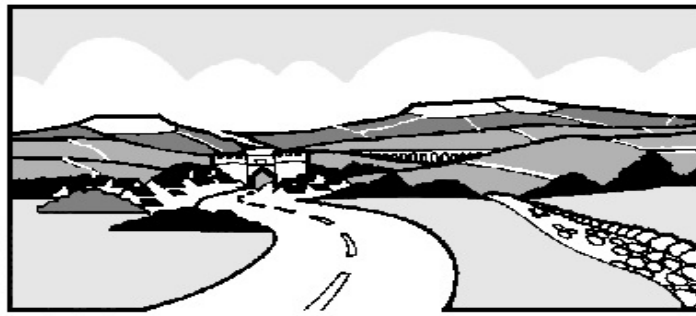
PLANNING ENFORCEMENT

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period 4th December 2019 to 12th January 2020.

Minutes for Decision

- None -

Chairman.



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D I S T R I C T

PLANNING COMMITTEE AGENDA

DATE: 18th February 2020

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REPORT TO PLANNING COMMITTEE ON 18th February 2020

Application Number: 2019/20611/FUL

Proposal: Part demolition and change of use of 'granary' buildings to create a holiday cottage (Use Class C3), glasshouse, extensions and alterations, parking and access.

Site Address: The Granary Peel Green Hellifield BD23 4LD

On behalf of: Wellock Property Limited

Date Registered: 21st June 2019

Expiry Date: 16th August 2019

EOT Date, if applicable:

Case Officer: Mr David Coates

This application has been called in to be heard by the Planning Committee by Cllr Moorby as Ward Member under the 7 day Notice procedure.

1. Site Description

- 1.1 The application site comprises the former Granary building and former walled garden which together with other adjoining buildings are the ancillary and estate buildings to the listed Hellifield Peel being an imposing Peel Tower to the east of the building group. Collectively this group of buildings is accessed from the west along a drive which sweeps through the formal parkland, all located to the south of Hellifield. The application buildings are in a poor state of repair and are generally single storey with the exception of the eastern building which is 2 storey under a pyramid roof. The Granary in effect forms the northern boundary to the former kitchen garden which has a high western boundary wall.
- 1.2 Hellifield Peel itself has been subject to major renovation works, as has the close by additional farmhouse, with its attached barn being converted to residential use. The Peel Tower is a Grade II listed building and a Scheduled Ancient Monument
- 1.3 A further dwelling is located immediately to the north west of the Granary buildings called Keepers Cottage and forms an integral part of the overall group of buildings. Keepers Cottage is subject of a separate planning application (2019/20717) for demolition and rebuild. Nevertheless, both applications collectively form a single development. Both proposals for The Granary and Keepers Cottage are now accompanied by listed building applications (Ref: 2019/21181 + 21181).

2. Proposal

- 2.1 The proposal seeks to demolish some modern 'temporary style' shelters and buildings and replace these with a glazed contemporary design extension with the elongated extended part following the eastern boundary wall down to abut the garden wall of Hellifield Peel. This includes the complete removal of the existing south wall to the rear of building and some parts of internal walls with the proposed full length extension attached to the south side and projecting approximately 3.8m. The Granary together with the extension would be converted to form holiday accommodation consisting of 4 double en-suite bedrooms, lounge and kitchen/dining area. In terms of the proposed use, it would be a holiday cottage short stay accommodation and further described as being holiday

accommodation for groups that will stay for short periods. A traditional 'walled garden' type glasshouse measuring approximately 28.5m x 5m would be attached to the west garden boundary.

- 2.2 At the western end and within the NW corner of the walled garden, a modern blockwork building under a single shallow pitch sheeted roofed would be demolished with a new building replacing it comprising dog kennels at ground floor level and a gym at first level with external access stairs. This would be stone faced with vertical larch boarding under a zinc roof. There would be extensive glazed areas to the east, south and west and the proposed building would be taller than existing buildings including the pyramidal roofed building and be located immediately south of Keepers Cottage. The submitted drawings indicate the Kennels would house dogs internally and no external runs are proposed.
- 2.3 A carport for 4 vehicles would be created at the southern end of the proposed extension.
- 2.4 In terms of the proposed use, there has been differing terms use, however more recently it was confirmed the use would be as a holiday cottage (C3) for holiday groups.

3. Planning History

- 3.1 42/2000/0615 – Adaptation of redundant buildings to form 4 residential units, 1 with workspace and construction of 2 new houses. Not determined.
- 3.2 42/2002/2575 – Extension / garage to Keeper's Cottage, conversion of single storey barns and outbuildings to form 3 no. dwellings with disabled accommodation, conversion of large barn to form 1 no. apartment over garage and 1 no. 2-storey apartment. Approved June 2003 (42/2002/2575)
- 3.3 42/2011/12256 – Proposed construction of new vehicular access to be enclosed by traditional metal fencing. Existing vehicular access will be blocked up with a new boundary wall. Refused in February 2012,
- 3.4 42/2015/15833 – Creation of new access. Approved July 2015,
- 3.5 2017/18188/FUL – Conversion and extension of former granary, stables and outbuildings to provide three-bed dwelling house with access road, parking and turning areas. Withdrawn October 2017.
- 3.6 2018/19039/CND – Application to discharge Condition 3 - Protection of Trees - full details provided on Drawing P1086c/001a, Condition 4 - Track Details - full details provided on Drawing P1086c/002a, Condition 6 - Fence Details - full details provided on Drawing P1086c/003a, Condition 7 - Gate Details - full details provided on Drawing P1086c/004 on original planning permission referenced 42/2015/15833 granted 20.07.2015. Discharge of conditions in April 2015.

4. Planning Policy Background

- 4.1 The development plan includes the Craven Local Plan (2012 – 2017) adopted on 12 November 2019.
- 4.2 Policy SD1 seeks to ensure development is consistent with sustainable development principles set out in the NPPF.
- 4.3 Policy ENV1 seeks to ensure that the quality of the countryside and landscape is conserved is conserved, with opportunities to restore and enhance.
- 4.4 Policy ENV2 indicates that the historic environment will be conserved and enhanced and provides criteria on how this will be achieved.
- 4.5 Policy ENV3 indicates good design will ensure that growth results in positive change and achieved through set out design principles.
- 4.6 Policy ENV4 seeks improvements in biodiversity
- 4.7 Policy ENV5 seeks improvements in the green infrastructure
- 4.8 Policy EC4 supports the growth of tourism in a sustainable way

- 4.9 The National Planning Policy Framework provides advice relating to: sustainable development; Building a prosperous economy; Conserving and enhancing the natural environment; Conserving and enhancing the historic environment.
5. Parish/Town Council Comments
- 5.1 Hellifield Parish Council responded on 6 September 2019 and again on 11 November 2019 (following re-consultation) objecting to the proposal citing:
- Hellifield Parish Council restates its objections from its earlier comments submitted on 6th September 2019. Being mindful that the buildings are now formally curtilage listed, greater weight should be given in considering the inappropriate scale of development and damage to the listed buildings. The Parish Council is also aware that since expressing its concerns about the inappropriate noise next to Peel Barn and The Peel, an appeal (in Fillongley, North Warwickshire) has determined that such an operation as proposed, will cause harm to health and well-being”.
6. Consultations
- 6.1 Historic England responded on 16 July 2019 and secondly on 12 November 2019, and made the following recommendation:
- Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 185 and 192 of the NPPF.
- In determining this application, you should bear in mind the statutory duty of section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.
- Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.
- 6.2 The Council’s Conservation Consultant responded on 15 July 2019, whilst finding the proposal (on balance) acceptable, indicated a number of changes should be sought. Their recommendation was:
- 5.1 I recommend that:
- a) the general principle of the proposal is acceptable and should be encouraged
 - b) the scheme should be amended slightly as suggested above
 - c) evidence of the date of the separation of ownership of the site from Hellifield Peel should be provided.
- They provided a final response on 2 December 2019 making the following recommendation:
- 5.1 I recommend that:
- a) the general principle of the proposal is acceptable but
 - b) the applications should be refused: in the context of the raised heritage status of the Granary; the failure to amend the details of the scheme satisfactorily; the failure to update the Heritage Statement in the light of the raised heritage status and; the inconsistency between the drawings for the application for planning permission and the application for LBC.
- 6.3 The LLFA responded on 23 July 2019 indicating that it did not wish to make any comments.
- 6.4 The EHO responded on 4 Jul 2019 indicating there may be the potential for some isolated contaminated land issues, but recommends conditions to be attached to any planning permission if granted. They provided a further response on 26 July 2019 recommending further conditions relating to noise, dust and construction working hours

7. Representations

7.1 Site notices dated 5 and 26 July 2019 were erected on site and x neighbouring properties were notified by letter. Following the establishment that the properties were listed buildings, neighbours were re-consulted. 161 letters have been received objecting to the proposal. The main reasons for objecting include:

- 7.2
- Affect local ecology
 - Close to adjoining properties
 - Development too high
 - General dislike of proposal
 - Inadequate access
 - Increase in traffic
 - Increase of pollution
 - Loss of privacy
 - Noise nuisance
 - Out of keeping with character of area
 - Over development

8. Summary of Principal Planning Issues

8.1 The main issues are:

- The Listing Status
- The principle of Development
- Effect on the setting of The Peel and the existing building group
- Effect on the landscape and parkland setting
- Effect on biodiversity and green infrastructure
- Effect on the living conditions of nearby residents

9. Analysis

Listing Status

- 9.1 The Granary is not listed in its own right and does not appear on the Listed Buildings Register compiled by Historic England. However, Hellifield Peel is a listed building and also a Scheduled Ancient Monument. Historic England has provided guidance on ancillary buildings in association with listed buildings, (note 10), and whether the listing extends to include those buildings by reason of age and association, ownership (historically and at time of the listing). In addition, and in view of the complexity of this situation, Counsel Opinion has been sought by the Council.
- 9.2 Hellifield Peel is an imposing building with a long history, and forms part of a building group. In the first instance it is not realistically possible to define a curtilage to Hellifield Peel which is exclusive to all other properties. Whilst there is a hard boundary to the majority of Hellifield Peel, there is part which would have a nominal or imaginary boundary. Considering the building group, these together with the existing walled garden is a single entity all within a single boundary comprising the iron railings, Ha Ha, and a high walled garden brick wall. As a result, both physically and visually, there is a clear collective single group of buildings. Hellifield Peel was listed on 20 February 1958. At that time of listing, the entirety of the building group and surrounding land was in the same ownership (as it had been for many years earlier) and were associated with the use and service of the main house 'Hellifield Peel'. Counsel Advice, Historic England advice as well as Officer assessment all conclude that the existing building group as a single entity within a single boundary and located within the historic parkland setting is included within the 'listing' of Hellifield Peel by reason of age and association, notwithstanding they are not expressly referenced within the listing description of Hellifield Peel.

- 9.3 The applicant has provided their own Counsel Opinion which counters that of the Council's, nevertheless taking the assessment of this issue as a whole, the Council is content that its process of analysing the Listing Status is robust. That submitted Legal Opinion by the applicant does not change the Council's assessment and findings, that the building group is included within the listing of Hellifield Peel.

Principle of Development

- 9.4 The existing building as part of the building group together with Hellifield Peel form a single entity and visually are all closely defined a single building group. The current condition of the building is showing signs of rapid decline and continued none use would result in further deterioration of the building. Policies ENV1 and ENV2 seek to preserve and enhance man-made features and heritage objectives, and also conserve heritage assets and in particular those elements which contribute to its significance. This includes heritage assets being at greatest risk of loss or decay.

- 9.5 In terms of the proposed use, the proposed sought permission for holiday accommodation for groups and indicated that the proposal was not a dwelling to be used for holiday purposes. This was later clarified as meaning holiday accommodation for groups who will stay for short periods. Later still this was clarified to be for a holiday cottage (C3) use for groups. Taking account of the deterioration of the building and the detriment the loss of the building would have on building group as a whole, it is considered on balance a tourism type use would be acceptable in principle subject to consideration of other factors as part of the overall assessment.

Effect on the building group

- 9.6 The building group forms a single entity within a single identified boundary located at the end of sweeping tree lined drive within an historic formal parkland. In considering the effect on the existing building group, consideration needs also be given to the setting of that building group on its landscape setting.
- 9.7 The north elevation would in effect have little change with existing openings being largely re-used. The major changes are to the south side and whilst out of public view, this does not affect consideration of effects on the building group's character. These changes include partial demolition of internal walls, the demolition of the entire south elevation and erection of a modern flat roofed extension with sedum roof and wooden boarded elevation.
- 9.8 Advice is set out in paragraph 193 – 196 of the NPPF as well as the statutory duty is set out in paragraph 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that decision makers '*shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*'.
- 9.9 The Council's Conservation Consultant as well as Historic England welcome the re-use of the building to prevent its further deterioration as part of the building group, however both raise concern about the sedum roof and wooden boarding which they consider to be an urban solution in an otherwise identified rural location. The use of the Sedum roof and wooden boarding has been raised with the applicant however they wish to retain both elements. In terms of the wooden boarding, the applicant's agent advises that it would be a specialised quality boarding which would weather more effectively and be more unlikely to give an 'untidy' appearance for which an example would be submitted to the Council for approval.
- 9.10 The proposed extension by reason of its size, design and materials and as well the amount of demolition would give rise to less than substantial harm, however there is less than compelling reasons for the applicant's preferred reason for retaining the proposed timber cladding and sedum roof contrary to the Council's advice. The Consultation Response advice from Historic England and the Council's Conservation Consultant is very influential in terms of effects on the heritage asset, and this is set against the desire to preserve and enhance the heritage asset which in this context is taken as being within the building group and Hellifield Peel. In this respect this application is very finely balanced, where the need for preserving the heritage assets which is considered to be of great importance. Therefore, it would be appropriate to impose conditions regarding the use of

materials to ensure these are appropriate for the receiving building, to be approved in consultation with the Council's Heritage Consultant.

Landscape setting

- 9.11 The building group appears as a single entity and particularly so whilst approaching along the tree lined formal driveway as it sweeps across the open parking setting. The proposal would not have major changes to the north elevations, which seeks only to re-use existing openings and other changes would be out of public view due to being screened by existing buildings and the high walled garden boundary. Whilst no LVIA has been submitted with the proposal, the absence of any discernible change when viewed from beyond the boundary walls, it is considered there would be little or no discernible effect on the character or appearance of the wider parkland, or when viewed as part of the building group within that landscape setting, due to it being largely out of view.

Biodiversity and Green Infrastructure

- 9.12 A Bat, Barn Owl and Nesting Birds survey was submitted with the application which concluded that in respect of bats:

Without mitigation, there is considered to be only a low potential for the alteration or loss of occasional, unconfirmed roost sites for bats at the site and this is unlikely to have a significant impact on their local distribution

- 9.13 In terms of barn owls:

There is a low potential for use of the site by barn owls. There are no potential nest sites within the buildings and there is no indication of any type of past use.

- 9.14 In terms of nesting birds:

A moderate number of old swallow and other bird nest sites were found at the site. There is the potential for a disturbance to nesting birds during the construction phase. Compensation for lost nest sites should be provided post construction.

There was no indication of current use of the site by nesting birds. Evidence of past use suggests that buildings are used by moderate numbers of nesting birds.

- 9.15 An initial observation on site indicated that there was low potential for use by barn owls. In terms of bats, whilst it is considered there is also low potential for effect on unconfirmed sites, and would be unlikely to be used by significant numbers of bats for roosting, the report does not rule out the use of the building as a roost site even for small numbers, and provides suggestions on precautionary measures which may appropriate. The report does state that there would be high quality feeding roosts close by, but suggests that bats would be roosting elsewhere rather than at the application site.

- 9.16 The disturbance of bats and their habitats is a criminal offence and is covered by other existing legislation.

- 9.17 With regard to nesting birds, contrary to the submitted report which states there was no indication of current use of the site by nesting birds (para 7.2), observation at the site visit indicates there was a clear and evidential current use by nesting birds including swallow, blackbird, tits and wren. There is concern that the report states conclusions contrary to what was evidential on site, which may raise concerns on the integrity of the whole survey and report.

- 9.18 Notwithstanding the findings of the report, policy ENV4 seeks to ensure a nett improvement in biodiversity, which in this instance could be achieved by provision of nest boxes and bat boxes in appropriate locations, as well as provision of bat roosting holes within the existing walls.

- 9.19 With regard to green infrastructure, the site is located within the formal parkland setting, and whilst wildlife linkages are relatively good, the resurrection of the kitchen garden would make a

contribution to wildlife habitat potential when in conjunction with other mitigation measures. In this respect the proposal would accord with policy EMV5.

Living conditions

- 9.20 Nearby residents raise concern that the proposal is more than simply holiday accommodation but with the additional extras would give rise to unacceptable levels of noise and disturbance. Attention has been given to an appeal decision (APP/R3705/C/18/3217237) which found that a property let for holiday use was advertised and use for organised groups and therefore fell outside the scope of purely a dwelling use (Class C3). It was found to be a mixed use of residential house and events venue (Sui Generis). Notwithstanding this, the Inspector found that it would be difficult to impose strict conditions to make living conditions of neighbours acceptable and consequently the Appeal was dismissed.
- 9.21 With regard to this application, the development description and explanations of intended use is inconsistent. Notwithstanding the submission, the latest clarification indicates the proposal would be for a holiday cottage (C3) use with an emphasis on group accommodation. Given that confirmation has been given as to the proposed use as a holiday cottage (C3 use), conditions could be attached to restrict its use to solely a C3 use notwithstanding that the proposal is for group accommodation. It is considered that conditions could be imposed to ensure the property does not become a holiday cottage with events similar to that subject of the Appeal decision. The imposed conditions could ensure that harm to living conditions of neighbours from organised events due to noise and disturbance do not occur

Conclusion

- 9.22 The proposal is considered collectively with the adjoining proposal. Whilst the proposal would in principle bring into use a building and safeguard its future, the current proposed materials are not acceptable but conditions relating to use of appropriate materials could be imposed in consultation with the Council's Heritage Consultant and therefore reduce the potential for harm to the appearance of the building and its setting within that group. These concerns are echoed by Historic England and the Council Heritage Consultant. The type of use has been fluid, but has finally been confirmed as being a holiday cottage for group accommodation.
- 9.23 This is a very finely balanced proposal, the use of conditions relating to materials and restrictions on the use of the property, outweigh the harm of the proposal. The proposal therefore, on balance, accords with policies SD1, ENV1, ENV2 and ENV3 of the Local Plan and paragraphs 8, and 193 - 196 of the NPPF.

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 no. Drawing Pack Revision A received by the Council 23 August 2019

Drawing no. Highway Assessment received by the Council on 23 August 2019
Planning Statement received by the Council on 11 June 2019
Design and Access Statement received by the Council on 11 June 2019
Septic tank details received by the Council on 21 June 2019
Owl, Bat and Nesting Birds Survey received by the Council on 11 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.

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 Within 3 months of the date of approval, full details of the materials to be used on the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority:
- a) Details of the proposed timber boarding.
 - b) The type, texture, size, colour, bond and method of pointing for the stonework on the building's elevations.
 - c) The type, texture, size and colour of the slates to be used on the external surfaces of the building's roof and details of any other alternative roofing to be used.
 - d) The type, texture, finish and colour treatment of any gates enclosing the vehicle access to the site.
 - e) The surface treatment of the new and replacement areas of hardstanding.

The development shall thereafter be constructed in accordance with the duly approved materials.

Reason: To ensure the use of suitable materials which are sympathetic to the special architectural and historic character of the listed building and conservation area in accordance with the requirements of the Craven Local Plan, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 4 Within 3 months, a scheme for the details of the proposed guttering shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and thereafter retained.

Reason: To preserve the character and appearance of the building and to accord with the requirements of the Craven Local Plan and the NPPF

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

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to preserve and enhance the character, appearance and setting of the building group to meet the requirements of the Craven Local Plan and the National Planning Policy Framework.

- 6 No works in the walled garden shall take place until a scheme for tree protection measures (both above and below ground) to be implemented during the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- (i) Details of a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837: 2012) to be formed around the root protection areas of those trees within and/or overhanging the site to be retained.
 - (ii) Details of any excavation to take place within the root protection areas of those trees within and/or overhanging the site to be retained.
 - (iii) Details of the foundations of any building, hardstandings and/or boundary treatments to be constructed within the root protection areas of those trees within and/or overhanging the site to be retained.

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

Reason: To ensure that adequate measures are put in place to protect existing trees which are to be retained as part of the development before any construction works commence.

Ongoing Conditions

- 7 Notwithstanding the description of the proposal, the use shall be restricted to Use Class C3 and for no other use.

Reason: For the avoidance of doubt as to what the permission relates to and the use which is authorised.

- 8 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, 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 the preservation of the character and appearance of the building group and its setting to meet the requirements of the Craven Local Plan and the NPPF

- 9 The scheme hereby approved shall be completed in its entirety prior to the proposal first being brought into use. The confirmation of the completion of the scheme shall be sought and approved in writing by the local planning authority.

Reason: to ensure the completion of the scheme to preserve the character and appearance of the building group as a whole to meet the requirements of the Craven Local Plan and the NPPF.

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.

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.

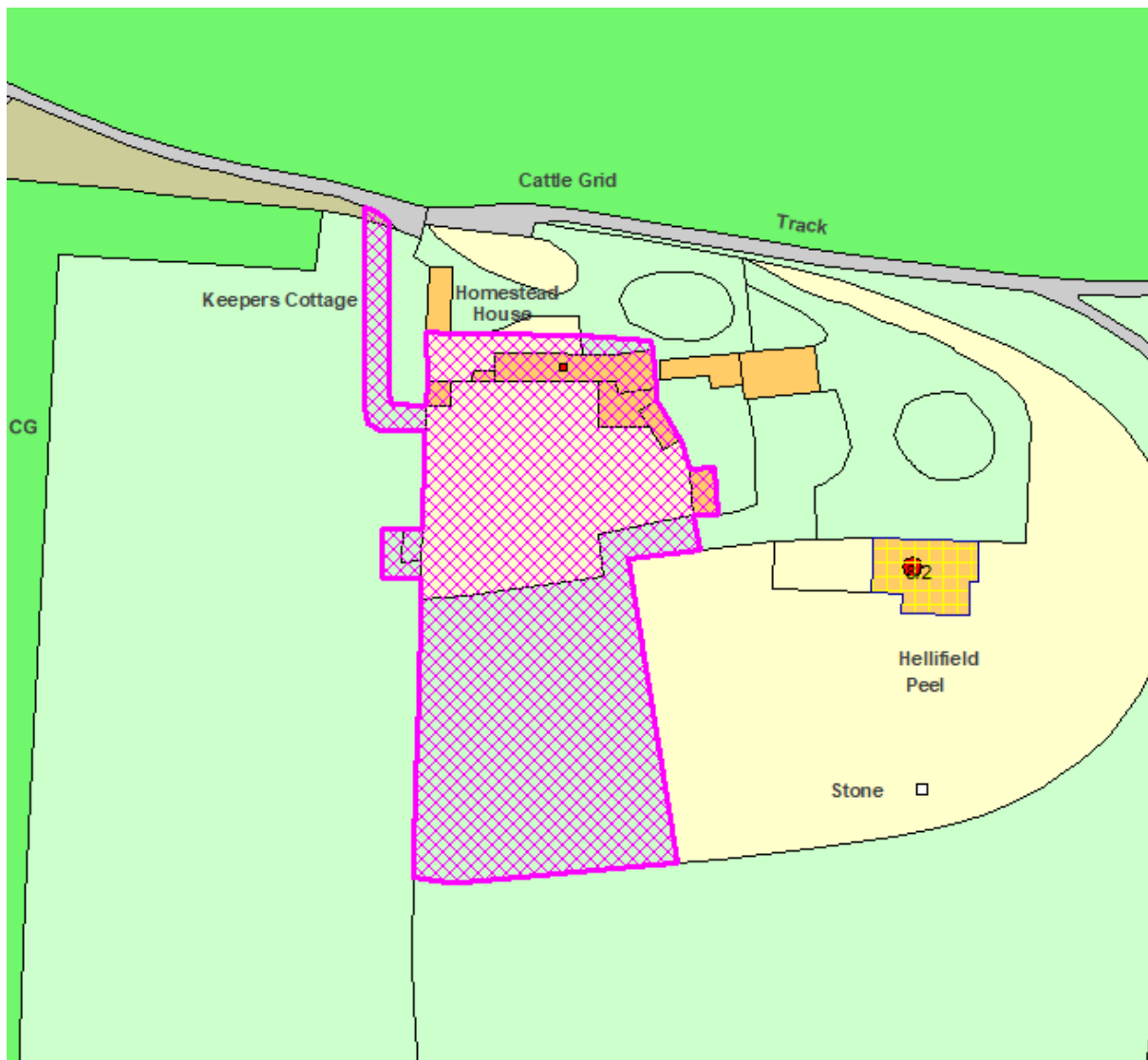
3. Noise

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. Your attention is drawn to the attached note relating to demolition and the requirements of The Building Act.

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: 2019/20611/FUL

Proposal: Part demolition and change of use of 'granary' buildings to create a holiday cottage (Use Class C3), glasshouse, extensions and alterations, parking and access.

Site Address: Granary Peel Green Hellifield BD23 4LD

On behalf of: Wellock Property Limited

REPORT TO PLANNING COMMITTEE ON 18th February 2020

Application Number: 2019/21182/LBC

Proposal: Part demolition and change of use of granary buildings to holiday cottage (Use Class C3), glass house, minor extensions and alterations, parking and access

Site Address: The Granary, Peel Green, Hellifield

On behalf of: Wellock Properties Ltd

Date Registered: 8th November 2019

Expiry Date: 3rd January 2020

EOT Date, if applicable:

Case Officer: Mr David Coates

This application has been called in to be heard by the Planning Committee by Cllr Moorby as Ward Member under the 7 day Notice procedure.

1. Site Description

- 1.1 The application site comprises the former Granary building and former walled garden which together with other adjoining buildings are the ancillary and estate buildings to the listed Hellifield Peel being an imposing Peel Tower to the east of the building group. Collectively this group of buildings is accessed from the west along a drive which sweeps through the formal parkland, all located to the south of Hellifield. The application buildings are in a poor state of repair and are generally single storey with the exception of the eastern building which is 2 storey under a pyramid roof. The Granary in effect forms the northern boundary to the former kitchen garden which has a high western boundary wall.
- 1.2 Hellifield Peel itself has been subject to major renovation works, as has the close by additional farmhouse, with its attached barn being converted to residential use. The Peel Tower is a Grade II listed building and a Scheduled Ancient Monument
- 1.3 A further dwelling is located immediately to the north west of the Granary buildings called Keepers Cottage and forms an integral part of the overall group of buildings. Keepers Cottage is subject of a separate planning application (2019/20717) for demolition and rebuild. Nevertheless, both applications collectively form a single development. Both proposals for The Granary and Keepers Cottage are now accompanied by listed building applications (Ref: 2019/21181 + 21182).

2. Proposal

- 2.1 The proposal seeks to demolish some modern 'temporary style' shelters and buildings and replace these with a glazed contemporary design extension with the elongated extended part following the eastern boundary wall down to abut the garden wall of Hellifield Peel. This includes the complete removal of the existing south wall to the rear of building and some parts of internal walls with the proposed full length extension attached to the south side and projecting approximately 3.8m. The Granary together with the extension would be converted to form holiday accommodation consisting of 4 double en-suite bedrooms, lounge and kitchen/dining area. In terms of the proposed use, it would be a holiday cottage short stay accommodation and further described as being holiday accommodation for groups that will stay for short periods. A traditional 'walled garden' type glasshouse measuring approximately 28.5m x 5m would be attached to the west garden boundary.

- 2.2 At the western end and within the NW corner of the walled garden, a modern blockwork building under a single shallow pitch sheeted roofed would be demolished with a new building replacing it comprising dog kennels at ground floor level and a gym at first level with external access stairs. This would be stone faced with vertical larch boarding under a zinc roof. There would be extensive glazed areas to the east, south and west and the proposed building would be taller than existing buildings including the pyramidal roofed building and be located immediately south of Keepers Cottage. The submitted drawings indicate the Kennels would house dogs internally and no external runs are proposed.
- 2.3 A carport for 4 vehicles would be created at the southern end of the proposed extension.
- 2.4 In terms of the proposed use, there has been differing terms use, however more recently it was confirmed the use would be as a holiday cottage (C3) for holiday groups
3. Planning History
- 3.1 42/2000/0615 – Adaptation of redundant buildings to form 4 residential units, 1 with workspace and construction of 2 new houses. Not determined.
- 3.2 42/2002/2575 – Extension / garage to Keeper's Cottage, conversion of single storey barns and outbuildings to form 3 no. dwellings with disabled accommodation, conversion of large barn to form 1 no. apartment over garage and 1 no. 2-storey apartment. Approved June 2003 (42/2002/2575)
- 3.3 42/2011/12256 – Proposed construction of new vehicular access to be enclosed by traditional metal fencing. Existing vehicular access will be blocked up with a new boundary wall. Refused in February 2012,
- 3.4 42/2015/15833 – Creation of new access. Approved July 2015,
- 3.5 2017/18188/FUL – Conversion and extension of former granary, stables and outbuildings to provide three-bed dwelling house with access road, parking and turning areas. Withdrawn October 2017.
- 3.6 2018/19039/CND – Application to discharge Condition 3 - Protection of Trees - full details provided on Drawing P1086c/001a, Condition 4 - Track Details - full details provided on Drawing P1086c/002a, Condition 6 - Fence Details - full details provided on Drawing P1086c/003a, Condition 7 - Gate Details - full details provided on Drawing P1086c/004 on original planning permission referenced 42/2015/15833 granted 20.07.2015. Discharge of conditions in April 2015
4. Planning Policy Background
- 4.1 The Development Plan includes the craven Local Plan (2012 – 2037) adopted on 12 November 2019.
- 4.2 Policy SD1 seeks to ensure development is consistent with sustainable development principles set out in the NPPF.
- 4.3 Policy ENV1 seeks to ensure that the quality of the countryside and landscape is conserved is conserved, with opportunities to restore and enhance
- 4.4 Policy ENV2 indicates that the historic environment will be conserved and enhanced and provides criteria on how this will be achieved.
- 4.5 Policy ENV3 indicates good design will ensure that growth results in positive change and achieved through set out design principles.
- 4.6 Policy ENV4 seeks improvements in biodiversity
- 4.7 Policy ENV5 seeks improvements in the green infrastructure
- 4.8 Policy EC4 supports the growth of tourism in a sustainable way
- 4.9 The National Planning Policy Framework provides advice relating to: Sustainable development; Building a prosperous economy; Conserving and enhancing the natural environment; Conserving and enhancing the historic environment

5. Parish/Town Council Comments

- 5.1 Hellifield Parish Council responded on 6 September 2019 and again on 11 November 2019 (following re-consultation) objecting to the proposal citing:
- 5.2 Hellifield Parish Council restates its objections from its earlier comments submitted on 6th September 2019. Being mindful that the buildings are now formally curtilage listed, greater weight should be given in considering the inappropriate scale of development and damage to the listed buildings. The Parish Council is also aware that since expressing its concerns about the inappropriate noise next to Peel Barn and The Peel, an appeal (in Fillongley, North Warwickshire) has determined that such an operation as proposed, will cause harm to health and well-being”.

6. Consultations

- 6.1 Historic England responded on 16 July 2019 and secondly on 12 November 2019, and made the following recommendation:

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 185 and 192 of the NPPF.

In determining this application, you should bear in mind the statutory duty of section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

- 6.2 The Council's Conservation Consultant responded on 15 July 2019, whilst finding the proposal (on balance) acceptable, indicated a number of changes should be sought. Their recommendation was:

5.1 I recommend that:

- a) the general principle of the proposal is acceptable and should be encouraged
- b) the scheme should be amended slightly as suggested above
- c) evidence of the date of the separation of ownership of the site from Hellifield Peel should be provided.

They provided a final response on 2 December 2019 making the following revised recommendation:

5.1 I recommend that:

- a) the general principle of the proposal is acceptable but
- b) the applications should be refused: in the context of the raised heritage status of the Granary; the failure to amend the details of the scheme satisfactorily; the failure to update the Heritage Statement in the light of the raised heritage status and; the inconsistency between the drawings for the application for planning permission and the application for LBC.

- 6.3 The LLFA has not responded to re-consultation however the LLFA responded on 23 July 2019 to the associated planning application indicating that it did not wish to make any comments.
- 6.4 The EHO has not responded to the re-consultation however the EHO responded on 4 Jul 2019 to the associated planning application indicating there may be the potential for some isolated contaminated land issues, but recommends conditions to be attached to any planning permission if granted. They provided a further response on 26 July 2019 recommending further conditions relating to noise, dust and construction working hours

7. Representations

- 7.1 A Press Notice is dated 5 July 2019
- 7.2 Site notices dated 5 and 26 July 2019 were erected on site and 3 neighbouring properties were notified by letter. Following the establishment that the properties were listed buildings, neighbours were re-consulted. 161 letters have been received objecting to the proposal. The main reasons for objecting include
- 7.3
- Affect local ecology
 - Close to adjoining properties
 - Development too high
 - General dislike of proposal
 - Inadequate access
 - Increase in traffic
 - Increase of pollution
 - Loss of privacy
 - Noise nuisance
 - Out of keeping with character of area
 - Over development
8. Summary of Principal Planning Issues
- 8.1 The main issues are:
- The listing status
 - The principle of Development
 - Effect on the setting of The Peel and the existing building group
 - Effect on the landscape and parkland setting
 - Effect on biodiversity and green infrastructure
 - Effect on the living conditions of nearby residents
9. Analysis
- 9.1 The Granary is not listed in its own right and does not appear on the listed Buildings Register compiled by Historic England. However, Hellifield Peel is a listed building and also a Scheduled Ancient Monument. Historic England has provided guidance on ancillary buildings in association with listed buildings, (note 10), and whether the listing extends to include those buildings by reason of age and association, ownership (historically and at time of the listing). In addition, and in view of the complexity of this situation, Counsel Opinion was sought by the Council.
- 9.2 Hellifield Peel is an imposing building with a long history, and forms part of a building group. In the first instance it is not realistically possible to define a curtilage to Hellifield Peel which is exclusive to all other properties. Whilst there is a hard boundary to the majority of Hellifield Peel, there is part which would have a nominal or imaginary boundary. Considering the building group, these together with the existing walled garden is a single entity all within a single boundary comprising the iron railings, Ha Ha, and a high walled garden brick wall. As a result, both physically and visually, there is a clear collective single group of buildings. Hellifield Peel was listed on 20 February 1958. At that time of listing, the entirety of the building group and surrounding land was in the same ownership (as it had been for many years earlier) and were associated with the use and service of the main house 'Hellifield Peel'. Counsel Advice, Historic England advice as well as Officer assessment all conclude that the existing building group as a single entity within a single boundary and located within the historic parkland setting is included within the 'listing' of Hellifield Peel by reason of age and association, notwithstanding they are not expressly referenced within the listing description of Hellifield Peel.
- 9.3 The applicant has provided their own Counsel Opinion which counters that of the Council's, nevertheless taking the assessment of this issue as a whole, the Council is content that its process of analysing the Listing Status is robust. That submitted Legal Opinion by the applicant does not

change the Council's assessment and findings, that the building group is included within the listing of Hellifield Peel.

Principle of Development

- 9.4 The existing building as part of the building group together with Hellifield Peel form a single entity and visually are all closely defined a single building group. The current condition of the building is showing signs of rapid decline and continued none use would result in further decoration of the building. Policies ENV1 and ENV2 seek to preserve and enhance man-made features and heritage objectives, and also conserve heritage assets and in particular those elements which contribute to its significance. This includes heritage assets being at greatest risk of loss or decay.
- 9.5 In terms of the proposed use, the proposed sought permission for holiday accommodation for groups and indicated that the proposal was not a dwelling to be used for holiday purposes. This was later clarified as meaning holiday accommodation for groups who will stay for short periods. Taking account of the deterioration of the building and the detriment the loss of the building would have on building group as a whole, it is considered on balance a tourism type use would be acceptable in principle subject to consideration of other factors as part of the overall assessment.

Effect on the building group

- 9.6 The building group forms a single entity within a single identified boundary located at the end of sweeping tree lined drive within an historic formal parkland. In considering the effect on the existing building group, consideration needs also be given to the setting of that building group on its landscape setting.
- 9.7 The north elevation would in effect have little change with existing openings being largely re-used. The major changes are to the south side which is out of public view. These changes include partial demolition of internal walls, the demolition of the entire south elevation and erection of a modern flat roofed extension with sedum roof and wooden boarded elevation.
- 9.8 Advice is set out in paragraph 193 – 196 of the NPPF and the statutory duty is set out in paragraph 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that decision makers '*shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*'.
- 9.9 The Council's Conservation Consultant as well as Historic England welcome the re-use of the building to prevent its further deterioration as part of the building group, however both raise concern about the sedum roof and wooden boarding which they consider to be an urban solution in an otherwise identified rural location. The use of the Sedum roof and wooden boarding has been raised with the applicant however they wish to retain both elements. In terms of the wooden boarding, the applicant's agent advise it would be a specialised quality boarding which would weather more effectively and be more unlikely to give an 'untidy' appearance for which an example would be submitted to the Council for approval.
- 9.10 The proposed extension by reason of its size, design and materials and as well would give rise to less than substantial harm, however there is less than compelling reasons for the applicant's preferred reason for retaining the proposed timber cladding contrary to the Council's advice. The Consultation Response advice from Historic England and the Council's Conservation consultant is very influential, and this is set against the desire to preserve and enhance the heritage asset which in this context is taken as being within the building group and Hellifield Peel. In this respect this application is very finely balanced, in the need for preserving the heritage assets which is considered to be of great importance. Therefore, it would be appropriate impose conditions regarding the use of materials to ensure these are appropriate for the receiving building, to be approved in consultation with the Council's Heritage Consultant.

Landscape setting

- 9.11 The building group appears as a single entity and particularly so whilst approaching along the tree lined formal driveway as it sweeps across the open parking setting. The proposal would not have major changes to the north elevations, which seeks only to re-use existing openings and other

changes would be out of public view due to being screened by existing buildings and the high walled garden boundary. Whilst no LVIA has been submitted with the proposal, the absence of any discernible change when viewed from beyond the boundary walls, it is considered there would be little or no discernible effect on the character or appearance of the wider parkland, or when viewed as part of the building group within that landscape setting.

Biodiversity and Green Infrastructure

- 9.12 A Bat, Barn Owl and Nesting Birds survey was submitted with the application which concluded that in respect of bats:

Without mitigation, there is considered to be only a low potential for the alteration or loss of occasional, unconfirmed roost sites for bats at the site and this is unlikely to have a significant impact on their local distribution

- 9.13 In terms of barn owls:

There is a low potential for use of the site by barn owls. There are no potential nest sites within the buildings and there is no indication of any type of past use.

- 9.14 In terms of nesting birds:

A moderate number of old swallow and other bird nest sites were found at the site. There is the potential for a disturbance to nesting birds during the construction phase. Compensation for lost nest sites should be provided post construction.

There was no indication of current use of the site by nesting birds. Evidence of past use suggests that buildings are used by moderate numbers of nesting birds.

- 9.15 An initial observation on site indicated that there was low potential for use by barn owls. In terms of bats, whilst it is considered there is also low potential for effect on unconfirmed sites, and would be unlikely to be used by significant numbers of bats for roosting, the report does not rule out the use of the building as a roost site even for small numbers, and provides suggestions on precautionary measures which may appropriate. The report does state that there would be high quality feeding roosts close by, but suggests that bats would be roosting elsewhere rather than at the application site.

- 9.16 The disturbance of bats and their habitats is a criminal offence and is covered by other existing legislation.

- 9.17 With regard to nesting birds, contrary to the submitted report which states there was no indication of current use of the site by nesting birds (para 7.2), observation at the site visit indicates there was a clear and evidential current use by nesting birds including swallow, blackbird, tits and wren. There is concern that the report states conclusions contrary to what was evidential on site, which may raise concerns on the integrity of the whole survey and report.

- 9.18 Notwithstanding the findings of the report, policy ENV4 seeks to ensure a nett improvement in biodiversity, which in this instance could be achieved by provision of nest boxes and bat boxes in appropriate locations, as well as provision of bat roosting holes within the existing walls.

- 9.19 With regard to green infrastructure, the site is located within the formal parkland setting, and whilst wildlife linkages are relatively good, the resurrection of the kitchen garden would make a contribution to wildlife habitat potential when in conjunction with other mitigation measures. In this respect the proposal would accord with policy ENV5.

Living conditions

- 9.20 Nearby residents raise concern that the proposal is more than simply holiday accommodation but with the additional extras would give rise to unacceptable levels of noise and disturbance. Attention has been given to an appeal decision (APP/R3705/C/18/3217237) which found that a

property let for holiday use was advertised and use for organised groups and therefore fell outside the scope of purely a dwelling use (Class C3). It was found to be a mixed use of residential house and events venue (Sui Generis). Notwithstanding this, the Inspector found that it would be difficult to impose strict conditions to make living conditions of neighbours acceptable and consequently the Appeal was dismissed.

- 9.21 With regard to this application, the development description and explanations of intended use is inconsistent. Notwithstanding the submission, the latest clarification indicates the proposal would be for a holiday cottage (C3 use) with an emphasis on group accommodation. Given that confirmation has been given as the proposed use as a holiday cottage (C3 use), conditions could be imposed to restrict its use to solely a C3 use notwithstanding that the proposal is for group accommodation. It is considered that conditions could be imposed to ensure the property does not become a holiday cottage with events similar to that subject of the Appeal decision. The imposed conditions could ensure harm to the living conditions of neighbours from organised events does not occur.

Conclusion

- 9.22 The proposal is considered collectively with the adjoining proposal. Whilst the proposal would in principle bring into use a building and safeguard its future, the current proposed materials are not acceptable but conditions relating to use of appropriate materials could be imposed in consultation with the Council's Heritage Consultant and therefore reduce the potential for harm to the appearance of the building and its setting within that group. The type of use has been fluid, but has finally been confirmed as being a holiday cottage (Use C3) for group accommodation.
- 9.23 This is a finely balanced proposal, and the use of conditions relating to materials and restrictions on the use of the property outweigh the harm of the proposal. The proposal therefore accords with policies SD1, ENV1, ENV2 and ENV3 of the Local Plan and paragraphs 8, and 193 -196 of the NPPF.

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 consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Approved Plans

- 2 This permission relates to the following plans:

Drawing no. Drawing Pack Revision A received by the Council 23 August 2019
Drawing no. Highway Assessment received by the Council on 23 August 2019
Planning Statement received by the Council on 11 June 2019
Design and Access Statement received by the Council on 11 June 2019
Septic tank details received by the Council on 21 June 2019
Owl, Bat and Nesting Birds Survey received by the Council on 11 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.

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 Within 3 months of the date of approval, full details of the materials to be used on the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority:
- a) Details of the proposed timber boarding.
 - b) The type, texture, size, colour, bond and method of pointing for the stonework on the building's elevations.
 - c) The type, texture, size and colour of the slates to be used on the external surfaces of the building's roof and details of any other alternative roofing to be used.
 - d) The type, texture, finish and colour treatment of any gates enclosing the vehicle access to the site.
 - e) The surface treatment of the new and replacement areas of hardstanding.

The development shall thereafter be constructed in accordance with the duly approved materials.

Reason: To ensure the use of suitable materials which are sympathetic to the special architectural and historic character of the listed building and conservation area in accordance with the requirements of the Craven Local Plan, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 4 Within 3 months, a scheme for the details of the proposed guttering shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and thereafter retained.

Reason: To preserve the character and appearance of the building and to accord with the requirements of the Craven Local Plan and the NPPF

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

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to preserve and enhance the character, appearance and setting of the building group to meet the requirements of the Craven Local Plan and the National Planning Policy Framework

- 6 No works in the walled garden shall take place until a scheme for tree protection measures (both above and below ground) to be implemented during the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- (i) Details of a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837: 2012) to be formed around the root protection areas of those trees within and/or overhanging the site to be retained.

- (ii) Details of any excavation to take place within the root protection areas of those trees within and/or overhanging the site to be retained.
- (iii) Details of the foundations of any building, hardstandings and/or boundary treatments to be constructed within the root protection areas of those trees within and/or overhanging the site to be retained.

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

Ongoing Conditions

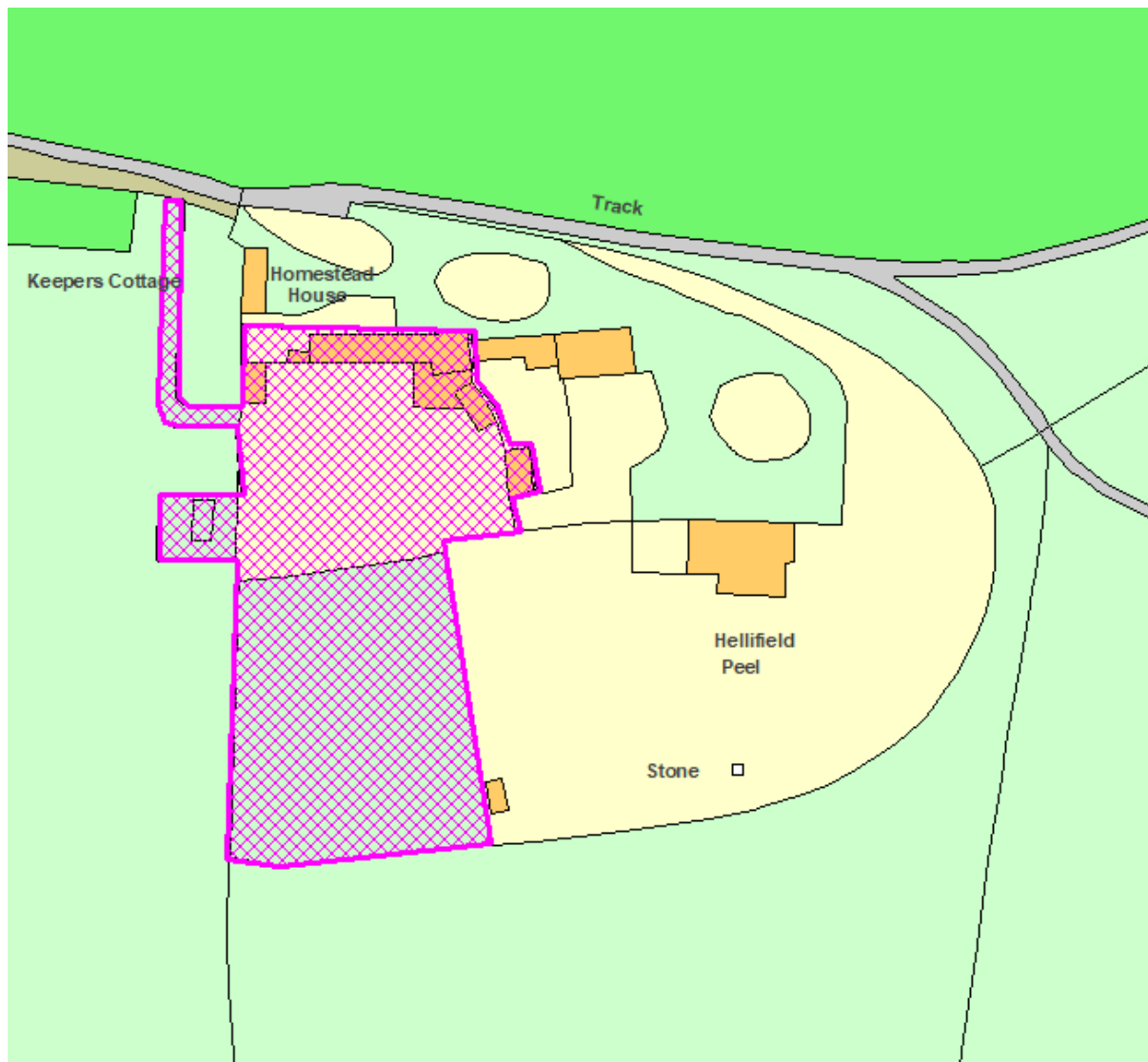
- 7 The scheme hereby approved shall be completed in its entirety prior to the proposal first being brought into use. The confirmation of the completion of the scheme shall be sought and approved in writing by the local planning authority.

Reason: to ensure the completion of the scheme to preserve the character and appearance of the building group as a whole to meet the requirements of the Craven Local Plan and the NPPF

Informatives

- 1. Statement of Positive Engagement:

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



Application Number: 2019/21182/LBC

Proposal: Part demolition and change of use of granary buildings to holiday cottage (Use Class C3), glass house, minor extensions and alterations, parking and access

Site Address: The Granary, Peel Green, Hellifield, Skipton, ,

On behalf of: Wellock Properties Ltd

REPORT TO PLANNING COMMITTEE ON 18th February 2020

Application Number: 2019/20654/REM

Proposal: Reserved Matters Application for residential development (submitted pursuant to approved planning reference 2017/18839/VAR that authorises the construction of housing on the site)

Site Address: Land At Shires Lane Embsay Skipton

On behalf of: Candelisa Ltd And Chatsworth Settlement Trust

Date Registered: 18th June 2019

Expiry Date: 17th September 2019

EOT Date, if applicable: 24th January 2020

Case Officer: Mr Sam Binney

The application is referred to planning committee as it is a reserved matters application and the outline permission was considered by the planning committee in accordance with criterion 9 of the Scheme of Delegation

1. Site Description

- 1.1 The application site comprises a 1.25ha area of undeveloped grassland located on the southern side of Shires Lane in Embsay. The site, which fronts onto Shires Lane to the north and lies adjacent to Low Lane to the east, falls in level from north to south and adjoins the boundary of the village cricket club to the west. The level of the land rises distinctly at the eastern end.
- 1.2 The site is bounded by open fields to the east and south and there is residential development to the north on the opposite side of Shires Lane. The land to the west of the site on the opposite side of the cricket club has extant planning permission for residential development.
- 1.3 In terms of the wider landscape setting the site forms part of larger a patchwork of fields that are situated to the south and east of the main settlement. To the south the field pattern is truncated by the Embsay Steam Railway line whilst Skipton quarry is located further south on the opposite side of the railway line.
- 1.4 There are clear views across the application site from and to Shires Lane and Low Lane. The site is on the edge of the settlement and, while not the principal entrance to the village, would form part of the road approach to the settlement from Halton East.
- 1.5 There is only one tree on the application site itself which is located in the south-west corner. However, there are rows of trees whose canopies encroach onto the site that form a distinct visual barrier to the south-west corner between the site and the neighbouring cricket club and the land to the south. There are also a small number of trees to the site frontage that lie within the grassed highway verge of Shires Lane and overhang the site. There are also several trees on the northern side of Shires Lane that are protected by a Tree Preservation Order.
- 1.6 The site is a housing commitment in the Local Plan (a Tier 4b settlement as identified in the Craven Local Plan), and is adjacent to the Main Built-up Area of that settlement.

2. Proposal

- 2.1 The application seeks approval of the appearance, landscaping, layout and scale of the dwellings as reserved by condition in outline permission 26/2015/15886 granted on appeal 28th July 2016.
- 2.2 The details include the construction of 40 dwellings on the site utilising the 2 access points from Shires Lane approved under the aforementioned outline permission. Proposed landscaping includes both soft and hard landscaping. This will consist of timber fences to the plot boundaries to the front and rear, with additional planting dispersed across the site though predominantly to the north and east boundaries. Overall, the properties have small front gardens with larger gardens to the rear with car parking being provided through a mix of driveways, integral garages and a car parking barn to the west end of the site.
- 2.3 **Officer's Note:** The means of access to the completed development has been fixed as part of the outline planning permission ref: 26/2015/15886 and cannot, therefore, be altered at reserved matters stage.
- 2.4 Other matters such as drainage, highways, off-site highway works, open space contributions, affordable housing contributions etc. were all considered at outline stage and conditions were placed on that permission that will need to be complied with and further information supplied to discharge some of those conditions prior to the commencement of development. The principle of developing the site and its access has therefore been established by the outline permission.
- 2.5 The site proposes:
- 8 No. 1-bedroom properties,
 - 6 No. 2 bedroom dwellings,
 - 19 No. 3-bedroom dwellings, and;
 - 7 No. 4+ bedroom dwellings.
3. Planning History
- 3.1 26/2015/15886: Outline application for residential development with all matters reserved other than access (from Shires Lane). Refused. 25/09/2015. Appeal allowed 28th July 2016.
- 3.2 26/2015/16100: Application for screening opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 for proposed residential development (Relating to Outline Planning Application Ref: 26/2015/15886). Environmental Assessment not required August 2015.
- 3.3 2017/18839/VAR: Application for variation of condition no. 6 (provision of affordable housing) on planning appeal reference number APP/C2708/W/16/3144561 dated 28/07/2016 relating to planning application referenced 26/2015/15886. Approved 24/08/2018.
4. Planning Policy Background
- 4.1 Local Plan Policies:
- ENV1: Countryside and Landscape
- ENV3: Good Design
- INF4: Parking Provision
- 4.2 National Policies:
- The National Planning Policy Framework.
- National Planning Policy Guidance
5. Parish/Town Council Comments
- 5.1 **Embsay with Eastby Parish Council:** Object. A summary of the objection is outlined below:
- 5.2 Comparison to outline

- The Parish feels the application varies too significantly to the outline consent.
- The application is now far denser than the outline scheme and is a significant and unacceptable departure from the outline scheme.
- The proposed housing is closer to Low Lane than the outline consent and will have an adverse visual impact.

Affordable housing/Open space

- Disappointed to see the affordable housing units grouped together.
- Parish would want monies from a S106 contribution for public open space off-site within the Parish.

Highways

- Restriction to a single access deprives farm tenant access to grazing land and causes concern for access by emergency vehicles.
- Concern over vehicles parking on the highway.
- Parish feel that the highway condition for a scheme for highway improvement works should have been submitted.

Surface water/flooding

- Does not want surface water from the development to intensify flow into the beck.

5.3

Following revised plans, the following re-consultation response was received:

- Concern no solutions put forward regarding housing providers and Yorkshire Water.

Highways

- Request for S106 monies to be allocated to highway improvement works to Shires Lane.
- New parking layout is impractical and unrealistic.
- Additional gated access point to agricultural land is unworkable.

Scale

- Concern over the scale of the dwellings to the east of the site toward Low Lane.

Landscaping

- Proposed landscaping will need maintenance.
- Request for condition for future maintenance of the strip of land between proposed houses and cricket pitch.

Other

- Parish feels the Inspectorate should see the application again due to degree of changes from the outline permission.

6. Consultations

6.1 **Environment Agency:** "Based on the information submitted, we have no comments on this reserved matters consultation".

6.2 **NYCC Highways:** The layout provided shows the highway layout from its junctions with Shires Lane. Turning heads not provided at the end of the highway. Car parking standard applies to the site. Request for the layout to be amended.

6.3 **Officer's Note:** Following the amended layout, including the plans reverting to 2 access points to match the outline consent, reconsultation took place and the response stated no objection and recommended a condition regarding the construction of roads and footways.

- 6.4 **Yorkshire Water:** Previous concern overcome regarding the site layout impacting a public sewer. No objections subject to a condition regarding protection of the public sewer.
- 6.5 **Historic England:** On the basis of the submitted information, do not wish to offer any comments.
- 6.6 **Natural England:** “no comments to make on this application”.
- 6.7 **NYCC SuDS:** No objection subject to the imposition of planning conditions regarding flood mitigation and finished floor levels.
- 6.8 **Sport England:** Holding objection. Sport England would consider withdrawing the holding objection when details of a ‘secure by design’ 2.4 metre fence to the north, south and east boundary of the buffer zone are provided in order to prevent any unauthorised access from residents of the proposed housing.
- 6.9 **Yorkshire Wildlife Trust:** No comments received within statutory consultation period.
- 6.10 **Yorkshire Dales National Park:** No objections but recommend conditions regarding external lighting and a native landscaping scheme.
- 6.11 **NYCC Ecologist:** No comments received within statutory consultation period.
- 6.12 **NY Police:** No objection but recommend conditions to address comments regarding integration of affordable housing, positioning of internal footpaths, boundary treatment details, remote parking, secure cycle storage, security lighting, street lighting and landscaping.
- 6.13 **NYCC Education:** There is a shortfall of 18 places for primary school places. A contribution is required through a S106 agreement for this shortfall.
- 6.14 **CDC Environmental Health:** No objections subject to conditions regarding construction hours, dust, electric vehicle charging points, and clean topsoil.
- 6.15 **CDC Sports Development Officer:** Application is acceptable. No on-site open space provision is proposed but off-site provision is acceptable if a planning gain contribution is secured by a S106 agreement.
- 6.16 **NYCC Archaeology:** No objection to the proposal and have no further comments to make.
- 6.17 **CDC Trees Officer:** No objection but recommend a condition requiring the submission of a landscaping scheme
- 6.18 **Health and Safety Executive:** A consultation was undertaken with HSE via the HSE Planning Web App. The response states “Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case”.
- 6.19 **CDC Strategic Housing:** Number of affordable homes (12 out of 40) in line with policy, of which 4 will be shared ownership though should be integrated into the site.
- 6.20 For full copies of consultation responses, please refer to the following link:

<https://publicaccess.cravendc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PTAFH1FK03K00>

7. Representations

- 7.1 Site Notice dated 06th September 2019.
- 7.2 Press Notice published 05th September 2019.
- 7.3 Notification letters sent to 15 neighbouring properties.
- 7.4 8 letters of representation have been received from 7 properties all objecting to the scheme. A summary of the objections is outlined below:

7.5 Visual impact

- Development of this scale would ruin the village character.

- Site is a greenfield site and would diminish views from Shires Lane.
- The development looks too cramped.
- Dwellings should be set back from Shires Lane and Low Lane.

Highways

- Concern over additional traffic.
- No provision of public footpath along Shires Lane.
- Inadequate parking.

Ecology

- Loss of wildlife habitat.

Surface water/flooding

- Concern over risk of flooding/surface water drainage.

Local Facilities

- Lack of school places locally.
- Embsay does not have capacity for additional housing.

Comparison to outline

Plans show little resemblance to the outline consent.

Affordable Housing

- Affordable housing should be integrated throughout the site.

Landscaping

- Landscaping is required for the site.

Other

- Dwellings already in construction off Shires Lane
- Concern over foul water discharge.
- Request that work suspended on all major housing sites in Embsay until Yorkshire Water upgrade foul water system for the village.

7.6 For full copies of representations, please refer to the following link:

7.7 <https://publicaccess.cravendc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PTAFH1FK03K00>

8. Summary of Principal Planning Issues

8.1 Principle of development.

8.2 Scale, design and visual impact on the character of the area.

8.3 Residential amenity.

8.4 Internal Highway Layout.

9. Analysis

Principle of development

9.1 The principle of residential development has already been established through outline consent 26/2015/15886 approved at appeal in July 2016. The outline consent covered the principle of development together with the access details.

Scale, design and visual impact on the character of the area

- 9.2 The overarching objective of policy ENV3 seeks to support development proposals which benefit the local economy, environment and quality of life. In particular, development should respect the form of existing and surrounding buildings including density, scale, height, massing and use of high quality materials.
- 9.3 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.
- 9.4 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.
- 9.5 Whilst the principle of development on this site has been established by the outline permission, it is important to ensure that the appearance, scale, landscaping and layout of the development is sympathetic to the rural character of the site and that it does not conflict with the character and appearance of the area.
- 9.6 Scale/Appearance
- 9.7 The topography of the site slopes down in a north-south direction with the exception of a banking to the east of the site which forms a small plateau at a similar ground level to the adjacent Low Lane. One of the most prominent views across the whole site is achieved from the north-east at the junction of Shires Lane and Low Lane. From this vantage point, you will be able to note the differing ground levels as well as the different ridge lines of the buildings. This is considered to create visual interest throughout the site.
- 9.8 The site is at a lower level than the nearest dwellings to the north of Shires Lane which are a mix of 2-storey dwellings and dormer bungalows. Due to the change in levels the mix of dwellings is considered appropriate. The dwellings to the east of the site are 3 storeys but will appear 2-storey when viewed from Low Lane due to the change of ground levels.
- 9.9 It is considered that while the scale of some dwellings does vary from those in the surrounding area, they respond well to the constraints of the site and create visual interest.
- 9.10 There is a mix of dwelling types throughout the site including different heights, window placements, a combination of semi-detached and detached properties and a variance in eaves and ridge levels. The dwellings in Embsay are predominantly 2-storey with some dormer bungalows scattered throughout. It is this scale and form which has influenced that scale of the dwellings.
- 9.11 The dwellings are to utilise natural stone with sawn stone window and door surrounds, and slate roofs. The design of the properties varies depending on the size of the dwelling and positioning within the site. The main differences include the inclusion of stone quoins, internal/external chimneys, presence of integrated garaging, and balconies.
- 9.12 There is no prevailing character to the form of dwellings in regard to the use of materials as there is a wide variety in the area. However, the conservation area to the north-west is mostly coursed gritstone, timber windows and grey slates. However, as the site is outside of the conservation area, as with the site to the north of Shires Lane and to the west of the cricket pitch, a more modern approach is considered appropriate in this location.
- 9.13 Overall, it is considered that the scale and appearance of the dwellings is acceptable. While the details of the materials have been submitted, it is considered appropriate in this instance to impose planning conditions regarding the submission and approval of material details as well as the construction of a sample panel.
- 9.14 Layout

- 9.15 The layout has principally evolved from the 2 access points approved in outline consent 26/2015/15886 which are both from Shires Lane which are set roughly equidistant from each other as well as the east and west boundaries to the site.
- 9.16 The topography of the site also slopes down in a north-south direction with the exception of a banking to the east end of the site which forms a small plateau at a similar level to the adjacent highway of Low Lane. The internal road layout takes account of these constraints with the internal roads penetrating through the site mostly in a north-south manner.
- 9.17 The banking to the east will be partially excavated to allow for a ground floor level that is subterranean at the rear. This allows for those properties (plots 22-27) to front the internal highway like in a similar manner to the other properties throughout the site.
- 9.18 It is considered that the proposed layout is acceptable as it respects the topography of the site and the surrounding area.
- 9.19 Landscaping
- 9.20 The landscaping consists of both hard and soft landscaping. The soft landscaping is indicative on the submitted plans but includes a mix of trees and shrubs throughout the site, together with private lawned amenity areas for each of the dwellings.
- 9.21 The hard landscaping consists of hardstanding to the private driveways, paving for paths to the dwellings, and private patio areas to the rear of most dwellings. The exact details are also indicative.
- It is considered that appropriate conditions should be imposed requiring the submission of all of the details for the hard and soft landscaping prior to their first use for the development. It is considered that the proposal is acceptable in regard to landscaping subject to the imposition of the aforementioned conditions.
- Residential amenity**
- 9.22 Policy ENV3 of the Local Plan states that development should protect the amenity of existing residents and business occupiers as well as create acceptable amenity conditions for future occupiers.
- 9.23 Paragraph 127 of the NPPF also states that planning decision should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 9.24 The proposed dwellings are all to be accessed from the main public highway of Shires Lane through either of 2 approved access points and whilst there is a mix in the orientation of these dwellings the key principal elevations will be fronting onto the internal road layout. Each property would have a private amenity area to the rear of those properties.
- 9.25 The positioning, separation distance, and orientation of the dwellings does vary throughout the site. However, this has been done to ensure that window and door openings would not result in an unacceptable loss of privacy to nearby residents of between the future occupants of the proposed dwellings.
- 9.26 The boundary treatment is currently a drystone wall to the frontages with Shires Lane and Low Lane, as well as the site boundaries to the cricket ground to the west and part of the existing landscaped areas to the south. The drystone wall will be extended across the southern boundary to meet Low Lane to enable a defined boundary to be created for all of the proposed properties. The proposed boundary treatments to the sides of each property will otherwise consist of 1.8m high timber fencing. This will help to improve the level of privacy between the amenity areas of each property.
- 9.27 Due to the sloping topography of the site, the height of the proposed dwellings, and their proposed separation, it is considered that there is an opportunity for overshadowing to occur to garden amenity areas. However, the shadowing will predominantly be cast across the garden amenity

areas and parking/turning areas of the associated property. It is considered that given the separation distance, positioning and orientation of the properties, the impact of overshadowing is to be minimal and acceptable.

- 9.28 For the aforementioned reasons, it is considered that no significant loss of amenity to neighbouring properties would arise as a result of the proposed development upon existing dwellings, or between the proposed dwellings once built.

Internal Highway Layout

- 9.29 Policy INF4 is supportive of development proposals that include an appropriate level of off-street parking provision.
- 9.30 The application proposes 40 total dwellings with associated parking spaces. These parking spaces are to be fulfilled through a combination of private driveways, integral garages and a car parking barn. The Highway Authority has parking standards which indicate the level of parking spaces to be provided for residential development depending on the number of bedrooms for the dwellings and how rural the development site is. For a rural area, the parking standard is 1 space for 1 bedroom dwellings, 2 spaces for 3 or 4 bedroom properties and 3 spaces for 4 or more bedroom properties.
- 9.31 The site proposes:
- 8 No. 1-bedroom properties,
 - 6 No. 2 bedroom dwellings,
 - 19 No. 3-bedroom dwellings, and;
 - 7 No. 4+ bedroom dwellings.
- 9.32 This would generate an overall parking requirement across the site of 79 parking spaces. The application proposes 91 total off-street car parking spaces (including inside garages and car ports) which is in excess of the minimum parking standards. It is considered that this amount of parking is appropriate and acceptable for the site.
- 9.33 The Highway Authority was consulted for this application and they stated that the layout needed amending due to the lack of turning heads by plots 17 and 18 and that the car parking standard will apply to the site.
- 9.34 The layout has been amended to ensure that all properties have a sufficient amount of off-street car parking spaces to meet the Highway Authority car parking standards. Additionally, the layout has been amended slightly to allow for the turning heads to the end of the private roads.
- 9.35 Following these amendments, the Highway Authority was reconsulted. They stated that they had no objections to the proposal though recommend a planning condition regarding the construction of adoptable roads and footways. In addition to that condition, it is considered necessary in this instance to impose additional planning conditions restricting the conversion of garages to habitable rooms and the retention of parking and turning areas. Other conditions have been imposed on the outline consent which would still take effect for the development of the site including the creation of the vehicle accesses, highway works and parking/turning areas.
- 9.36 For the aforementioned reasons, it is considered that the proposal would not result in an unacceptable impact on highway safety or that the cumulative impacts would be severe. The proposal would result in intensification of the use of the highway but subject to the aforementioned conditions, it is considered to be appropriate and acceptable.

Other Matters

Drainage and flooding

- 9.38 Drainage and flooding are important considerations in the provision of housing. While the site is not within a designated flood risk zone, it is prone to surface water flooding. In particular, the surface water crosses the site from the north-east corner flowing, eventually, to Haw Beck to the south of the site by the railway line.

- 9.39 Several rounds of consultation have taken place with the Lead Local Flood Authority (LLFA) as well as the Environment Agency. While the Environment Agency has no comments to make, the LLFA has stated they are satisfied that its original concerns regarding the risk of flooding to properties can be alleviated through the proposed mitigation measures and recommend the imposition of planning conditions regarding flood mitigation and finished floor levels.
- 9.40 It is considered that subject to the imposition of the aforementioned planning conditions, the proposal is acceptable in regard to flood risk.
- 9.41 Cricket Pitch
- 9.42 The application site is adjacent to the Embsay Cricket Club playing field as it forms a boundary to the west of the application site. Accordingly, Sport England was consulted on the proposal and submitted a holding objection on the grounds that the proposal does not include the provision of a 2.4m 'secure by design' fence recommended by the English Cricket Board (ECB).
- 9.43 These details were not forthcoming prior to making a recommendation on the report. However, it is considered that these details are reserved by condition 10 of the outline permission requiring the submission of details of the design and layout of ball stop netting or fencing in relation to the cricket field prior to the commencement of development which require the details to be approved in writing by the Local Planning Authority. On this basis, the concerns of Sport England have been overcome by the existing condition on the outline consent.
- 9.44 Conclusion
- 9.45 Paragraph 11 of the NPPF advises that LPA's should be:
- "approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless
- i) 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
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."
- 9.46 On balance, it is considered that there are no adverse impacts arising from the proposed development that would significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 11 of the NPPF, and therefore there are no grounds to withhold planning approval.

10. Recommendation

10.1 Approve with Conditions

Conditions

Time Limit for Commencement

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

Reason: 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 The permission relates to the following plans:
- Drawing No. 142-EX-01 Rev D "Proposed Site Layout" received 08th January 2020.

- Drawing No. 142-EX-02 Rev B "Proposed Street Scenes/Sections" received 08th January 2020.
- Drawing No. 142-EX-03 "Proposed Street Scenes/Sections" received 08th January 2020.
- Drawing No. 142/100 Rev A "Plot 1 & 2 - Ground Floor Plans" received 23rd August 2019.
- Drawing No. 142/101 Rev A "Plots 1 & 2 - Elevations" received 23rd August 2019.
- Drawing No. 142/102 Rev B "Plots 3 to 4 & 18 to 19 - Ground Floor Plans" received 08th January 2020.
- Drawing No. 142/103 Rev B "Plots 3 to 4 & 18 to 19 - Elevations" received 08th January 2020.
- Drawing No. 142/104 Rev B "Plots 5 to 6 & 20 to 21 (Handed) - Floor Plans" received 08th January 2020.
- Drawing No. 142/105 Rev B "Plots 5 to 6 & 20 to 21 (Handed) - Elevations" received 08th January 2020.
- Drawing No. 142/106 Rev B "Plots 7 to 10 - Ground Floor Plans" received 08th January 2020.
- Drawing No. 142/107 Rev B "Plots 7 to 10 - Elevations" received 08th January 2020.
- Drawing No. 142/108 Rev B "Plots 11 (Handed) & 33 - Floor Plans" received 08th January 2020.
- Drawing No. 142/109 Rev B "Plots 11 (Handed) & 33 - Elevations" received 08th January 2020.
- Drawing No. 142/110 Rev B "Plots 12 - Floor Plans" received 08th January 2020.
- Drawing No. 142/111 Rev A "Plot 12 - Elevations" received 08th January 2020.
- Drawing No. 142/112 Rev A "Plot 13 - Floor Plans" received 08th January 2020.
- Drawing No. 142/113 Rev B "Plot 13 - Elevations" received 08th January 2020.
- Drawing No. 142/114 Rev B "Plot 14 - Floor Plans" received 08th January 2020.
- Drawing No. 142/115 Rev A "Plot 14 - Elevations" received 08th January 2020.
- Drawing No. 142/116 Rev A "Plots 15 & 31 - Floor Plans" received 08th January 2020.
- Drawing No. 142/117 Rev B "Plots 15 & 31 - Elevations" received 08th January 2020.
- Drawing No. 142/118 Rev B "Plots 16 & 17 - Floor Plans" received 08th January 2020.
- Drawing No. 142/119 Rev B "Plots 16 & 17 - Elevations" received 08th January 2020.
- Drawing No. 142/120 Rev B "Plots 22 to 27 - Floor Plans" received 08th January 2020.
- Drawing No. 142/121 Rev B "Plot 22 - Elevations" received 08th January 2020.
- Drawing No. 142/122 Rev B "Plot 23 - Elevations" received 08th January 2020.
- Drawing No. 142/123 Rev A "Plot 24 - Elevations" received 08th January 2020.
- Drawing No. 142/124 Rev A "Plot 25 - Elevations" received 08th January 2020.
- Drawing No. 142/125 Rev A "Plots 26 - Elevations" received 08th January 2020.
- Drawing No. 142/126 Rev B "Plots 27 - Elevations" received 08th January 2020.
- Drawing No. 142/127 Rev B "Plots 28 & 29 - Ground Floor Plans" received 08th January 2020.
- Drawing No. 142/128 Rev B "Plots 28 & 29 - First Floor Plans" received 08th January 2020.
- Drawing No. 142/129 Rev B "Plots 28 & 29 - Elevations - Sheet 1" received 08th January 2020.
- Drawing No. 142/130 Rev B "Plots 28 & 29 - Elevations - Sheet 2" received 08th January 2020.
- Drawing No. 142/131 "Plots 30 - Floor Plans" received 18th June 2019.
- Drawing No. 142/132 "Plots 30 - Elevations" received 18th June 2019.
- Drawing No. 142/133 Rev A "Plots 32 - Ground Floor Plans" received 23rd August 2019.
- Drawing No. 142/134 Rev A "Plots 32 - Elevations" received 23rd August 2019.
- Drawing No. 142/135 "Plots 34 to 35 & 37 to 38 - Floor Plans" received 18th June 2019.
- Drawing No. 142/136 "Plots 34 to 35 & 37 to 38 - Elevations" received 18th June 2019.
- Drawing No. 142/137 "Plots 36 - Floor Plans" received 18th June 2019.
- Drawing No. 142/138 "Plots 36 - Elevations" received 18th June 2019.
- Drawing No. 142/139 Rev B "Plots 39 & 40 - Floor Plans" received 08th January 2020.
- Drawing No. 142/140 Rev B "Plots 39 & 40 - Elevations" received 08th January 2020.
- Planning Statement received 18th June 2019.
- Drainage Strategy received 18th 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.

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.

Before you Commence Development

- 3 The development shall not commence until details of finished floor levels of the development hereby approved have been submitted and approved in writing by the Local Planning Authority. The details should include levels of all properties adjoining the application site. Finished Floor Levels should be set above the 1 in 100 year plus climate change flood level with an additional 300mm freeboard above the flood level. The development shall be carried out in accordance with the approved scheme satisfying this condition.

Reason: In the interest of amenity of the occupiers of the adjoining properties and flood risk mitigation in accordance with Policy ENV6 of the Craven Local Plan and the National Planning Policy Framework.

- 4 Development shall not commence until the detailed design for the watercourse flood mitigation scheme, in accordance with the proposal set out in the approved Technical Note JBA, Project Code 2019s1583 Revision1.0. Dated January 2020, has been submitted to and approved in writing by the Local Planning Authority. The flood mitigation strategy shall provide protection from flooding for all events up to the 1 in 100 year + climate change event. The scheme shall include a detailed maintenance and management regime for the mitigation scheme.

Reason: To ensure the provision of adequate flood mitigation for the lifetime of the development and in the interests of amenity and flood risk in accordance with Policy ENV6 of the Craven Local Plan and the National Planning Policy Framework.

During Building Works

- 5 Prior to first use, full details of all materials to be used on the external surfaces of the development. Such details shall include the type, colour and texture of the materials. Prior to first use, the construction of a sample panel of walling of at least 2m² area, showing the stone to be used, the method of coursing and the styles and colour of its pointing shall be constructed on site and inspected and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved materials.

Reason: To ensure the use of appropriate materials which are sympathetic to the character of the surrounding area in the interests of visual amenity in accordance with Policies ENV2 and ENV3 of the Craven Local Plan.

- 6 Notwithstanding any details shown on the approved plans of this permission, within 3 months of development first taking place details of the siting, height, design, materials and finish of boundary treatments for each plot shall be submitted to and approved in writing by the Local Planning Authority. The duly approved boundary treatments shall be constructed in full accordance with the approved details before the dwelling on that plot is first occupied, and shall be retained as such thereafter.

Reason: In the interests of the security of future occupiers, to ensure adequate levels of privacy between neighbouring dwellings and to achieve an acceptable relationship with the street scene in accordance with the requirements of Craven Local Plan policy ENV3, and the National Planning Policy Framework.

- 7 Notwithstanding any details shown on the approved plans of this permission, within three months of development first taking place a landscaping scheme for the site shall be submitted to and

approved in writing by the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs. The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

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 the National Planning Policy Framework.

- 8 No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paves (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation.

The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing by the Local Planning Authority before any part of the development is brought into use.

Reason: To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.

Ongoing Conditions

- 9 No building or other obstruction including landscape features shall be located over or within 3 (three) metres wither side of the centre line of the sewer i.e. a protected strip width of 6 (six) metres, that traverses the site. If required the stand-off distance is to be achieved via diversion of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and prior to construction in the relevant area of the site, implemented in full accordance with the approved details.

Reason: In order to allow sufficient access for maintenance and repair work at all times.

- 10 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order revoking or re-enacting that Order (with or without modification) 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: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

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

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

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no development consisting of the erection of any outbuildings within the

curtilage of the dwellinghouses hereby approved shall take place without the prior written approval of the Local Planning Authority.

Reason: In order to enable the Local Planning Authority to retain a degree of control over the development having regard to the amenities of neighbouring properties within the locality.

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.

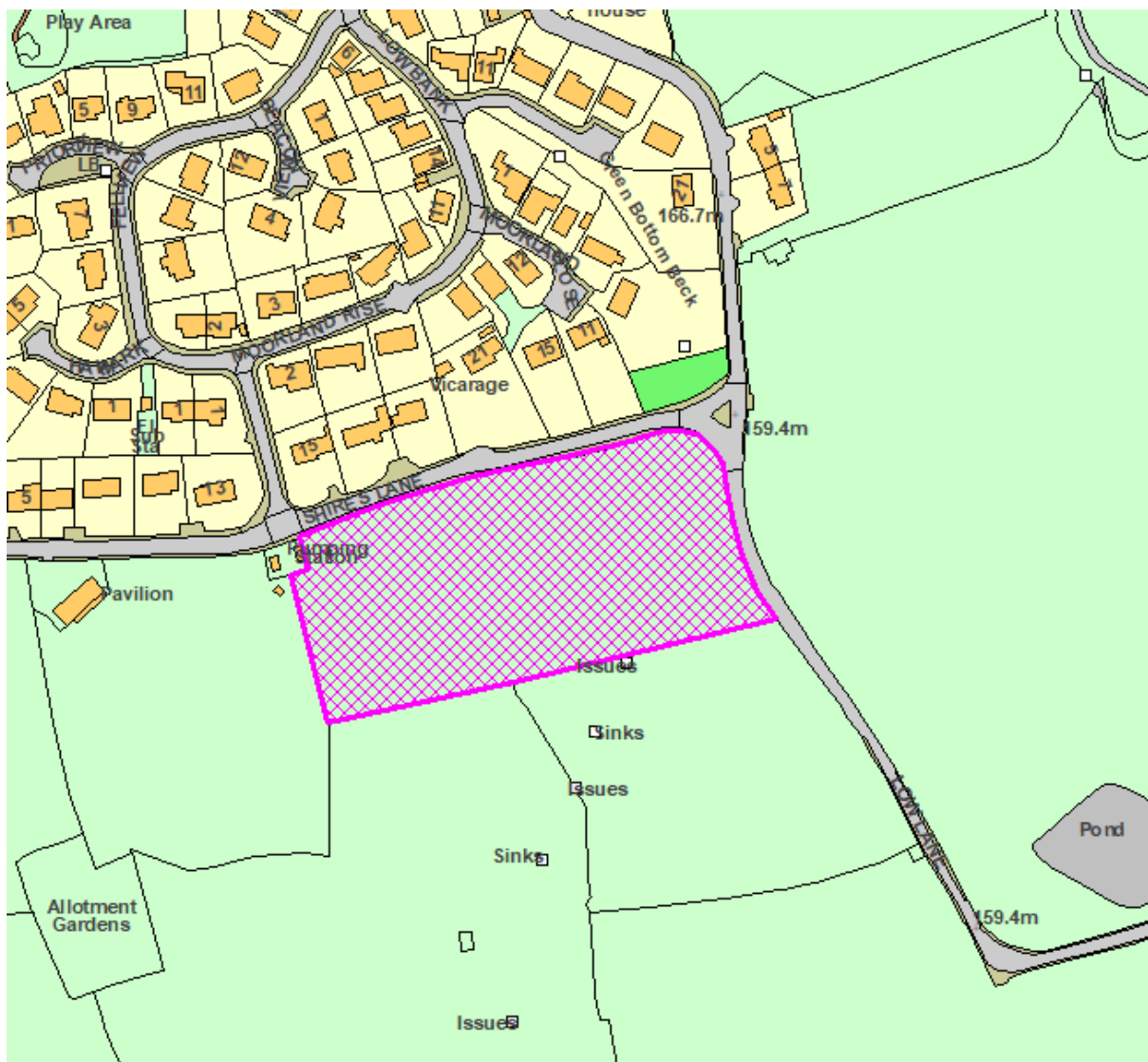
3. Charging Points

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

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. This decision notice should be read in conjunction with outline planning permission 26/2015/15886 (as varied by permission 2017/18839/VAR). All conditions that were imposed on that planning permission apply to the development as now approved (in addition to the conditions imposed under this permission), except where these have already been discharged.



Application Number: 2019/20654/REM

Proposal: Reserved Matters Application for residential development (submitted pursuant to approved planning reference 2017/18839/VAR that authorises the construction of housing on the site)

Site Address: Land At Shires Lane Embsay.

On behalf of: Candelisa Ltd And Chatsworth Settlement Trust

REPORT TO PLANNING COMMITTEE ON 18th February 2020

Application Number: 2019/21234/FUL

Proposal: Repair and extension to access bridge

Site Address: Mill House Bell Busk BD23 4DU

On behalf of: Mr D Lampkin

Date Registered: 13th December 2019

Expiry Date: 7th February 2020

EOT Date, if applicable:

Case Officer: Miss Katie Chew

The application has been called into planning committee by Councillor Sutcliffe due to the adverse impacts on the character and appearance of the conservation area.

1. Site Description

- 1.1 The application site relates to an existing bridge located adjacent to Mill Lodge, the bridge provides access over the River Aire to both Mill Lodge and Mill House in Bell Busk.
- 1.2 The application site is located within Bell Busk Conservation Area and is within a Designated Rural Area.

2. Proposal

- 2.1 The application seeks full planning permission for the repair and extension to the existing access bridge at Mill House in Bell Busk.
- 2.2 The bridge is to be extended in width by approximately 1.2m to allow for an easier access over the River Aire to residential dwellings 'Mill Lodge' and 'Mill House'. The materials and design of the bridge is also going to be altered. The existing metal railings are to be removed and replaced with a wall made from random stone. Stone lintels and plinth blocks to be added and a section of scaffolding is to be added to both sides of the bridge, with netting underneath. The access is currently made from steel sheets; this is to be replaced with tarmac.

3. Planning History

- 3.1 5/19/1 – Change of use of Wheel House Building of Old Mill to Cottage Dwelling, Mill House, Bell Busk. Approved 3rd September 1974.
- 3.2 5/19/8 – Conversion of The Mill House, Bell Busk, from one dwellinghouse to two dwellinghouses. Approved 30th July 1976.
- 3.3 5/19/19 – Conversion of old warehouse at Mill House, Bell Busk, to form detached dwellinghouse. Approved 27th June 1980.
- 3.4 19/2007/7090 – Re-build of rear extension and front porch and provisions of conservatory. Approved 28th February 2007.
- 3.5 19/2007/7307 – Rebuild of Mill House. Withdrawn 9th May 2007.
- 3.6 19/2007/7313 – Demolition of Mill House. Approved 21st May 2007.

- 3.7 19/2007/7640 – Detached dwelling. Approved 16th August 2007.
- 3.8 19/2010/10989 – Restoration of former mill building to be used in conjunction with Mill House for workshop, office and recreational use. Approved 25th July 2011.
- 3.9 19/2011/12241 – Discharge of conditions 4, 9, 10 and 11 of planning permission 19/2010/10989. Restoration of former mill building. Approved 9th March 2012.
- 3.10 2017/18733/HH – New detached garage. Approved 15th May 2018.
- 3.11 2018/19422/CND – Application to discharge condition no. 3 of original planning permission referenced 2017/18733/HH granted 15.05.2018. DOC satisfactory 9th August 2018.
- 3.12 2019/20703/FUL – Change of use from domestic store to distillery. Approved 27th September 2019.
4. Planning Policy Background
- 4.1 Craven Local Plan (2012-2032):
- SD1: The Presumption in Favour of Sustainable Development
 - ENV1: Countryside and Landscape
 - ENV2: Heritage
 - ENV3: Good Design
 - ENV12: Footpaths, Bridleways, Byways and Cycle Routes
 - INF4: Parking Provision
 - INF7: Sustainable Transport and Highways
- 4.2 National Planning Policy Framework (as amended 2019)
- 4.3 Planning Practice Guidance
5. Parish/Town Council Comments
- 5.1 Cowling Parish Council – Comments received 9th January 2020. The Council have no objection but would like to clarify that the scaffolding is only a temporary fixture while the new bridge is being built.
- Officer note:** The scaffolding will not be a temporary fixture; but is required to support the bridge itself, a condition has been added which requires the applicant to paint the structure black 6 months from the date of receiving a permission.
6. Consultations
- 6.1 Canal & Rivers Trust – Comments received 20th December 2019. The Canal & Rivers Trust state that this application falls outside the notified area for its application scale, the application was therefore returned as there are no requirements to consult them on this.
- 6.2 NYCC Highways – Comments received 2nd January 2020. There are no local highway authority objections to the proposed development.
- 6.3 CDC Environmental Health – No comments received within statutory timescales.
7. Representations
- 7.1 Site Notice – Expired 24th January 2020.
- 7.2 Press Notice – Expired 23rd January 2020.
- 7.3 Neighbour Letters – Expired 11th January 2020.
- 7.4 No representations have been received to date.
8. Summary of Principal Planning Issues
- 8.1 Principle of development.

- 8.2 Scale, design and visual impact of the proposed development on the character and appearance of the area.
- 8.3 Impact of the proposed development upon the privacy and amenity of neighbouring properties.
- 8.4 Highways issues.

Analysis

Principle of development

- 8.5 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. This requirement is reinforced in paragraph 2 of the NPPF.
- 8.6 The Craven Local Plan 2012-2032 was formally adopted by the Council at its meeting on 12th November 2019 and, accordingly, has replaced the Craven District Local Plan 1999 as the statutory, adopted development plan for the District. Therefore, the Craven District Local Plan should guide decision making for the purpose of paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2 of the National Planning Policy Framework.
- 8.7 Local Plan Policy ENV1 seeks to ensure that the quality of Craven's countryside and landscape is conserved for future generations to enjoy; and that opportunities to restore and enhance the landscape are taken wherever possible. New development proposals that are not subject to national landscape designations (such as this site) will be expected to respect, safeguard, and wherever possible, restore or enhance the landscape character of the area. Proposals should have regard to the relevant Landscape Character Appraisal/Assessment, and specifically to the different landscape character types that are present in the plan area. Regard should also be had to the relevant profiled Natural England Character Areas and the North Yorkshire and York Landscape Characterisation Project (2011).
- 8.8 The policy goes on to state that the Council will support proposals that secure the restoration of degraded landscapes, in ways that also help to achieve biodiversity and heritage objectives. Proposals will also be supported if they secure the restoration, preservation, and where possible enhancement of the public rights of way network, including the improvement of existing public rights of way, the creation of new public rights of way and the promotion of disabled access to the countryside.
- 8.9 Local Plan Policy ENV1 also expects proposals to have minimum and appropriate exterior lighting, and for schemes to enable settlements to grow in ways that respect their form, distribution and landscape setting.
- 8.10 The application seeks to simply repair and replace the bridge that already exists on site. The changes are minimal and will provide a more suitable access for residents located on the east of the River Aire. It is in officers opinion that the quality of Craven's countryside and landscape will be conserved and that the proposals are acceptable in principle.

Scale, design and visual impact of the proposed development on the character and appearance of the area.

- 8.11 Section 16 of the NPPF gives guidance on conserving and enhancing the historic environment. In particular paragraph 192 advises that Local Planning Authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 193 & 194 goes on to advise that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the assets conservation. Where a proposed development would lead to substantial harm, local authorities should refuse consent, unless it can be demonstrated that the substantial harm is necessary to achieve substantial benefits that outweigh the harm (paragraph 195 refers).
- 8.12 Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policy ENV3 also carries this interpretation; this policy seeks

to ensure that growth in Craven results in positive change, which benefits the local economy, environment and quality of life, including health and wellbeing. This will be achieved by following the general design principles such as; context, infrastructure, ensuring development is accessible, art and culture, designing out crime, shop fronts/advertisements, and sustainable design and construction.

- 8.13 However, paragraph 130 of the NPPF states that permission should be refused where development is of a poor design which fails to take the opportunities available for improving the character and quality of an area and how it functions. Furthermore, where the design of a development accords with clear expectations in plan policies, design should not be used as a valid reason to object to development by the decision maker.
- 8.14 The application proposes to repair and extend an existing bridge to allow for easier access to residential dwellings Mill House and Mill Lodge. The bridge currently used appears run down and in need of repair works. The materials proposed consist of walls made of random stone, tarmacadam road, stone lintels and plinth blocks. It is considered that the proposals would improve the appearance of the street scene and would not detract from the character of the conservation area.
- 8.15 In conclusion, the proposals are considered to be appropriate in size, scale and design in this location, and that they would not appear incongruous or overly dominant in the general context of the site. The proposals would repair an existing structure, and extend it to allow easier access for residents who live on the opposite side of the River Aire. It is in officer's opinion that the proposals would not have an unacceptable detrimental impact upon the character and appearance of the area and Bell Busk Conservation Area.

Impact of the proposed development upon the privacy and amenity of neighbouring properties.

- 8.16 The National Planning Policy Framework states that Local Planning Authorities should seek to achieve a good standard of amenity for all existing and future occupants of land and buildings. The General Development Principles of the Local Plan also state that all development should protect the amenities of neighbouring residents and occupiers.
- 8.17 This is echoed within Local Plan Policy ENV3 which states that development should protect the amenity of existing residents as well as creating acceptable amenity conditions for future occupiers. The policy also states that development should be able to demonstrate that they will secure a good standard of amenity for all existing and future occupants of land and buildings.
- 8.18 The application site is surrounded by residential dwellings to the east and north west. The properties most likely to be impacted by the proposals are Mill House and Mill Lodge (both owned by the applicant).
- 8.19 In conclusion, the proposals submitted seek to repair and extend an existing bridge, allowing for better access into the owners land. Whilst it is acknowledged that access into the site will be disrupted whilst works are undertaken, the properties located within the parcel of land to the east (of which the bridge provides access to) are all owned by the applicant. It is also considered that the proximity and scale of the development will not unacceptably detract from the existing living conditions and general amenities of any neighbouring occupiers in such a way that planning permission should be refused.

Highways issues.

- 8.20 Local Plan Policy INF4 relates to the parking provision of cars and other vehicles within new developments. The aim of this policy is to minimise congestion, encourage sustainable transport modes and reduce conflict between road users. Developments should provide safe, secure and convenient parking of an appropriate quantity, including the need for parking or secure storage of cars, cycles and motorcycles. Encouragement will be given to the increased use of low emission vehicles, including where appropriate the provision of electric vehicle charging points and the incorporation of SuDS.

- 8.21 Local Plan Policy INF7 refers to sustainable transport and highways. The spirit of the policy is that development should maximise opportunities to travel by non-car modes, reduce greenhouse gases and congestion and provide safe and accessible travel facilities, which avoid severe residual cumulative impacts relating to transport.
- 8.22 Local Plan Policy ENV12 relates to footpaths, bridleways, byways and cycle routes. The Council seeks to support proposals which avoid obstruction, diversion or confinement of existing footpaths, bridleways, byways and cycle routes, proposals which enhance the route, usability and amenity value, schemes which accommodate existing footpaths, bridleways, byways and cycle routes, particularly where they would provide new links to enhance the local network. Proposals will also be supported if they improve access for disabled people, create links between new development and the local network, create, enhance or extend national trails, enhance green infrastructure corridors, contribute to the creation of town or village loops, or include short, well-surfaced, stile free circuits available for wheelchair users and people with limited mobility.
- 8.23 The NPPF advises at paragraph 109 that development should only be prevented or refused on transport grounds where residual cumulative impacts of development are severe.
- 8.24 The application proposes the repair and extension of the existing access bridge which leads to Mill House in Bell Busk. The bridge provides access to both Mill House and Mill Lodge and runs across the River Aire.
- 8.25 NYCC highways were consulted on this application and concluded that there are no local highway authority objections to the proposals. In conclusion, it is considered that the proposal accords with policy requirements of Local Plan Policies INF4, INF7 and ENV12, and the guidance contained within the NPPF, and is therefore considered to be acceptable in terms of highway safety.
- 8.26 Conclusion
- 8.27 Paragraph 11 of the NPPF, which is reflected in Local Plan Policy SD1, advocates support for sustainable development and states that LPA's should be approving development proposals that accord with an up-to-date development plan without delay. Furthermore, Local Plan Policy SD1 seeks to deliver sustainable growth, and states that Council's should take a pro-active approach and work co-operatively with people and organisations wishing to carry out development. Solutions should be met to secure sustainable development that meets relevant plan policies and can be approved wherever possible.
- 8.28 On balance, it is considered that there are no adverse impacts arising from the proposal that would significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 11 of the NPPF, and therefore planning permission should be granted.
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 This permission relates to the following plans:

- Site Location Plan, received 13th December 2019;
- Existing & Proposed Floor Plans, Elevations - Drawing No. 01, received 5th December 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

3 The scaffolding/steel beams hereby approved shall be painted Black within 6 months of the date of this permission.

Reason: To ensure a sympathetic relationship between the character of the bridge and its surroundings within the Bell Busk Conservation Area, and to ensure that there is not a longstanding impact on the appearance of the surrounding area.

Informatives

1. Statement of Positive Engagement:

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



Application Number: 2019/21234/FUL

Proposal: Repair and extension to access bridge

Site Address: Mill House Bell Busk BD23 4DU

On behalf of: Mr D Lampkin

REPORT TO PLANNING COMMITTEE ON 18th February 2020

Application Number: 2019/20192/FUL

Proposal: Extension to existing building.

Site Address: Land At Anchor Croft Farm Hellifield Road Gargrave BD23 3NB

On behalf of: Mr P Barker

Date Registered: 14th February 2019

Expiry Date: 11th April 2019

EOT Date, if applicable: 21st February 2020

Case Officer: Miss Katie Chew

The application has been referred to planning committee as it was previously called in by Councillor Myers but then deferred to await a decision on application 2019/20724/FUL

1. Site Description

1.1 Anchor Croft Farm is an established forestry business whose land is split into 5 parcels totalling approximately 12.5 hectares. The main farm buildings and application site are located to the west of the A65, west of the centre of Gargrave. The application is proposed to extend onto the existing building located to the west of the site; the building is used for the storage of seasoned logs and the timber processing machine.

1.2 The application site is located outside the main built up area of Gargrave in open countryside.

2. Proposal

2.1 The application seeks planning permission for an extension to the existing steel portal framed building. The proposed extension would extend out to the west into the adjoining field. It will measure approximately 21.6m x 25m, and will have a ridge height of approximately 9.4m. The building will be finished with concrete panels and timber cladding. The roof will have FRC roof sheets in anthracite grey.

Officer note: There are currently 2 other applications pending a decision. These are both for the erection of new steel portal framed buildings (ref. 2019/20193/FUL & 2019/20194/FUL) and are each located adjacent to this application site.

3. Planning History

3.1 2019/20724/FUL – Retention of existing biomass boilers. Approved 19th December 2019.

3.2 2019/20194/FUL – Erection of new steel portal framed building. Pending decision.

3.3 2019/20193/FUL – Erection of new steel portal framed building. Pending decision.

3.4 2018/20026/PNAG – Prior notification for extension to existing forestry building. Refused 9th January 2019.

3.5 30/2014/14679 – Prior notification for change of use from agriculture to shop. Prior approval not required 15th July 2014.

- 3.6 30/2012/13108 – Construction of a portal framed building for the purpose of storing and seasoning logs and the construction of a portal frame building for the purpose of housing a timber processing machine. Approved 23rd January 2013.
- 3.7 30/2007/7909 – New conservatory. Approved 29th October 2007.
- 3.8 30/2004/4729 – Alterations and extensions to agricultural workers dwelling. Approved 31st January 2005.
- 3.9 30/2004/4305 – Extensions to existing dwelling. Approved 4th June 2004.

4. Planning Policy Background

4.1 Craven Local Plan (2012-2032):

- SD1: Presumption in Favour of Sustainable Development.
- SP2: Economic Activity and Business Growth
- SP10: Strategy for Gargrave – Tier 3
- ENV1: Countryside and Landscape
- ENV3: Good Design
- ENV7: Land and Air Quality
- ENV8: Water Resources, Water Quality and Groundwater
- ENV11: The Leeds & Liverpool Canal
- ENV12: Footpaths, Bridleways, Byways and Cycle Routes
- EC3: Rural Economy

4.2 National Planning Policy Framework (as amended 2019)

4.3 Planning Practice Guidance

5. Parish/Town Council Comments

- 5.1 Gargrave Parish Council – Comments received 7th March 2019. The Parish Council objects to the application as the proposed buildings represent a significant expansion of operations. The site is in open countryside and the business conducted there can no longer be properly regarded as agriculture or forestry. Timber is simply brought to the site to be cut and then kiln dried and the operation and appearance of the site are more industrial than agricultural. The development therefore seems to be outside the Council's policy on development in open countryside. The Leeds and Liverpool Canal runs parallel to the site and the proposed buildings will undoubtedly detract from the visual amenity. This stretch of canal is widely used not only by waterborne visitors but also by numerous walkers as the towpath forms part of a popular and well publicised circular route from Gargrave. Residents on Marton Road have also complained about noise from machinery and smoke from the kiln. Their properties lie across a field to the east of the site and the prevailing wind inevitably carries things in their direction. Any expansion of activity on the site is likely to exacerbate these problems. Finally, there are concerns about the footpath running through the property. There is little in the way of a defined route and walkers have to pick their way past materials and equipment. Once again these problems will be exacerbated by expansion of the business.

Officer note: It is important to note that commercial/industrial uses that are located within the open countryside are not automatically contrary to Local Planning Policy, furthermore, Local Planning Policy EC3 relates strictly to the rural economy.

6. Consultations

- 6.1 Canal & River Trust – Comments received 4th March 2019. They state:

'The site is located to the north of the Leeds and Liverpool Canal, approximately 60m distant from Scarland Lock, which is grade II listed. Due to the separation distance, the Trust do not consider that the proposal would have a direct impact on the canal. However, we would welcome the incorporation of additional tree planting to the south of the application site to help better screen the proposal, and minimise the visual intrusion of the proposal upon the setting of the listed structure'.

6.2 CDC Trees Officer – Comments received 5th April 2019, the trees officer states that a few details were missing from the landscaping plan and suggested that the sizes of trees are specified and are to be planted in November. Further comments were received on 17th April 2019 following on from an amended landscaping plan being submitted. The officer concluded that he was happy with the changes made.

6.3 PROW – NYCC – No comments received within statutory timescales.

6.4 Environmental Health – Comments received 1st March 2019. There are no known contaminated land implications regarding the proposed development. Further comments were received on the 6th March 2019. No potential Environmental Protection issues that would give cause for concern have been identified.

6.5 CDC Conservation Officer – Comments received 22nd March 2019. He states:

'I recommend that the applicant should be requested to consider relocating the proposed shed to the N of the existing building, out of sight of the canal and the lock, together with a detailed landscaping plan. If the applications are to be determined as currently proposed, then the harm which they cause to the setting of the heritage assets should be considered against any wider environmental and economic benefits'.

Officer note: Upon receiving the above comments, discussions were had with the applicant/agent and a compromise was agreed upon. It was considered that if a good quality landscaping plan was produced to help provide screening of the extension from the canal and lock the proposed extension would be acceptable in the proposed position. The environmental and economic benefits were weighed against the impact on the heritage assets and it was considered that sufficient landscaping would be deemed enough in this instance.

7. Representations

7.1 Site Notice – Expired 15th March 2019.

7.2 Press Notice – Expired 21st March 2019.

7.3 2 letter of representation has been received, comments have been summarised below:

- The proposed expansion has the character of an industrial rather than agricultural or forestry operation;
- Is industrial use of the site permitted or envisaged under Craven District's planning regulations and policies?;
- The development has an environmental impact on the village of Gargrave;
- Noise pollution from the site at present, expansion would increase this impact;
- Residents on Marton Road have expressed concern about the levels of mechanical noise and the smell emanating from the existing operation on the site;
- Impact on the visual amenity for users of the canal and its towpath.

8. Summary of Principal Planning Issues

8.1 Principle of development.

8.2 Scale, design and visual impact of the proposed development.

8.3 Impact of the proposed development upon the privacy and amenity of neighbouring properties.

8.4 Highways Issues.

9. Analysis

Principle of development

- 9.1 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. This requirement is reinforced in paragraph 2 of the NPPF.
- 9.2 In July 2019 the Gargrave Neighbourhood Development Plan was “made”, the proposals are located outside of the settlement boundary identified by the plan, and the site as a whole has no proposed allocations. The plan does identify that any expansion of employment operations in the village should be undertaken sensitively. The plan therefore supports these types of applications but care will need to be taken to ensure that it does not impact negatively on the character and appearance of the village.
- 9.3 Local Plan Policy ENV1 seeks to ensure that the quality of Craven’s countryside and landscape is conserved for future generations to enjoy; and that opportunities to restore and enhance the landscape are taken wherever possible. New development proposals that are not subject to national landscape designations (such as this site) will be expected to respect, safeguard, and wherever possible, restore or enhance the landscape character of the area. Proposals should have regard to the relevant Landscape Character Appraisal/Assessment, and specifically to the different landscape character types that are present in the plan area. Regard should also be had to the relevant profiled Natural England Character Areas and the North Yorkshire and York Landscape Characterisation Project (2011).
- 9.4 The policy goes on to state that the Council will support proposals that secure the restoration of degraded landscapes, in ways that also help to achieve biodiversity and heritage objectives. Proposals will also be supported if they secure the restoration, preservation and where possible enhancement of the public rights of way network, including the improvement of existing public rights of way, the creation of new public rights of way and the promotion of disabled access to the countryside.
- 9.5 Local Plan Policy ENV1 also expects proposals to have minimum and appropriate exterior lighting, and for schemes to enable settlements to grow in ways that respect their form, distribution and landscape setting.
- 9.6 In this instance it is officer’s opinion that the proposals would respect and conserve the landscape in this location given the sites existing use. New planting is proposed within the site which will also seek to enhance the setting and provide some screening of the proposals. The site is not subject to a national landscape designation, and is considered to not impact on the Yorkshire Dales National Park or the AONB. Furthermore, no external lighting has been proposed within the submission.
- 9.7 Local Plan Policy ENV7 refers to land and air quality. The policy seeks to safeguard and improve air quality by ensuring that development will avoid severe residual cumulative impacts of traffic congestion, and where possible ease existing traffic congestion. The location, layout and design of the development should encourage walking, cycling and the use of public transport. Most importantly this policy supports proposals where the location, layout and design of development will avoid or reduce harmful or unpleasant emissions from buildings, and mitigation measures will be introduced where necessary. In this case the proposals would not use the area’s best and most versatile agricultural land (grade 3) as the land is identified as being grade 4 classification. It is also considered that the proposals will have a neutral impact on traffic congestion in this area. Whilst the application site is located on the outskirts of Gargrave, it is located adjacent to a PROW and the canal towpath. It is also just a 3 minute walk to the nearest bus stop, it is therefore considered to be in an accessible location which would promote walking, cycling and the use of public transport.
- 9.8 Local Plan Policy ENV8 relates to water resources, water quality and groundwater. This policy seeks to safeguard and improve water resources by ensuring developments are served by adequate sewerage and waste water treatment infrastructure, which matches the type, scale, location and phasing of the development, it should also seek to maximise opportunities for the incorporation of water conservation and reduce the risk of pollution and deterioration of water resources by

anticipating any likely impact and incorporating adequate mitigation measures into the design. In this instance the proposal seeks to dispose of surface water flooding into the existing water course. Environmental Health has raised no concerns with this.

- 9.9 Local Plan Policy SP2 refers to economic activity and business growth in Craven. It highlights that provision will be made for 32 hectares of employment land over the plan period, and that the existing employment land and commitments will be safeguarded. The Council will support proposals for sustainable economic activity within towns, villages and the rural areas, and will support enhanced transport connectivity with the wider Leeds City Region, North Yorkshire, Lancashire, Cumbria and Greater Manchester.
- 9.10 Local Plan Policy SP10 outlines the strategy for Gargrave and states that: Gargrave provides employment opportunities and has an active community set within a high quality built environment. A proportionate level of growth is directed towards Gargrave to underpin and bolster its' role and function as a local service centre. The policy then identifies a number of sites in Gargrave which are allocated for residential development; it is important to note that no sites have been identified within Gargrave for employment or mixed uses.
- 9.11 Local Plan Policy EC3 relates to the rural economy. This policy seeks to support Craven's rural economy so that it may grow and diversify in a sustainable way to provide long term economic, environmental and social benefits for local communities. This should be achieved by helping existing and new rural businesses to succeed, grow and expand by working with them co-operatively and proactively, so that development proposals can be supported wherever possible.
- 9.12 Furthermore, Section 6 of the NPPF discusses how LPA's should be supporting developments that assist business growth in rural areas. This application is seeking permission for the extension of an existing storage building which plays a key role in the Anchor Logs business; the expansion of the business will allow it to remain competitive and will provide further employment opportunities for local people. It is therefore concluded that the proposals are acceptable in principle.

Scale, design and visual impact of the proposed development.

- 9.13 Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policy ENV3 also carries this interpretation in which Craven seeks to ensure that growth results in positive change which benefits the local economy, environment and quality of life, including health and wellbeing. This will be achieved by following general design principles such as; context, infrastructure, ensuring development is accessible, art and culture, designing out crime, shop fronts/advertisements, and sustainable design and construction.
- 9.14 However, paragraph 130 of the NPPF states that permission should be refused where the development is of a poor design which fails to take the opportunities available for improving the character and quality of an area and how it functions. It also states that where the design of a development accords with clear expectations in plan policies, design should not be used as a valid reason to object to development by the decision maker.
- 9.15 Local Plan Policy ENV11 relates to the Leeds and Liverpool Canal. This policy expects developments that are adjacent to or adjoining the canal (which is likely to impact upon the character) to be of a high quality design, and safeguard the canals historic character. Development that would have an adverse impact on the amenity of the canal by virtue of noise, odour or visual impact will not be supported.

Officer note: It is important to note that there are currently 2 other applications pending a decision from the Council, these applications relate to the erection of new steel portal framed buildings. The aim of all 3 of these applications at Anchor Croft Farm is to create a large extension out from the existing building. Whilst on balance the extension of the building under this single application could be deemed to be acceptable, the provision of all 3 applications would not be given their location and cumulative size. The reasons for this have been outlined within officer reports for applications 2019/20193/FUL & 2019/20194/FUL which are to be recommended for refusal.

- 9.16 The application proposes an extension to the existing storage building. The proposed extension is to extend from the west of the existing storage building located to the south of the site. Whilst it is acknowledged that the proposals would be visible from the Leeds and Liverpool Canal and from the A65 running through Gargrave, the proposed extension would be viewed amongst existing agricultural style buildings used for the storage of seasoned logs and a timber processing machine. It is therefore considered that the proposals would not be an alien feature in this location. Furthermore, the materials proposed within the new extension would match what currently exists throughout the site, and therefore would not be incongruous in this location.
- 9.17 A landscaping plan has also been prepared which seeks to plant trees along the southern and western boundary to enable screening of the proposals. A grass bank is also planned to be constructed to the north of the proposed extension. It is considered that the implementation of the landscaping plan submitted should provide adequate screening of the proposed extension.
- 9.18 The design, materials, siting and level of the proposed extension is such that it would sit well within the context of the landscape and in the context of the existing buildings on site. The use of timber cladding and the proposed landscaping will help to minimise the visual impact the proposal would have upon the surrounding landscape. On this basis, the proposal is considered to be acceptable in terms of the impact upon the open countryside and character and appearance of the area.

Impact of the proposed development upon the privacy and amenity of neighbouring properties.

- 9.19 The National Planning Policy Framework states that Local Planning Authorities should seek to achieve a good standard of amenity for all existing and future occupants of land and buildings. The General Development Principles of the Local Plan also state that all development should protect the amenities of neighbouring residents and occupiers.
- 9.20 This is echoed within Local Plan Policy ENV3 which states that developments should protect the amenity of existing residents as well as creating acceptable amenity conditions for future occupiers. The policy also states that development should be able to demonstrate that they will secure a good standard of amenity for all existing and future occupants of land and buildings.
- 9.21 The proposed building is to be located to the west of the existing buildings which relate to the business 'Anchor Logs' which is operated from this site. The nearest residential dwelling (not owned by the applicant) is located to the north east of the site some 213m away (approximately). It is therefore considered that there will be no concerns in regards to overshadowing, overlooking or the proposal being overbearing.
- 9.22 Objections have been received in regards to noise and odour from the site as existing. There are concerns that the expansion of the site will lead to these problems being escalated. CDC Environmental Health was consulted on the application and have raised no objections in regards to noise or odour.
- 9.23 It is therefore considered that the proximity and scale of the development will not unacceptably detract from the existing living conditions and general amenities of any neighbouring occupiers in such a way that planning permission should be refused.

Highways Issues

- 9.24 Local Plan Policy ENV12 relates to footpaths, bridleways, byways and cycle routes. The Council seeks to support proposals which avoid obstruction, diversion or confinement of existing footpaths, bridleways, byways and cycle routes, proposals which enhance the route, usability and amenity value, schemes which accommodate existing footpaths, bridleways, byways and cycle routes, particularly where they would provide new links to enhance the local network. Proposals will also be supported if they improve access for disabled people, create links between new development and the local network, create, enhance or extend national trails, enhance green infrastructure corridors, contribute to the creation of town or village loops, or include short, well-surfaced, stile free circuits available for wheelchair users and people with limited mobility.

- 9.25 The NPPF advises at paragraph 109 that development should only be prevented or refused on transport grounds where residual cumulative impacts of development are severe.
- 9.26 In this instance it is acknowledged that there is a Public Right of Way running along the southern boundary of the site. The applicants have provided a new gate and fencing along the PROW to allow it to be more user friendly and safe. Whilst it is noted that the site is clearly visible from the Public Right of Way, an extension to this building is not considered to be inappropriate as it would be in keeping with the existing use of the site. The landscaping plan proposed would also help to provide a buffer. Furthermore, there have been no objections received from the NYCC PROW officers who were consulted on the application. It is therefore concluded that the proposals would not have a significant impact on the PROW and that the proposals are in line with Local Plan Policy ENV12 and the NPPF.
- 9.27 Conclusion
- 9.28 Paragraph 11 of the NPPF, which is reflected in Local Plan Policy SD1, advocates support for sustainable development and states that LPA's should be approving development proposals that accord with an up-to-date development plan without delay.
- 9.29 On balance, it is considered that there are no adverse impacts arising from the proposal that would significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 11 of the NPPF, and therefore there are no grounds to withhold planning approval. In addition, it is considered that the economic benefits the proposal would provide would outweigh any potential dis-benefits and therefore a decision to approve in this instance would be consistent with paragraph 11 of the NPPF.
10. Recommendation
- 10.1 Approve with Conditions

Conditions

Time Limit for Commencement

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

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990.

Approved Plans

- 2 This permission relates to the following plans:
- o Block Plan, received 13th February 2019;
 - o Site Location Plan, received 13th February 2019;
 - o West Elevation - Drawing No. PB-CD125-1-1 Rev A, received 13th February 2019;
 - o North and South Elevations - Drawing No. PB-CD125-1-2 Rev A, received 13th February 2019;
 - o Floor Plan - Drawing No. PB-CD125-1-3 Rev A, received 13th February 2019;
 - o Plan View - Drawing No. PB-CD125-1-4 Rev A, received 13th February 2019;
 - o Landscaping Plan, received 16th April 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.

Ongoing Conditions

- 3 Upon commencement of the extension hereby approved, a Landscaping Method Statement shall be submitted within 1 month, and approved in writing by the Local Planning Authority. The statement shall include details of the timescales for implementation of the approved landscaping and a maintenance plan for at least five years. The development shall be undertaken and maintained in accordance with the approved statement.

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

Informatives

1. Statement of Positive Engagement:

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



Application Number: 2019/20192/FUL

Proposal: Extension to existing building

Site Address: Land At Anchor Croft Farm, Hellifield Road, Gargrave, BD23 3NB

On behalf of: Mr P Barker

REPORT TO PLANNING COMMITTEE ON 18th February 2020

Application Number: 2019/20933/FUL

Proposal: Residential development of 23 units and including amended vehicular access onto A65.

Site Address: Land Off A65 Kendal Road Hellifield

On behalf of: Galliford Try Partnerships Yorkshire Ltd

Date Registered: 5th September 2019

Expiry Date: 5th December 2019

EOT Date, if applicable:

Case Officer: Mr Mark Moore

This is referred to the Planning Committee as it is a major application. The site is also one on which an outline planning permission was previously considered by the Planning Committee.

1. Site Description

- 1.1 The application relates to a parcel of land covering approximately 1.09 hectares of pastureland. The site is enclosed by a stone walling along the eastern boundary, hedging and trees with timber fencing along the northwest boundary, a stone wall to the southwest boundary whilst the far south boundary is unmarked and leads into agricultural fields and open countryside. There is a mains foul sewer running across the south-eastern edge of the eastern half of the site.
- 1.2 To the north east is Hellifield Community Primary School and beyond that there are long established residential areas. To the north and northwest are two retail/commercial businesses (Townson Tractors and Becks Garden Machinery) both of which back onto the site. Running through the site is a tarmac lane leading to a group of dwellings located further to the southwest.
- 1.3 The site is located adjacent to the western edge of the main built-up area of Hellifield and is identified in the Craven Local Plan 2012 – 2032 as an Existing Housing Commitment.

2. Proposal

- 2.1 The application seeks full planning permission for a residential development comprised of 23 houses all of which would be semi-detached properties apart from a detached house on plot 11.
- 2.2 The application is broadly in accordance with the outline permission granted on appeal under application number 14/2015/15870 other than the following:
- Widening of the access into the site.
 - Inclusion of a small triangular area of land at the southern end of the western half of the site (lying adjacent to existing residential properties).
 - An increase in the number of houses from 21 to 23.

Officer note: Subsequent to the application being validated the Council has adopted its new Craven Local Plan 2012 -2032. In consideration of the newly adopted policies, in particular with regards to housing density, the applicants have revised the application by increasing the number of units from 21 to 23. The density of the development would fall short of 32 dwellings per hectare and therefore would not be compliant with part b) of Policy SP3: Housing Mix and Density. In this case the number of dwellings has been agreed with CDC Strategic Housing as being the most appropriate on this site having regards to viability, and affordable housing targets and is therefore in accordance with part c) of SP3.

2.3 All of the proposed houses would be two-storey and in the following mix:

- 6 x 1 bedroom
- 9 x 2 bedroom
- 8 x 3 bedroom

The proposed houses would predominantly have pitched roofs with gable ends and would be constructed using a mix of external materials including artstone, thru-coloured render and grey Sandtoft Calderdale roofing tiles. Other construction details would be art stone heads and cills, composite external doors, black upvc rainwater goods, GRP door canopies and white UPVC facias/windows and door frames.

2.4 The layout has been designed to provide 1 car parking space per single bedroom house and 2 car parking spaces for each of the 2 and 3 bedroom houses.

2.5 The application proposes 100% affordable housing of which 7 units (plots 14, 15 and 16 and 20 to 23) would be affordable rented with the remaining 16 units shared ownership.

2.7 An area of open space that would adjoin the open countryside beyond the site boundary is proposed in the south-eastern corner of the site.

3. Planning History

3.1 Of most relevance to consideration of this application is application ref: 42/2015/15870: Outline application for residential development comprising of 21 dwellings, including construction of a new vehicular access off A65.

The above application was refused by the Planning Committee in September 2015. The reason for refusal was:

'The proposed development is within an open countryside location where Saved Policy ENV1 (from the 1999 Craven District (Outside the Yorkshire Dales National Park) Local Plan) requires new residential development to be specifically justified. Additionally, paragraph 55 of the NPPF indicates that new residential development in rural areas needs to be specifically justified, and one of the core planning principles contained within the NPPG states that the intrinsic character and beauty of the countryside should be recognised. The Local Planning Authority has more than a five year supply of residential development land and therefore there is no overriding need for new housing sites to be found within the District that would outweigh the provisions of Saved development plan policy ENV1. Therefore, in absence of any justification, the use this agricultural land for housing development within this open countryside location is unacceptable in principle as it is contrary to Saved development policy ENV1. Furthermore such unjustified development does not meet with the requirements of paragraph 55 of the NPPF or one of the NPPF's core planning principles as housing development would be harmful to the intrinsic open character of the countryside'.

3.2 The applicants appealed against the above decision and were subsequently granted outline planning permission subject to conditions in August 2016.

Officer note: Condition 2 of the planning permission required an application for reserved matters to be made not later than 3 years from the date of the approval. As no such application was submitted the outline planning permission is no longer extant. Notwithstanding, the Planning Inspectorates' decision is a material consideration as is the designation of the site as an existing housing commitment in the new Craven Local Plan.

4. Planning Policy Background

4.1 **Craven Local Plan 2012-2032:**

SD1: The Presumption in Favour of Sustainable Development

SD2: Meeting the Challenge of Climate Change

- SP1: Meeting Housing Need
- SP3: Housing Mix and Density
- SP4: Spatial Strategy and Housing Growth
- SP11: Strategy for Tier 4A and 4B Villages with Basic Services and Bisected Villages with Basic Services.
- ENV3: Good Design
- ENV4: Biodiversity
- ENV5: Green Infrastructure
- ENV6: Flood Risk (Appendix C)
- ENV7: Land and Air Quality
- ENV9: Renewable and Low Carbon Energy
- INF1: Planning Obligations
- INF3: Sport, Open Space and Recreation Facilities (Appendix A)
- INF4: Parking Provision
- INF6: Education Provision (Appendix B)
- INF7: Sustainable Transport and Highways

4.2 **The National Planning Policy Framework 2019**

4.3 **National Planning Practice Guidance**

5. Parish/Town Council Comments

5.1 **Hellifield Parish Council (23.10.2019):**

5.2 The following comments were received prior to the submission of the amended plans:

- '1. The development should be made carbon-neutral to comply with the commitment made by Craven District Council in August 2019 to become Carbon Neutral. In order to achieve this the developers should install solar panels (or other forms of renewable energy) and charging points for electric cars.*
- 2. The Section 106 Community Gain amount should be specified. The Sports Development officer previously stated that the outline application is acceptable under planning policy SRC2 due to the onsite provision of a village green and the offer of a significant contribution to upgrade existing sports and recreation facilities in the village and recommended that an amount of £80,000 be made a condition of any future approval. Hellifield Parish Council also want this condition to be attached to any subsequent approval.*
- 3. HPC has grave concerns regarding vehicle access to the A65 and its close proximity to the school and ask that this issue is looked at again.*
- 4. Details should be provided of how the public open space is to be maintained and managed and who will be responsible for this.*
- 5. The 4 rental properties should be spread around throughout the development and not grouped together in one area.*
- 6. No dwelling shall be occupied until the carriageway and any footpath/footway from which it gains access is constructed to adoptable standards.*
- 7. All houses should be constructed with local stone or stone-faced, not partly or purely rendered.*

8. *Space Partnerships and WDH have previously assured Hellifield Parish Council that the builders of the development will use local labour as it is more cost-effective. HPC would like to see this specified in the plans'.*

- 5.3 The Parish Council have been consulted on the amended plans but have not commented further at the time of compilation of this report. If additional comments are received they will be included in a late information report to the Planning Committee.

6. Consultations

- 6.1 A full re-consultation on the amended plans was undertaken on 20th December 2019. All consultees were given 21 days to respond.

- 6.2 The dates that the consultee responses were received are included in the following summary. Any further comments that are received following completion of this report will be reported to the Committee as late information.

6.3 **CDC Strategic Housing**

(11/11/2019): The initial response of Strategic Housing was as follows:

'The applicants have submitted a planning application for the development of 21 affordable homes comprising a mixture of 17 shared ownership and 4 rented. According to the November 2017 SHMA, Craven has a need for 126 affordable homes to be provided within the District each year for newly forming households who cannot afford to rent or buy on the open market on local incomes. The proposals for this scheme are more than welcome to meet the increasing demand for affordable housing.

The proposals are for the following mix of houses:

1 x 1 bed

11 x 2 bed

9 x 3 bed

The mix provided is acceptable to Strategic Housing. The SHMA 2017 indicates that the greatest demand for homes is for 1 and 2 beds however it also notes the need to provide 3 bed homes to accommodate the needs of growing families. The mix proposed by the applicant is in line with the findings of the SHMA 2017.

Craven's emerging Local Plan requires that major developments on a greenfield site, such as this scheme, provide 30% onsite affordable housing. The applicant is a Registered Provider and will therefore be building 100% affordable housing on this site. Six of these homes (a mix of 4 rented and 2 shared ownership) will address the affordable housing policy requirement, whilst the other 15 homes will provide additional affordable home ownership opportunities for first time buyers who cannot access the housing market. Shared ownership is a government backed tenure which allows purchasers to buy their homes a 'bit at a time', with initial shares available from 25% - 75%.

Importantly, there are around 25 lenders who provide shared ownership mortgages at very competitive rates, whilst only a 5% deposit is needed for the share that is purchased. Nationally, shared ownership is now 'mainstream' housing for first time buyers. The Council itself holds a rapidly growing list of 160 households interested in shared ownership, following the success of homes that have recently been developed at Sutton, Glusburn, Skipton and Giggleswick'.

Strategic Housing are in support of this development, which will provide much needed affordable housing to meet both local and district wide housing needs'.

(7.1.2020): In response to the amended plans (in which the number of houses has been increased from 21 to 23 by the addition of 5 x 1 bedroom properties and reduction of the proposed 2 and 3 bedroom properties by 2 and 1 respectively) Strategic Housing has commented:

'The applicants have increased units from 21 to 23. In order to accord with Policy 30% seven of these homes (a mix of 5 rented and 2 shared ownership) should be provided to address the

affordable housing policy requirement, whilst the other 16 homes will provide additional affordable home ownership opportunities for first time buyers who cannot access the housing market.

Provided the developer is agreeable to this then Strategic Housing have no objections to this application'.

6.4 **CDC Environmental Health (7/10/2019):**

Contaminated Land:

ARC Environmental has undertaken an investigation into the ground conditions at the site. Site reports ref 18-026 dated 11th June 2018 (Phase 1) and 6th July 2018 (Phase 2) have been submitted detailing the investigation works completed and the results of chemical testing at the site. From the information provided no significant contamination has been identified apart from the need for full radon protection measures that must be incorporated into all buildings on site.

EH is satisfied that the investigations on the site are adequate and no further contaminated land conditions are required. Should any significant contamination be encountered during development, the local planning authority must be notified in writing immediately and further investigation works will be required.

Environmental Protection:

No objections but recommend that the applicant is made aware of the need to control construction times, noise and dust in order to mitigate the potential impacts on the amenity of the occupiers of neighbouring properties.

6.5 **CDC Sports Development Officer (13/11/2019):**

The SDO advised that he considered this application to be acceptable in relation to SRC2 and INF3 policy based upon the proposed on-site open space and a planning gain contribution balance to address the policy requirements for open space and known deficiencies in such provision within the catchment of the scheme.

Under the INF3 policy 21 units will require a total off-site contribution of £73,206.

With the proposed on site open space at 1500m² this has a policy cost of £18,000 (including 10 year management and maintenance costs) and the SDO has therefore confirmed that the off-site planning gain balance for POS would be £55,208.

The SDO recommends that the above be secured by an appropriate planning condition to require the developer to:

- i) Submit for the Council's approval a detailed design, layout, specification, management and maintenance plan in perpetuity for delivery of the on-site POS.
- ii) Agree to enter into a Sn106 Legal Agreement (planning obligation) to secure the off-site planning gain.

6.6 **Environment Agency:**

(3/1/2020): *'We have reviewed the following information submitted with the application;*

- *Flood Risk and Drainage Strategy Report, ADEPT, Reference 08.18008, Revision B, Dated 20/8/2019 including its appendices.*
- *Comments from LLFA, by Seraya Simcoe, dated 10 October 2019*

This development will require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency.

As there is no existing connection from the site to a main river outfall, we expect to see the discharge rate from the developed site restricted to green field runoff rates of 1.4 l/s/ha.

The submitted FRA nor the comments submitted from the LLFA contain any supporting information to show how the proposed discharge rate from the site of 7.4 l/s has been calculated or details to demonstrate why this figure is considered acceptable to the LLFA.

We advise that the applicant provides amended details with a greenfield runoff rate / provides additional information to show how the 7.4l/s figure has been reached / agreed’.

(16/1/2020): ‘On 3 January 2020 we sent you our comments regarding planning application 2019/20933/FUL.

Following discussion with Will Dorman from ADEPT I am writing to clarify our position regarding the nature of our comments.

The EA does not have a planning remit to provide advice on the discharge rate. Therefore our letter of 3 January was not an objection to the rate with regards to the planning application. Our interest was not related to the planning application but we reviewed the proposed discharge rate as part of our strategic overview of flood risk because the water is to be discharged into a main river. We provided comments because we were unsure how the proposed discharge rate was calculated’.

6.7

NYCC SuDS

(10/10/2019): ‘The submitted documents require further information and the LLFA recommends that the applicant provides the following before any planning permission is granted by the LPA;

- The applicant needs to gain consent from the Environment Agency to discharge to the main river, along with an agreement from the land owner to cross 3rd party land between the development site and the river.*
- A topographical survey is required to show how the land currently drains.*
- 10% allowance required for urban creep.*
- Confirmation of maintenance agreements along with a maintenance plan/schedule for proposed SuDS (unless being adopted).*

The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document)’.

(20/11/2019): ‘The LLFA accepts the proposals within the Flood Risk Assessment in respect of ground work engineering to resolve localised surface water flooding are acceptable.

The principle of surface water discharge into Hellifield Beck is agreed from a planning perspective, subject to:

- The applicant needs to gain consent from the Environment Agency to discharge to the main river, along with an agreement from the land owner to cross 3rd party land between the development site and the river. We can confirm that rights are reserved to discharge the surface water through the adjacent land into Hellifield Beck. The owner of the proposed development site is the same as the owner of the land between the site and the beck. The surface water scheme is to be adopted (see comments below) therefore United Utilities will need to see evidence that rights are provided for this connection. This will form part of the S104 process.*
- A topographical survey is required to show how the land currently drains.*
- 10% allowance required for urban creep. Our surface water drainage proposals already include an allowance for 10% urban creep. This is confirmed within section 5 of the Flood Risk Assessment, which is available on the planning file.*
- Confirmation of maintenance agreements along with a maintenance plan/schedule for proposed SuDS (unless being adopted). We can confirm that the surface water system will be adopted. The*

surface water will be stored within a Carlow tank system, which is to be adopted by United Utilities and NYCC will adopt the highway gullies’.

Officer note: The applicants have now submitted information to specifically address the above bullet points and accordingly there are no outstanding issues in relation to flooding and drainage from the site.

6.8 NYCC Highways (28/11/2019):

The Highways Engineer has commented that the required visibility at the junction with the A65 is 43m x 2m which *‘is more than achieved’*.

No objections are raised by NYCC Highways who recommend conditions to require approval of road and footway construction details, construction of roads and footways prior to occupation of the dwellings, no other access points to the site other than with the public highway at Kendal Road, submission of the means by which the deposit of mud, grit and dirt onto the highway is to be controlled, approval of wheel washing facilities and submission of details of any site construction compounds.

6.9 NYCC Education (24/12/2019):

The education authority has advised that there is no shortfall of school places in Hellifield Community Primary School and therefore no contribution towards education is requested in respect of this application.

6.10 Northern Gas Network (23/12/2019):

No objections. NGN has requested that the developer be advised of need to contact them prior to development in order to ensure that gas apparatus is not compromised.

6.11 North Yorkshire Police Designing Out Crime Officer (25/9/2019):

DOCO has made recommendations which, if incorporated, are intended to ensure that the development will provide a safe and secure environment by reducing the opportunities for crime and anti-social behaviour. This will accord with the core principles and design objectives set out in the National Planning Policy Framework and local policy.

6.12 Yorkshire Water (1/10/2019):

No comments.

7. Representations

7.1 The application was advertised by way of a site notice on 20th September 2019 and by press notice on 26th September 2019.

7.2 Neighbour notification letters and consultations were posted on 19th September 2019 and on 20th December 2019 following receipt of amended plans and additional information.

7.3 In total 12 responses were received from the occupiers of 8 properties. The following is a summary of the third party representations that have been received prior to notification on the amended plans:

- Application references the appeal decision and is now out of date – there is also a discrepancy in the date submitted and date received by the LPA.
- **Officer note:** This is a full application and not a reserved matters application following the original outline permission. Consequently, the application is not out of date.
- Question on application on flood risk has been answered no by applicants and yet application site is subject to flooding.

- **Officer note:** The question on the application form is asking whether or not the site is located within a flood zone 2 or 3 as identified in the EA's flood mapping. The site is within Flood Zone 1 and therefore the question has been answered correctly.
- Design and Access statement incorrectly identifies 2 and 3 storey buildings in the area and does not acknowledge that major utilities will need to be altered.
- No reference to what will happen to excess soil taken off the site.
- Ground investigation could not rule out possibility of contamination being on the site.
- Ground investigations have not covered the full site and exclude an area along the south-western boundary which is vulnerable to flooding.
- Proposed new surface water sewer does not appear to be connected to the areas of site which flood and in particular where some of the houses will be built. Proposals to mitigate flooding appear inadequate.
- Ecology report appears lacking in up to date wildlife.
- Footpath link from open space to existing footpath that was incorporated in the original application has been excluded from current application and should not be forgotten about.
- Transport Statement was conducted at an inappropriate time and does not allow for changing conditions which can lead to restricted visibility and reduced highway safety.
- Development would cause issues with adjacent local businesses.
- Development would endanger the lives of families using the local school and nursery.
- Unlike the outline application the current application indicates that heavy agricultural vehicles and machinery are to be diverted through the housing development where children will be playing.
- Majority of housing in Hellifield is constructed of local stone – quality of materials is not as inferred on the outline application.
- Development would be out of character with the area.
- Development will put a strain on existing community facilities.
- Increased risk of pollution.
- The design and access statement proposes a 5.5 metre highway to access the A65. As the available access, including removal of the existing wall on the frontage abutting to the school boundary is somewhat less than 5.5 m, this is an impossibility.
- Overdevelopment.
- Proposal would conflict with Local Plan.
- Development would lead to further encroachment into open countryside in the future.
- Proximity to school would lead to safeguarding issues.
- Hellifield is a village that has housing to suit all purses and if these properties are more expensive than what are already available young people could be tied into buy/rent and find they are a lot worse off and can't get out of it.
- There is no need for further housing in Hellifield.
- Overlooking and loss of privacy.
- Should the application be approved the site compound would necessitate controlled hours of operation and other restrictions should be enforced to make the duration of the works more bearable.

- There is no mention made regarding the carbon footprint that this development will have on the environment and how this may be mitigated both during the construction and the longer-term effects.
- Proposals do not address climate change or sustainability issues.

7.4 The following is a summary of 4 comments received following notification on the amended plans:

- The SOS allowed 21 houses – are 23 now permitted?
- With the Climate Change threat growing rapidly and even CDC committing to zero carbon, is it not essential that all developers, particularly those providing social housing take responsible steps to ensure that future housing is more sustainable than the standard basics of building regulations at present?
- All the houses should have solar panels and water butts to collect rainwater as well as being flood proofed.
- If this development does go ahead the planting of hedges along all boundaries should be a condition along with no excessive paving of gardens. The RHS in November 2019 published research showing hedges are high absorbers of water and help to prevent flooding as well as absorbing pollutants, reducing noise and providing wildlife habitat.
- Some of the proposed houses are very close to a large machinery factory (Townson Tractors). Are the developers aware of the very high noise levels regularly emitted from this machinery site which will prove unacceptable to non-working, possibly vulnerable adults?
- In the event of permission being granted, as NY Highways have put conditions on creating access onto the A65, can the developers confirm continuous access at all times during development, for the existing 3 Beck Farm properties including emergency vehicles which have been required in the past and will be required in the future and also confirm these properties and the access to them will not be affected by changes to drainage?

8. Summary of Principal Planning Issues

- 8.1 Principle of development.
- 8.2 Visual impact and design of development.
- 8.3 Impact of development on the amenity of nearby residential dwellings.
- 8.4 Impact of development on highway network.
- 8.5 Affordable housing.
- 8.6 Open space provision.
- 8.7 Site drainage.

9. Analysis

Principle of development:

- 9.1 In assessing the principle of residential development at this site there are the following key considerations:
 - 1) Outline planning permission was granted on appeal and this remains a material consideration in the determination of the current application despite the fact that it has now lapsed.
 - 2) The site is designated as an Existing Housing Commitment in the new Local Plan which is linked to Policy SP1: Meeting Housing Need. Residential development on the site is consistent with LP policy.
 - 3) If the application were not approved there would be an adverse impact upon the planned housing growth for Hellifield as set out in the spatial strategy.

The following is a brief analysis of the above points:

- 9.2 Firstly, it is the case that the circumstances of the previous appeal decision have now changed post adoption of the Craven Local Plan. This raises the question of how much weight should be attached to that decision in relation to the current application. Of significance is the fact the decision of the planning inspector was based upon the following two identified main issues both of which have relevance to the determination of the current application:

- The effect of the proposed development on the intrinsic open character of the countryside; and
- Whether planning conditions would secure adequate provision for any additional need for affordable housing and sports and recreation provision arising from the development

Importantly the inspector's assessment of the principle was primarily based on the above main issues and NPPF policies. Specifically, the NPPF considerations remain extant and had clearly informed the inspectors decision which was summarised in paragraph 24 of the decision notice as follows:

'In the overall planning balance I consider that the adverse impact of the proposal would not significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole and the appeal proposal can be considered to constitute sustainable development. For the reasons given above, and having considered all matters raised, I consider that the appeal should be allowed'

The conclusion that can be drawn from the above is that the basis for the inspector's decision to approve was in consideration of national planning policy and therefore still has relevance in relation to the current application. It is the case that the outline planning permission has now lapsed but this is of limited relevance to the principle of development and the application nevertheless remains a material consideration.

- 9.3 Secondly, irrespective of the previous appeal decision the site is designated as an 'Existing Housing Commitment' and as such the principle of residential development is entirely consistent with the Craven Local Plan 2012 - 2032. Specifically, the development of the site is supported under Policy SP1: Meeting Housing Need which seeks to meet an identified housing need of 4,600 dwellings across the district for the plan period by implementation of a spatial strategy which includes development (at part b) of 'sites with planning permission or under construction'. It is noted that the planning permission for the site is no longer extant but this does not affect the designation in the Local Plan or the application of Policy SP1 which was relevant at the time the plan was adopted.

- 9.4 Thirdly, the planned housing growth for Hellifield currently stands at a negative balance of 21 and is annotated in the Settlement Growth Monitoring Report (1.10.2019) as follows:

'...there is potential for the negative balance between the residual housing requirement and the residual planned supply in Hellifield to be resolved in the short term because whilst the outline consent ref: 15870 for 21 dwellings on land off A65, Kendal Road, technically lapsed on 26.08.2019, a full application ref: 20933 for 21 dwellings on land off A65, Kendal Road was submitted on 5.9.2019 and is currently under consideration'.

Officer note: Under Policy SP4: Spatial Strategy and Housing Growth Hellifield would contribute 0.8% of the proposed 230 net dwellings per annum equating to a net provision of 37 dwellings over the plan period.

9.5 It can be seen from the above that;

- development of the site was taken into account when the Local Plan was being compiled and subsequently adopted;
- the site has been included in the current monitoring of the overall housing position; and,
- for planning policy purposes it is a site with planning permission and was an important consideration in the formulation of the Local Plan.

For these reasons it is considered there could be no basis to refuse planning permission on the grounds of the principle of development. Irrespective, the effect of a refusal of planning permission would be to maintain the existing negative housing growth balance in Hellifield which in turn would increase the possibility of an alternative development site being promoted under Local Plan Policy SP4 (part I a)).

9.5 The overall conclusion that can be drawn in relation to the principle of development is that the planning history, the provisions of the adopted Local Plan and the planned housing growth for the district (as set out under Local Plan Policy SP1) are all supportive of the application. Accordingly, the application is considered to be acceptable in principle.

Visual impact and design of development:

9.6 The appeal decision on the previous outline planning application has some relevance in relation to the issue of visual impact. Specifically, the planning inspector came to a decision regarding the impact of development of the site on the intrinsic open character of the countryside commenting:

'The appeal proposal would occupy open land which is situated between commercial premises, a school and residential properties and I consider that these developed areas provide a sense of enclosure to the appeal site, rather than it having more affinity with the open agricultural land beyond. Whilst the proposed development would fill the existing open land between the developed area, I consider that it would constitute a logical rounding off of the settlement.'

Although the proposed development would add to the existing urban form and be visible from the nearby public right of way, I do not consider that it would be visually prominent from the A682, nor constitute visual intrusion'.

9.7 In the inspectors concluding remarks he states:

'In respect of the environmental dimension of sustainable development, the Framework in paragraph 9 indicates that the environmental role includes contributing to protecting and enhancing our natural, built and historic environment. Although the appeal proposal would extend development onto agricultural land, I have found that any harm which would arise to the intrinsic open character of the countryside would not be more than minimal'.

9.8 The conclusion that can be drawn from the above is that the visual impact on the wider landscape has been considered, tested on appeal and is not now contestable. Consequently, and notwithstanding that this is a full planning application, it is only the visual impact of the reserved matters that the inspector was unable to assess that can now be taken into consideration, namely the impact of the layout, the scale and the appearance of the proposed development.

9.9 In respect of matters of visual impact and design the NPPF at paragraph 127 states:

'Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience’.*

9.10 At paragraph 130 the NPPF also states:

‘Permission should be refused for 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..... Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

9.11 Local Plan Policy ENV3: Good Design reflects NPPF policy and seeks to ensure that growth in Craven results in positive change which benefits the local economy, environment and quality of life including health and wellbeing which is to be achieved using general design principles which include the following:

‘Context

- a) Development should respond to the context and proposals should be based on a proper understanding and appreciation of environmental features, including both natural and built elements such as landscape, topography, vegetation, open space, microclimate, tranquillity, light and darkness;*
- b) Designs should respect the form of existing and surrounding buildings including density, scale, height, massing and use of high quality materials which should be locally sourced wherever possible;*
- c) Development should be legible and create a sense of place by maintaining, enhancing and creating good townscapes with beneficial elements like views, vistas, enclosures, focal points, public art, backcloths and landmarks;*
- d) Development should seek to enhance local distinctiveness through maintaining good aspects of the local environment, improving poorer aspects and adding new aspects that benefit the local environment;*
- e) Development should protect the amenity of existing residents and business occupiers as well as create acceptable amenity conditions for future occupiers;*
- f) Development proposals should be able to demonstrate that they will secure a good standard of amenity for all existing and future occupants of land and buildings.*

Ensuring Development is Accessible

i) Reasonable provision should be made to ensure that buildings and spaces are accessible and usable and that individuals, regardless of their age, gender or disability are able to gain access to buildings and to gain access within buildings and use their facilities, both as visitors and as people who live and work in them;

j) Development should be permeable and should make getting around easier—especially for pedestrians, cyclists and people with disabilities— by improving existing routes, adding new ones and creating connections to enhance the local network;

k) Access roads should be designed as streets—they should form part of the public realm, be people-friendly, safe and active, allow natural surveillance and help to create a network of easy-to-use routes;

l) Schemes should seek to incorporate secure storage for bicycles to encourage sustainable modes of travel.'

- 9.12 It is considered that the proposed layout makes the best use of the developable site area and is both legible and permeable. The proposal makes use of the existing boundary screening and is responsive to the context of the site and in terms of layout is considered to be compliant with the design requirements set out in Policy ENV3.
- 9.13 The materials of the proposed housing would be a mix of facing Art stone detailing, thru coloured render and Sandtoft Calderdale roof tiles and, whilst it is considered that the materials are acceptable, it is proposed to attach a planning condition that will require prior approval of the materials in order to ensure that they are of an acceptable standard. Comments have been made by third parties that the materials are inappropriate but there are a number of properties in close proximity to the site featuring both stone and render in combination and wholly rendered and therefore there is precedent for the use of such materials in the area.
- 9.14 It is considered that the design of the proposed houses is acceptable and that there is sufficient variety in the house types to ensure there would be visual interest across the site. The scale of the properties which are all two-storey is considered to be entirely appropriate in the location and it is considered that the development would integrate well into the wider streetscape being set well back from the main road and partially screened from view.
- 9.15 Overall, it is considered that the proposed development would accord with the relevant NPPF and Local Plan policies and is acceptable in terms of its design and visual impact.

Impact of development on the amenity of nearby residential dwellings:

- 9.16 The site characteristics are such that the north-west site boundary adjoins commercial development whilst the north-eastern boundary adjoins school grounds. The new housing has been arranged in such a way that it backs onto the site boundaries and would be largely screened by the existing commercial building and by existing trees and hedges. There are no amenity issues in relation to either of those boundaries.
- 9.17 To the south the site borders open countryside on the eastern side whilst there are existing residential properties on the western side. The proposed housing on plots 7 through to 11 all have their rear elevations facing the existing housing and are set at an oblique angle and range from 15m to 30m from the existing residential site boundaries. The interface is such that it is not considered there would be any loss of amenity from overshadowing, loss of privacy or an overbearing impact.

- 9.18 In terms of amenity it is considered that the proposal is consistent with the relevant NPPF and Local Plan policy requirements.

Impact of development on highway network:

- 9.33 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'.*
- 9.34 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'*.
- 9.35 Local Plan policy on highways issues is set out in Policy ENV3 parts i) to k) and INF7: Sustainable Transport and Highways and is consistent with the NPPF requirements set out above.
- 9.36 In this case the use of the access from the main road is established in principle following the appeal decision on the outline application. Notwithstanding the marginal increase in the number of dwellings from 21 to 23 it is considered that there are no grounds to re-consider the question of the acceptability of the access as proposed. In coming to this view it is noted that NYCC Highways has not objected to the application and also that compared to the outline application the access to the site has been widened and therefore improved.
- 9.37 In terms of the internal layout and parking provision across the site it is considered that the proposals comply with the policy requirements and are acceptable.
- 9.38 It is noted that the main site access road also provides a field access which would be used by agricultural vehicles and machinery and that this has been a grounds of third party objections to the application. No concerns on this point have been raised by NYCC Highways and it is not considered that the proposed shared access arrangements are unacceptable in planning terms (on the basis that tractors and farming machinery would be no more hazardous than HGV delivery vehicles, refuse collection vehicles or other large vehicles that could legitimately use a residential street).
- 9.39 In summary it is considered that the proposal is acceptable in terms of its impact on the highway network.

Affordable Housing:

- 9.40 As set out above the application proposes 100% affordable housing of which 7 units (plots 14, 15 and 16 and 20 to 23) would be affordable rented with the remaining 16 units in shared ownership.
- 9.41 The Council's affordable housing requirements are set out in Policy H2: Affordable Housing which in summary is 30% on any greenfield site of 11 dwellings or more. In this case the site is 100% affordable and therefore exceeds the policy requirement although the Council can only legitimately require 30% under Policy H2.
- 9.42 In this case the site has been subject to pre-application consultation and has been discussed with CDC Strategic Housing officers at both pre and post application stages who have confirmed their

agreement to the number, size, tenure and location of the Council controlled affordable housing across the site.

- 9.43 The application is accompanied by a draft legal agreement in which the 7 affordable units are to be signed over to the Council.

Open Space Provision:

- 9.44 The Councils policy in relation to open space is set out in Policy INF3: Sport, Open Space and Recreation Facilities and the accompanying Appendix A. In summary the policy requires a contribution towards new or improved sport, open space and built sports facilities on new housing development of 11 or more dwellings and on any site with a combined gross floor area of more than 1000m² (part b) 1 of Policy INF3 refers). Under part c) of Policy INF3 provision for open space and sport provision must cater for the needs arising from the development and where a localised deficiency is identified the policy allows for an off-site contribution to be made.

- 9.45 In this instance Policy INF3 will require a total off-site contribution of £73,206. However, with the proposed on-site open space at 1500m² and a policy cost of this at £18,000 (incl. management and maintenance) the Sports Development Officer has confirmed that under Policy INF3 to comply with the new Local Plan the off-site planning gain balance for POS would be £55,206

- 9.46 The on-site open space and off-site commuted sum which are to be provided as part of this development are commensurate with the Councils policy requirements and therefore acceptable. The developer has submitted a draft legal agreement in respect of the requisite open space obligations.

Site drainage:

- 9.47 Although not within a flood zone the site has a localised problem with flooding in the south-western corner. Notwithstanding, consultations with both the Environment Agency and the NYCC Lead Local Flood Authority have identified various issues in relation to flooding and drainage of the site which have now been resolved satisfactorily.

- 9.48 In order to fully address the question of flooding and drainage of the site it is useful to refer to the planning inspector's decision on the previous outline planning application in which he commented:
'I have [also] considered the comments in respect of flooding but note that the relevant statutory body has no objections to the proposal. Any issues regarding surface water would be addressed at the reserved matters stage and could be addressed by way of a condition should I be minded to allow the appeal'.

- 9.49 The relevance of the above is that the circumstances of the application have not changed in respect of flooding/drainage issues and the decision to grant the appeal subject to relevant planning conditions is still applicable in respect of the current application. Having regard to the appeal decision and the consultation responses there could be no grounds to refuse planning permission on the basis of flooding and/or drainage issues.

- 9.50 In this case the applicant's agent has submitted additional information to deal directly with the queries raised by the Environment Agency and NYCC LLFA including:

- A full site topographical survey to show how the land currently drains.
- Confirmation within the FRA of a 10% allowance for urban creep.
- Confirmation that the proposed surface water system will be adopted and will comprise storage of surface water stored within a 165m³ capacity Carlow tank system which is to be adopted by United Utilities. NYCC are to adopt the water gullies.

Both the EA and the LLFA have responded to re-consultation and confirmed that they do not have any objections to the application.

Conclusion:

- 9.51 Paragraph 11 of the NPPF, which is reflected in Policy SD1: The Presumption in Favour of Sustainable Development of the Craven Local Plan, advocates support for sustainable development and states that LPA's should be approving development proposals that accord with an up-to-date development plan without delay.
- 9.52 In this case it is considered that the proposal represents sustainable development that meets the relevant policy criteria of both the Local Plan and the National Planning Policy Framework and can be undertaken, subject to appropriate planning conditions, without any adverse visual impact, loss of privacy or highway safety impacts. Accordingly, it is considered that the proposal is acceptable and is recommended for approval.

10. Recommendation

- 10.1 Approve with Conditions

Conditions

Time Limit for Commencement

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

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

Approved Plans

- 2 This approval relates to the following :

Location Plan
Site Layout
Tenure Plan
Site Layout
Plans and Elevations - 2582.12.121A, 122A, 123B, 124A, 125B and 127B.
Open Space Provision
Access Arrangement
Topographical Survey
Drainage Plans Sheets 1 and 2 (Drawings 0161- P5 and 0162 - P4)

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

Reason: For the avoidance of doubt and to ensure that the development complies with the requirements of Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Ongoing Conditions

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

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 Local Plan Policy ENV3: Good Design and the National Planning Policy Framework.

- 4 Within 3 months from the commencement of development a scheme for the provision of affordable housing to be delivered on the site as part of the development shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include details of:

- (i) the numbers, type, tenure and location of the affordable housing provision to be made which shall consist of not less than 30% of the housing units;
- (ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- (iii) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing (if no Registered Provider is involved);
- (iv) the arrangements to ensure that such provision is affordable for both the first and subsequent occupiers of the affordable housing; and
- (v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy shall be enforced.

The affordable housing shall meet the definition of affordable housing in the NPPF (or any future guidance that replaces it) and shall be provided in full accordance with the details and timetable contained within the duly approved scheme.

Reason: To ensure that an appropriate and proportionate contribution towards affordable housing is made as part of the development in order to meet local need, and to ensure that any affordable housing remains affordable in perpetuity in accordance with the requirements of Policy H2: Affordable Housing of the Craven Local Plan to 2012 -2032 and the National Planning Policy Framework.

- 5 No development shall take place until either:-

(i) Full details of public open space to serve the development in accordance with Policy INF3: Sport, Open Space and Built Sports Facilities (and Appendix A) of the Craven Local Plan 2012 - 2032 have been submitted to and approved in writing by the Local Planning Authority and agreement has been reached with the Local Planning Authority as to the provision of the same and its subsequent management. The open space shall thereafter be provided, and maintained as such in accordance with the details so approved.

(ii) Alternative arrangements for the provision of open space have been secured and approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenity to ensure adequate provision of Public Open Space to meet local needs in accordance with the National Planning Policy Framework and Policy INF3 of the Craven District Local Plan 2012 - 2032.

- 6 Within 3 months of the commencement of the development hereby approved a detailed scheme for landscaping, including the planting of trees and/or shrubs shall be submitted to the Local Planning Authority ; such scheme shall specify types and species, a programme of planting and the timing of implementation of the scheme, including any earthworks required.

Reason: To ensure the development is of good appearance in the interests of visual amenity and in accordance with Policy ENV3; Good Design of the Craven Local Plan 2012 - 2032.

- 7 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site, until the following drawings and details have been 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 1:500 and based upon an accurate survey showing:
 - the proposed highway layout including the highway boundary
 - dimensions of any carriageway, cycleway, footway, and verges
 - 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. Full working drawings for any structures which affect or form part of the highway network.
 - g. 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.

INFORMATIVE: In imposing the above condition 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.

Reason: In accordance with Policy ENV3 and to secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users.

- 8 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: In accordance with Policy ENV3 and to ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.

- 9 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 Kendall Road. 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 accordance with Policy ENV3 and in the interests of both vehicle and pedestrian safety and the visual amenity of the area.

- 10 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: In accordance with Policy ENV3 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

- 11 There shall be no access or egress by any vehicles between the highway and the application site until vehicle wheel washing facilities have been installed on the access road to the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept in full working order at all times. All vehicles involved in the transport of waste materials or finished products to or from the site shall be thoroughly cleaned before leaving the site so that no mud or waste materials are deposited on the public highway.

Reason: In accordance with Policy ENV3 and in the interests of highway safety and amenity

- 12 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.
- c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

Reason: In accordance with Policy ENV3 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.

Informatives

1. 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 or can be downloaded from the District Council website.

2. Charging Points

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

3. Hours of Construction

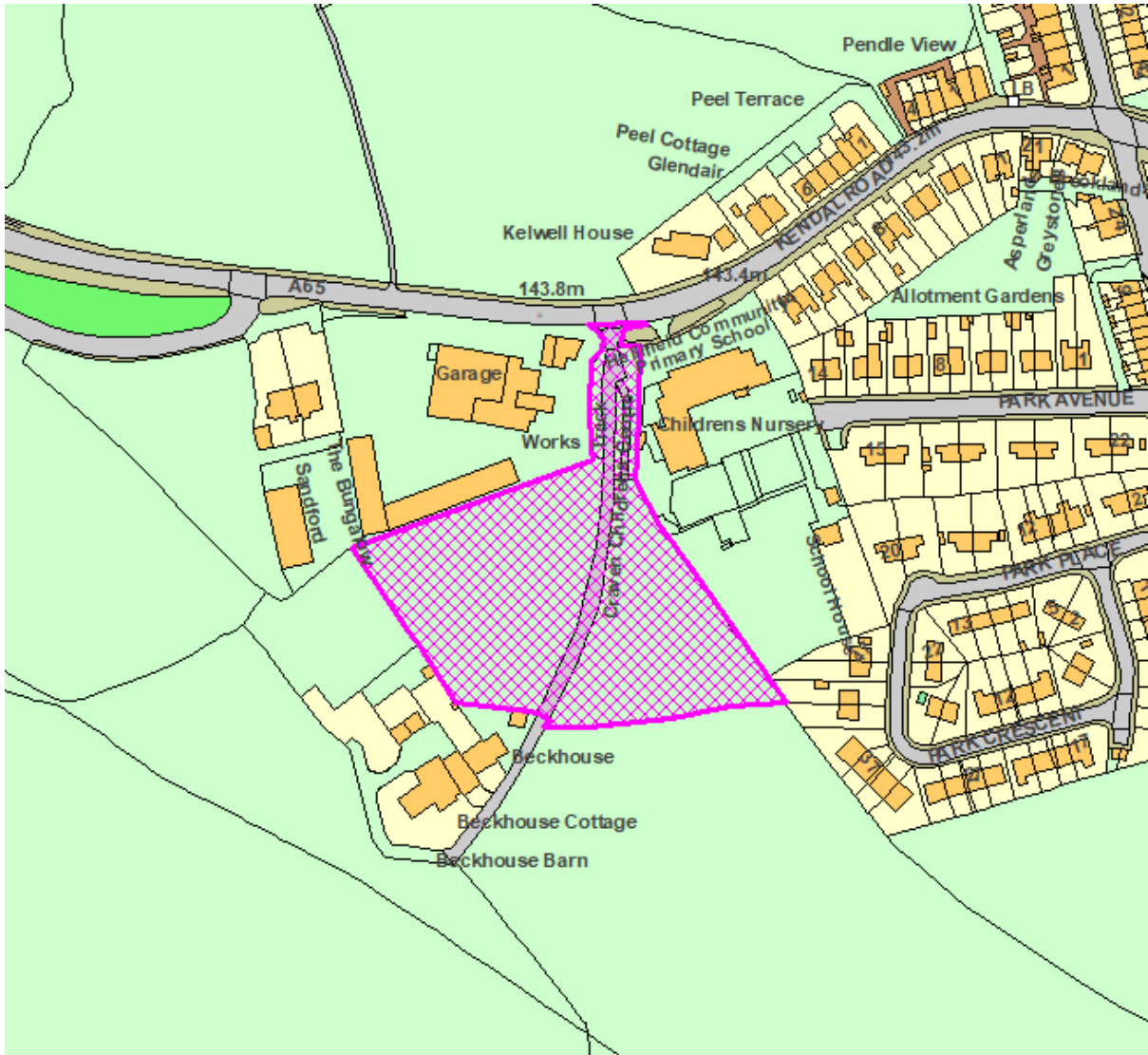
The hours of operation during the construction phase of development and delivery of construction materials or equipment to the site and associated with the construction of the development hereby permitted should be limited to 0730 hours to 1800 hours on Monday to Fridays and 0730 hours to 1300 hours 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: 2019/20933/FUL

Proposal: Residential development of 23 units and including amended vehicular access onto A65.

Site Address: Land Off A65 Kendal Road Hellifield

On behalf of: Galliford Try Partnerships Yorkshire Ltd

REPORT TO PLANNING COMMITTEE ON 18th February 2020

Application Number: 2019/21108/REM

Proposal: Reserved matters application for the approval of the partial layout (Plateau/Ground levels for employment units) of outline permission 2017/18136/VAR

Site Address: Land North Of A629 And West Of Carleton Road Skipton

On behalf of: Henry Boot Development Limited

Date Registered: 25th October 2019

Expiry Date: 24th January 2020

EOT Date, if applicable: 22nd February 2020

Case Officer: Andrea Muscroft

This application is referred to Planning Committee as the Outline Permission was determined by Planning Committee.

1. Site Description

1.1 The application site is located to the southern edge of the main built up area of Skipton and form part of a large site that has been granted outline consent (ref: 63/2015/15792) for a mixed use development comprising business/ employment floorspace (use classes B1, B2 & B8) and residential dwellings (use class C3) with access from the A629 and Carleton Road, provision of infrastructure and associated landscaping. Works relating to the approved highway details have commenced on site.

1.2 The application site lies outside but within close proximity to the designated conservation area of Skipton.

2. Proposal

2.1 The proposal is seeking partial approval for the layout (plateau/ground levels for the employment units) of outline permission 2017/18136/VAR.

2.2 The extant outline permission included the principle of development and access as detailed matters. Accordingly, the parameters established under that permission cannot be altered and/or exceeded at reserved matters.

2.3 The proposal relates only to the employment areas as indicated as areas A & B on the approved plan (ref: 2017/18136/VAR). A pumping station is also shown

2.4 **Officer Note:** The means of access to the completed development has been fixed as part of the outline planning permission ref: 2017/18136/VAR (which included access as a detailed matter) and cannot, therefore, be altered at reserved matters stage.

2.5 **Officer Note:** The wider impacts of the proposed mixed development on matters such as flooding, drainage, SUDS, heritage, affordable housing provision and open space contribution have been considered and conditions attached to the outline permission.

3. Planning History
 - 3.1 2019/20278/CND – Application to discharge conditions 6, 11, 14 and 16 of planning permission 2017/18136/VAR – Details considered satisfactory and condition discharged.
 - 3.2 2018/20053/CND – Application to discharge condition 23 of planning permission 2017/18136/VAR – Details considered satisfactory and condition discharged.
 - 3.3 2018/19584/CND – Application to discharge conditions 3, 5, 7, 8, 9, 17, 19, 20, 23, 24, 26 & 27 of planning permission 2017/18136/VAR – Not all details considered satisfactory a split decision issued.
 - 3.4 2018/19241/CND – Application to discharge condition 25 (archaeological work) of planning permission 2017/18136/VAR – Details considered satisfactory and condition discharged.
 - 3.5 2017/18136/VAR - Application to vary conditions of original planning consent reference 63/2015/15792, specifically: no's 1, 5, 8, 9, 10, 13, 15, 16, 21, 24, 26, 27, 28 to permit separate discharge in relation to development in the residential and employment sub areas shown on the approved plans; no 12 to clarify if the proposed limitation on external lighting equipment relates to the construction period only; no 23 to reduce the on-site affordable housing requirement from 40% to 20%; no 32 to require provision of the ball stop netting prior to first occupation of any dwelling on site – Approved March 2018.
 - 3.6 63/2015/15792 – Outline application for mixed use development comprising business/ employment floorspace (use classes B1, B2 & B8) and residential dwellings (use class C3) with access from the A629 and Carleton Road, provision of infrastructure and associated landscaping – Approved March 2016.
 - 3.7 63/2013/14114 – Mixed use development including employment, supermarket, hotel, public house and hot food takeaway – refused April 2014.
4. Planning Policy Background
 - 4.1 Craven Local Plan 2012 – 2032
ENV1 – Countryside and Landscape
 - 4.2 National Policy
The National Planning Policy Framework
Planning Policy Guidance
5. Parish/Town Council Comments
 - 5.1 Skipton Town Council: No objection. Those present at the meeting ask the planning authority what was the developers response to the Towns Council's comments about the siting of the recreation area.
 - 5.2 **Officer Note:** Response sent to Town Council 26.11.2019 as this matter was raised during the consideration of 2018/19563 which relates to the land identified for housing and not the land identified for employment.
6. Consultations
 - 6.1 **Environment Agency:** Information submitted has been reviewed, and there is no objection to the proposal. Please note that our original comments and conditions ref the outline approval 63/2015/15792 are still applicable and look forward to being consulted when the applicant applies to discharge the conditions.
 - 6.2 **NYCC Highway Authority:** Details submitted show the new spur road leading to Ings Lane. This application shows the plateau's where the new units are likely to be placed. The LHA is aware that a further application will be submitted by Bellway Homes in relation to the improvements to the road layout. Therefore, the LHA will wait to comment on the road layout including any access points at this stage.

- 6.3 Therefore, there are no local highway authority objections to the proposed development.
- 6.4 NYCC Suds: The LLFA note the RMA is for finalising plateau levels for the proposed commercial phase of development. The LLFA has no further comments to make on the application. Please note that the LLFA will require detailed proposed plans of the attenuation basin to ensure it is compliant with the previous conditions.
- 6.5 **Officer Note**; This would be dealt with when the applicant applies to discharge the conditions.
- 6.6 **Yorkshire Water**: Based on the information submitted, no observation comments are required from Yorkshire Water.
- 6.7 To view comments please click on the link below:
- 6.8 <https://publicaccess.cravendc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PZVZ7DFKMN000>
7. Representations
- 7.1 Site Noticed Posted 8th November 2019
- 7.2 Press Notice Published 14th November 2019
- 7.3 101 Notification letters circulated.
- 7.4 1 letter of third party representations received neither objecting or supporting the proposal, but asking when the proposal would be going to Planning Committee.
8. Summary of Principal Planning Issues
- 8.1 Having regard to the nature of the development proposed (that it is an application for approval of reserved matters submitted pursuant to an extant outline permission), the main issue for consideration is considered to be:
- 8.2 Visual impact of the development.
9. Analysis
- 9.1 **Visual impact**
- 9.2 The proposal relates to ground works that would finalise the plateau/ground levels for the approved employment units.
- 9.3 Consideration is given to the planning permissions that have been granted in 2015, 207 & 2018 which included the redevelopment of this site for a mixed use development which involved a new road layout and infrastructure. It was concluded during the assessment of these proposals that the visual impact arising from the development on the surrounding area and adjacent conservation was acceptable.
- 9.4 With regard to the current proposal, it is considered that the proposed earth works required with regards to finalising the plateau/ground levels would have no greater visual impact than those already considered during the consideration of the previous applications.
- 9.5 It is acknowledged that the drawings show a pumping station, but it is not considered that this would have any adverse visual impact on the character and appearance of the surrounding area to warrant a refusal.
- 9.6 In conclusion, it is considered that any visual impact would be short term and would not result in any unacceptable harm to the character and appearance of the surrounding area or adjacent conservation area. The proposal therefore is considered to be acceptable when considered against ENV1 of the LP and the NPPF.
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:

WVP-BWB-GEN-XX-DR-C-630 S1 P1 - Earthworks Phase 1 Strategy
WVP-BWB-GEN-XX-DR-C-600 S1 P1 - Finished Levels Phase 1
4822-316 Rev A
12407-GA-1002 Rev 1 Foul Water Pumping Station
12407-GA-1002 Rev 1 Elevation Pumping Station
12407-GA-1002 Rev 1 Plan View Pumping Station
12407-GA-1002 Rev 1 Zoning Detail Pumping Station
12407-GA-1002 Rev 1 Storage Kiosk Detail Pumping Station

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 Local Plan and the National Planning Policy Framework.

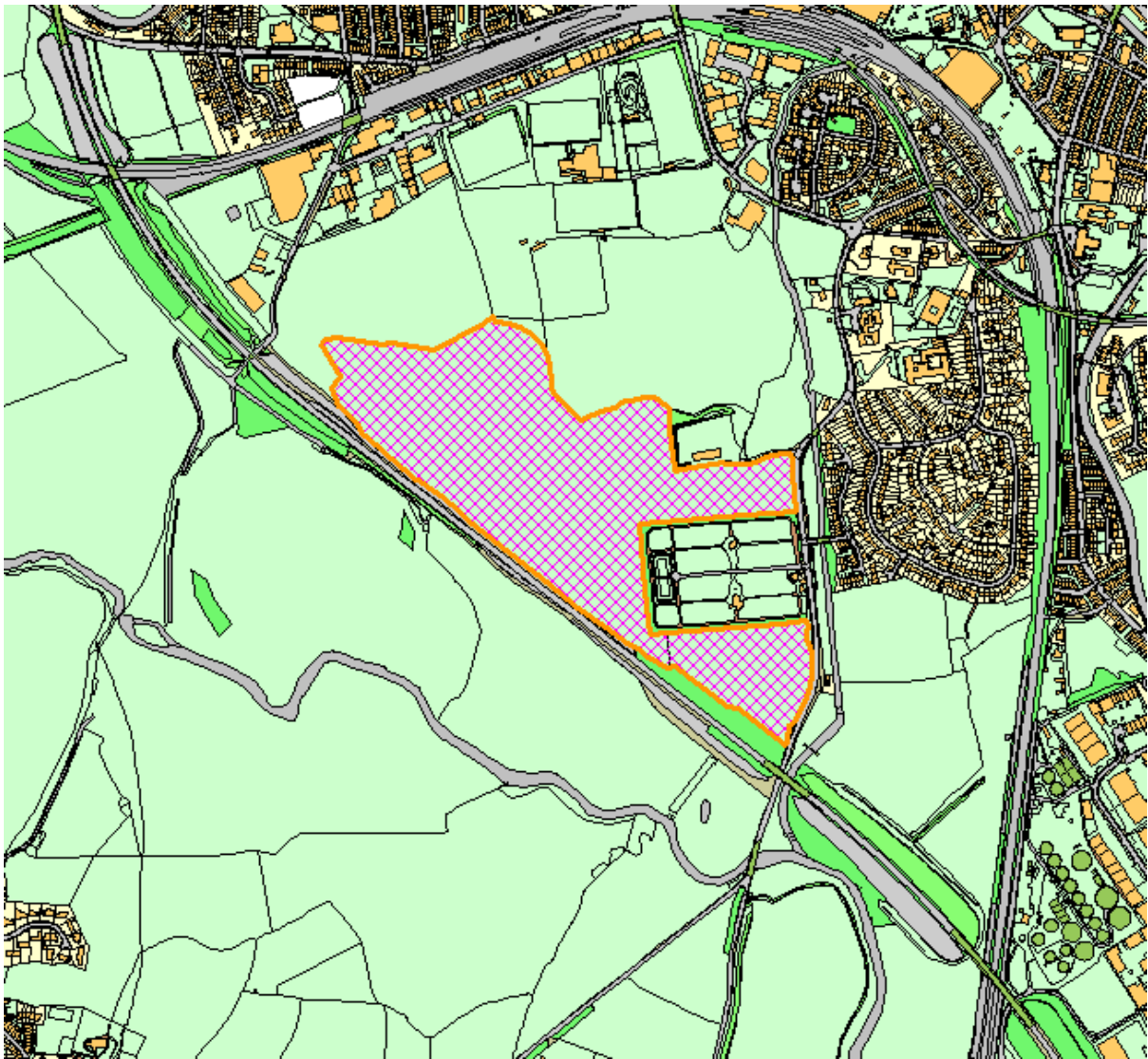
Informatives

1. Adherence to approved plans/conditions

Failure to adhere to the details of the approved plans or to comply with the conditions contravenes the Town and Country Planning Act 1990 and enforcement action may be taken.

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.

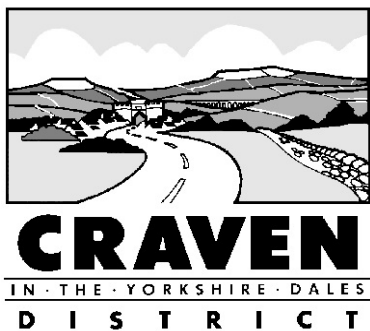


Application Number: 2019/21108/REM

Proposal: Reserved matters application for the approval of the partial layout (Plateau/Ground levels for employment units) of outline permission 2017/18136/VAR

Site Address: Land North Of A629 And West Of Carleton Road Skipton

On behalf of: Henry Boot Development Limited



Development Management
Craven District Council
1 Belle Vue Square
Broughton Road
SKIPTON
North Yorkshire
BD23 1FJ

(Main Switchboard) Telephone: 01756 700600

Craven District Council - List of Planning Decisions from 10 January - 05 February 2020

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
2019/20446/FUL	JS & PL MacRae	Unit 3 Enterprise Way Airedale Business Centre Skipton BD23 2TZ	2 no. speculative light industrial units.	Approve with Conditions	22.01.2020
2019/20618/MMA	JD & MH Cotterill Developers	Clitheroe Street Works Clitheroe Street Skipton	Application for minor material amendment to allow submission of as-built drawings to replace approved plans listed in condition 2 to previous approval referenced 63/2014/15027 granted 01 September 2017	Approve with Conditions	23.01.2020
2019/20666/LBC	Malsis Ltd	Malsis Hall Malsis Drive Glusburn Keighley BD20 8FH	Replacement of door and frames ADG - 02,03,06,07,30 and 32.	Approve with Conditions	24.01.2020
2019/20717/FUL	Wellock Property Limited	Keepers Cottage Peel Green Hellifield Skipton BD23 4LD	Demolition and replacement of 'Keepers' Cottage' with new group accommodation (Use Class C1) for tourists, cycle storage, off street parking, access and associated works	Refuse	24.01.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20887/FUL	C/o Portable Power	The Old Courthouse Otley Street Skipton BD23 1EH	Demolition of The Old Courthouse and construction of 4 storey building to provide nine (9) flats being a mixture of one and two bedroomed units	Application Withdrawn	24.01.2020
2019/20903/HH	Mr Benjamin Nolan	West Lodge West Marton Skipton BD23 3JL	Partially retrospective application for summer house in rear garden including roof alteration	Approve with Conditions	10.01.2020
2019/20912/FUL	Mr C Harrison	Thornton Hall Farm Colne And Broughton Road Thornton In Craven Skipton BD23 3TJ	Full planning application for the formation of a ten-pitch touring caravan and camping site and erection of facilities block at Thornton Hall Farm Visitor Centre.	Approve with Conditions	22.01.2020
2019/20916/FUL	Skipton Properties Ltd	Former St Stephens Roman Catholic Primary School Gargrave Road Skipton BD23 1PJ	/Conversion of former school and presbytery to 7 dwellings, construction of 3 dwellings to the rear, demolition of later extensions and associated operations	Approve with Conditions	29.01.2020
2019/20920/LBC	Mr & Mrs Hawkes	Brigstone House White Hill Lane Lothersdale Keighley BD20 8HX	Replace the main garage door and rear entrance door	Approve with Conditions	22.01.2020
2019/21006/HH	Mr Robert Piper	2 Ashfield Cottages Main Street High Bentham Lancaster LA2 7HZ	Retrospective application for retention of rear porch including amendment to roof	Refuse	22.01.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21007/FUL	Mrs Esther Bateson	Land To South Gill Head Farm Robin Lane High Bentham Lancaster	To make a new agricultural entrance into a field	Application Withdrawn	30.01.2020
2019/21015/OUT	Mr J Staveley	Site At Henbusk Lane Newby Lancaster LA2 8HS	Outline application for detached bungalow (access applied for with all other matters reserved)	Refuse	30.01.2020
2019/21067/VAR	Mr David McKnight	1 St Aidans Court Gisburn Road Hellifield Skipton BD23 4BQ	Application for the removal of condition no. 12 (Garage Conversion) and vary condition no. 2 (Approved Plans) of planning approval referenced 42/2017/18080 granted 16 May 2017.	Approve with Conditions	20.01.2020
2019/21100/FUL	Mrs Tracy Harrison	Field Known As Stonehead Brow Cowling Hill Lane Cowling	Proposed agricultural workers dwelling	Refuse	14.01.2020
2019/21107/LBC	Mrs E Thornton	Bankwell Bankwell Road Giggleswick Settle BD24 0AP	Proposed re-roofing, alterations to kitchen, house bathroom and other internal alterations; replacement of central heating system and all associated pipework; removal of external rendered chimney stack.	Approve with Conditions	16.01.2020
2019/21113/LBC	Mr Matthew Hough	Halsteads Hall Thornton In Lonsdale Ingleton Carnforth LA6 3PD	Proposed external lighting	Approve with Conditions	05.02.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21117/FUL	R&B Building Services	Junction Mills Skipton Road Cross Hills Keighley BD20 7SE	Installation of air-conditioning equipment, external plant with external surrounding screen, for the production of cotton fabrics	Application Withdrawn	27.01.2020
2019/21120/FUL	Mr & Mrs C N & S A Harrison	The Cottage Lowground Farm Eller Gill Lane Elslack Skipton BD23 3AR	Demolition of existing detached bungalow & replacement with new build detached bungalow	Approve with Conditions	17.01.2020
2019/21125/HH	Mr & Mrs Charlton	9 Eller Mews Skipton BD23 2TG	Single storey rear extension and conversion of garage to kitchen and store	Approve with Conditions	05.02.2020
2019/21137/CND	The Ref & Whistle	9 Court Lane Skipton BD23 1DD	Application to discharge condition no. 3 (Ventilation) on planning permission referenced 2018/19739/COU granted 19 February 2019	Application Withdrawn	03.02.2020
2019/21142/HH	Mr Michael Holden	6 The Green Settle BD24 9HL	Replace existing single glazed back door with double glazed wooden door.	Approve with Conditions	24.01.2020
2019/21255/TCA		Bailey Cottage The Bailey Skipton BD23 1UA	T1: Conifer, Fell	Approve Tree Works in Conservation Area	22.01.2020
2019/21144/HH	Mr Shaun Wood	Stone Head Farm Stone Head Lane Cowling Keighley BD22 0LZ	Removal of damaged cement fibre wall and roof cladding and replacement with Juniper Green plastisol-coated trapezoidal steel sheet cladding - to two domestic workshop/store buildings.	Approve with Conditions	10.01.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21163/HH	Mr Paul Arkwright	The Willows East Lane Embsay Skipton BD23 6QD	Two storey rear extension	Application Withdrawn	15.01.2020
2019/21181/LBC	Wellock Property Ltd	Keepers Cottage Peel Green Hellifield Skipton BD23 4LD	Demolition and replacement of Keepers Cottage with holiday accommodation (Use Class C1), cycle storage, off street parking, access and associated works	Refuse	24.01.2020
2019/21151/HH	Mr & Mrs J Day	23 Ingleborough Park Drive Ingleton Carnforth LA6 3AJ	Proposed 2-storey rear extension to replace existing single-storey rear extension	Approve with Conditions	13.01.2020
2019/21160/FUL	Craven District Council	Town Hall High Street Skipton BD23 1AH	Roofing repairs to concert hall within town hall.	Approve with Conditions	22.01.2020
2019/21161/LBC	Craven District Council	Town Hall High Street Skipton BD23 1AH	Roofing repairs to concert hall within town hall.	Approve with Conditions	22.01.2020
2019/21162/CND	Rombaldis Builders Ltd	Site Of Former Methodist Church Main Street Farnhill Keighley	Application to discharge condition No. 5 (Materials) on planning permission 2019/20789/MMA	DOC satisfactory	20.01.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21170/OUT	Mr & Mrs Cornthwaite And Whitaker	Jubilee Cross Greenfoot Lane Low Bentham Lancaster LA2 7EQ	2018/19981/FUL Outline application with all matters reserved for development of two detached dwellings in land to rear of Greenfoot.	Refuse	14.01.2020
2019/21174/FUL	Howsons Ltd	39 Main Street Ingleton Carnforth LA6 3EH	Change of Use of former offices and hairdressers to 6no residential (C3) flats, construction of first floor extension and alterations.	Application Withdrawn	21.01.2020
2019/21197/ OTHERS	Tesco Stores Ltd	Tesco Stores Ltd Craven Street Skipton BD23 2AG	Prior approval notification for installation of a rooftop Solar Photovoltaic system	Prior Approval Not Required	21.01.2020
2019/21177/LBC	Mr D Claxton	Lane Head Laithe Carleton Lane Carleton Skipton BD23 3HT	Replacement of existing windows	Approve with Conditions	21.01.2020
2019/21178/CND	Croft Building Ltd	Deep Spring Grange Road Farnhill Keighley BD20 9AE	Application to discharge condition no. 5 (tree protection), no. 6 (surface water drainage), no. 7 (materials) and no. 10 (bins) of planning permission 2019/20266/MMA granted 17 May 2019	Approve with Conditions	20.01.2020
2019/21186/CND	Craven District Council	Town Hall High Street Skipton BD23 1AH	Application to discharge condition no. 4 (Materials) on planning permission referenced 2017/18477/FUL granted 17 January 2018 and condition no. 6 (Materials) on planning permission referenced 2017/18478/LBC granted 17 January 2018.	DOC satisfactory	23.01.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21187/HH	Mr Liam Walsh	Dairy Cottage 6 Roundell Drive West Marton Skipton BD23 3UL	One and a half storey side extension	Approve with Conditions	15.01.2020
2019/21192/FUL	Mr Kevin Smith	The Greenhouse Eshton Road Gargrave Skipton BD23 3PN	Construction of 1 no. single storey dwelling house.	Refuse	20.01.2020
2019/21203/TCA	Mr Birch	The Old Tannery Matthew Lane Low Bradley Keighley BD20 9DF	T1 Silver Birch. Reduce the tree all round by 1m.	Approve Tree Works in Conservation Area	22.01.2020
2019/21201/FUL	Mr Roe	Higher Sheep Wash Farm Mill Lane Rathmell Settle BD24 0JU	Application for the siting of a temporary mobile home	Approve with Conditions	29.01.2020
2019/21227/TPO	Mr Driver	35 Hall Croft Skipton BD23 1PG	T1 Ash. Repollard.	Approved Tree Work under TPO	22.01.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21206/VAR	GTEC Property Holdings Limited	The Dairy Hammon Head Hall Mewith Bentham LA2 7AR	Application to vary condition 2 (approved plans - to substitute plan no 1382.P.9 with plan no 1382.P.9 Rev H to reflect the fact that there are no trees on site) and removal of conditions 6 (tree works) & 7 (tree protection) on application reference number: 2019/20377/FUL granted 03 July 2019	Application Withdrawn	05.02.2020
2019/21207/VAR	GTEC Property Holdings Limited	The Barn Hammon Head Hall Hollin Lane Bentham Lancaster LA2 7AR	Application to vary condition 2 (approved plans - substitute plan no 1382.P.2 with plan no 1382.P.2.(rev H) to reflect the fact that there are no trees on site) and removal of conditions 6 (tree works) & 7 (tree protection) of application reference number: 2019/20376/FUL granted 03 July 2019	Application Withdrawn	05.02.2020
2019/21208/LBC	Ms Scott	Well House Bankwell Road Giggleswick Settle BD24 0AP	Listed building consent application for levelling of floors; covering dado panel to snug; re-pointing front garden wall	Approve with Conditions	24.01.2020
2019/21210/HH	Mr Nick Medley	12 Lingcrag Gardens Cowling Keighley BD22 0AN	Two storey rear extension to terraced house	Approve with Conditions	17.01.2020
2019/21215/MMA	Croft Building Ltd	Deep Spring Grange Road Farnhill Keighley BD20 9AE	Minor material amendment of condition 1 (Approved Plans) of 2019/20266/MMA to add single storey extension to rear of the garage of plot 3	Approve with Conditions	28.01.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21218/VAR	Mr Matt Down	Stable Croft Barn Stott Fold Farm Cowling Hill Lane Cowling Keighley BD22 0LR	Application for variation of condition number 4 (window & door details) of application reference number 2019/20684/LBC granted 23 October 2019, to vary the condition to be post commencement and prior to the installation of windows and doors.	Approve with Conditions	14.01.2020
2019/21220/DCA	MCM (Skipton) Ltd	Reward Manufacturing Sackville Mills Factory And Premises Sackville Street Skipton BD23 2PS	Demolition and clearance of the existing buildings with the exception of stone Mill building and its original extensions.	Approve with Conditions	22.01.2020
2019/21222/HH	Mr T Randell	The Moorings Chapel Hill Skipton BD23 1NL	Proposed rear extension	Approve with Conditions	05.02.2020
2019/21223/HH	Mr & Mrs Ronney Webster	Exmoor Bungalow Shortbank Road Skipton BD23 2LQ	Proposed conversion of garage for accommodation.	Approve with Conditions	04.02.2020
2019/21224/CND	Termrim Construction Ltd	Land Off Carleton Road Skipton	Discharge of Condition no. 3 (Airedale Drainage) of approved application 2019/20332/FUL granted 03 May 2019	DOC satisfactory	28.01.2020
2019/21225/HH	Mr & Mrs N Redfern	Caedre 21 Church Street Settle BD24 9JH	Single storey rear extension	Approve with Conditions	24.01.2020
2019/21228/TCA	Ms Debbie Meikle	15 High Street Burton In Lonsdale Carnforth LA6 3JU	T1 Hawthorn-Fell	Approve Tree Works in Conservation Area	22.01.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21229/TPO	Glusburn And Crosshills Parish Council	Amenity Land Colne Road Glusburn Keighley BD20 8QR	Crown thin Beech tree closest to the road by 30% and remove limb overhanging the road. Crown thin 3 Beech by 20%. Remove Leylandii and small Sycamore	Split Decision	22.01.2020
2019/21231/MMA	Candelisa Ltd	Station Works Cononley Lane Cononley Keighley	Minor material amendment to original planning consent reference 2019/20172/MMA for minor changes to the position of Plot 14 and amendments to the front elevations of Plots 14 and 15 with the introduction of oak framing.	Approve with Conditions	04.02.2020
2019/21233/FUL	Coniston Hall Estate	Hill Top Farm Coniston Cold Skipton BD23 4EA	Renewal of temporary permission for 4 bay dog kennel previously approved under application 19/2016/17443.	Approve with Conditions	23.01.2020
2019/21236/TPO	Mr Nick Frew	Taira House Church Street Gargrave Skipton BD23 3NE	T1 & T2 Beech-Crown reduction by 25%. T1, T2 & T3 Beech-Crown thin by 25%	Split Decision	22.01.2020
2019/21239/CPL	Yorkshire Housing	11 Gordon Terrace Cononley Keighley BD20 8NQ	Replacement of 3 front windows, 2 ground floor side windows and 4 upper-floor side windows like for like	Split Decision	24.01.2020
2019/21240/HH	Mr R Willan	2 Higher Hartley Street Glusburn Keighley BD20 8QH	Two-storey side extension	Approve with Conditions	23.01.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21245/VAR	Mr Edward Harrison	Lingah House Baxter Wood Cross Hills Keighley	Application to vary condition 2 (approved plans) of 32/2017/17711 to allow for a larger garage for eastern dwelling	Approve with Conditions	04.02.2020
2019/21246/HH	Leigh Tyrer	Garland Doctors Hill Low Bentham Lancaster LA2 7DZ	Replacement of existing timber windows, French doors and entrance door with uPVC	Approve with Conditions	29.01.2020
2019/21284/AGRRES	W M & E Dugdale	Crag Laithe Close House Farm Giggleswick Settle BD24 0EA	Prior notification for change of use existing agricultural barn to dwelling house (C3)	PN Refuse and Application Required	22.01.2020
2019/21256/ADV	C/o Astley Signs Ltd	United Co Operatives Late Shop Main Street High Bentham Lancaster LA2 7HE	1 no. illuminated logo sign, 1 no. illuminated hanging sign and 2 no. non-illuminated signs	Approve with Conditions	03.02.2020
2019/21258/TCA	Mr Paul Peppiate	24 Elm Tree Square Embsay Skipton BD23 6RA	T1 Cherry - Removal of Higher Crown, Thin Out and Crown Lift.	Approve Tree Works in Conservation Area	22.01.2020
2019/21259/CND	Miss Horsfall	Garage At Stainton Cotes Moorber Lane Coniston Cold Skipton	Application to discharge condition no. 4 (Windows and Door Details) on planning permission 2019/20740/FUL granted 05 November 2019	DOC satisfactory	03.02.2020

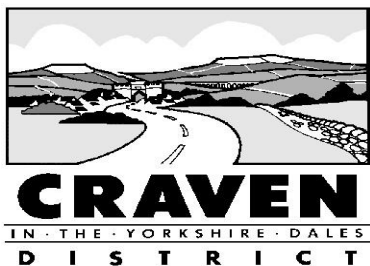
Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21266/ AGRRES	Mr M Binns	Curlew Barn Lothersdale Keighley	Change of use of agricultural building to a dwelling (Prior Notification Application)	PN Refuse and Application Required	30.01.2020
2019/21263/FUL	Mr & Mrs N Airey	Black Bank Farm Black Bank Road Austwick Lancaster LA2 8AH	Conversion of agricultural barn to self contained holiday accommodation	Approve with Conditions	03.02.2020
2019/21265/CND	Screwfix Direct Limited	Unit 1 & 2 Union Business Park Snaygill Industrial Estate Skipton BD23 2QR	Application to discharge condition 3 (highways) of 2019/20786/FUL	DOC satisfactory	24.01.2020
2019/21270/TCA	Mr Mark Jackson	Craglands Farnhill Keighley BD20 9AL	Crown reduction of 2 no. Sycamore and 1 no. Birch by 1 metre. Reduction and shaping of 1 no. Holly.	Approve Tree Works in Conservation Area	05.02.2020
2019/21287/ OFFRES	Candelisa Ltd	Cavendish House 10A Newmarket Street Skipton BD23 2HN	Prior application notification for change of use from offices to 30 No. dwellinghouses	Prior Approval Granted	28.01.2020
2019/21276/ LHSHLD	Hodkinson Build & Design	1 Harley Bank Main Street Low Bentham Lancaster LA2 7BU	Prior approval notification for larger home extension for a replacement single storey extension with monopitch roof with 2 no. rooflights measuring 3.14m beyond the rear wall; 3.19m in height from ground level; 2.18m in height to eaves from ground level.	PD HH Prior Approve Details	13.01.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21278/TCA	Mr James Starkey	The Old Tannery West Lane Cononley Keighley BD20 8NL	T1, Silver Birch - Fell	Approve Tree Works in Conservation Area	05.02.2020
2019/21291/TPO	Suthers	1 Grassington Road Skipton BD23 1LL	4 no. Sycamore-Fell. 1 no. Holly- Reduce to 2 metres high. 1 no. Wellingtonia-Crown lift to 4 metres via removal of secondary growth less than 100mm diameter.	Split Decision	05.02.2020
2019/21302/CND	SKIPTON PROPERTIES LTD	Land On The East Side Of Hayfield View Off Green Lane Glusburn BD20 8RT	Application to discharge condition no. 6 (Boundary Treatments) on planning permission 2019/20573/FUL granted 01 August 2019	DOC satisfactory	20.01.2020
2020/21313/MMA	R N Wooler & Co	Carla Beck Farm Carla Beck Lane Carleton Skipton BD23 3BU	Minor material amendment to vary condition no. 2 (Approved Plans) on planning approval 17/2017/18073 granted 25 October 2017	Approve with Conditions	04.02.2020
2020/21337/NMA	SKIPTON PROPERTIES LTD	Storage Depot Kings Mill Lane Settle	Application for non-material amendment to planning appeal decision referenced APP/C2708/W/18/3210340 allowed 17 May 2019 to move visitor parking spaces to southern end of site so they are more accessible	Non-material amendment approved	28.01.2020

Planning Committee Report of New Cases Registered **From 13/01/2020 to 09/02/2020**

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03203/2020	Planning approval ref: 22/2015/16341 for temporary consent for the siting of caravan has lapsed July 2019 - Caravan is still on site.	Caravan Stone Head Barn Cowling Hill Lane Cowling Keighley	Cowling
ENF/03204/2020	Alleged dwelling being let as a 5 bedroom holiday let (house in multiple occupation?)	Dallicar House Giggleswick Settle BD24 0EA	Penyghent
ENF/03205/2020	Alleged non-completion of access road and street lights not installed.	St John's Church Site Main Street Cononley Keighley BD20 8LS	Aire Valley With Lothersdale
ENF/03206/2020	Alleged extraction flue not been fitted in accordance with approved plans (Ref: 2018/20005/FUL).	21 Main Street High Bentham Lancaster LA2 7HQ	Bentham
ENF/03207/2020	Alleged breach of condition of planning approval 2019/20673/VAR in regards to safety fencing and off site parking.	Land Opposite Greta Villas Main Street Ingleton Carnforth LA6 3BZ	Ingleton And Clapham
ENF/03208/2020	Alleged unauthorised holiday lodge built on lake edge without planning permission.	Raygill Fisheries Raygill Lane Lothersdale Keighley BD20 8HH	Aire Valley With Lothersdale
ENF/03209/2020	Alleged unauthorised joinery business	187 Keighley Road Cowling Keighley BD22 0AH	Cowling

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03213/2020	Alleged unauthorised engineering works	East Of Hellifield Flashes Hellifield BD23 4HE	Hellifield And Long Preston
ENF/03210/2020	Extension allegedly larger than approved plans	13 South View Farnhill Keighley BD20 9AZ	Aire Valley With Lothersdale
ENF/03211/2020	Alleged inaccuracy of approved planning drawings	28 Tarn Moor Crescent Skipton BD23 1LT	Skipton North
ENF/03212/2020	Alleged breach of conditions 5 (External Materials), 6 (Soft Landscaping) and 10 (Window and Door Colour) of planning approval referenced 2019/21215/MMA.	Deep Spring Grange Road Farnhill Keighley BD20 9AE	Aire Valley With Lothersdale



Planning Enforcement
Craven District Council
1 Belle Vue Square
Broughton Road
SKIPTON
North Yorkshire
BD23 1FJ
Telephone: 01756 706254

Planning Committee Report of Cases Closed
From 13/01/2020 to 09/02/2020

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/02993/2019	17th January 2019	31st January 2020	Breach Resolved	Potential change of use to residential training centre	Laurel Bank 3 Shires Lane Embsay Skipton BD23 6RR	Embsay-with-Eastby
ENF/03087/2019	24th May 2019	20th January 2020	No Breach	Tables and chairs placed outside at the rear of property.	1 Victoria Square Skipton BD23 1JF	Skipton North
ENF/03127/2019	29th July 2019	31st January 2020	Breach Resolved	Development not built in accordance with approved plans of planning approval referenced 42/2017/18080	1 St Aidan's Court Gisburn Road Hellifield Skipton BD23 4BQ	Hellifield And Long Preston
ENF/03182/2019	4th November 2019	31st January 2020	Breach Resolved	Construction of first floor extension after permission 32/2016/16517 has lapsed	3 Clayton Fold Cross Hills Keighley BD20 7RG	Glusburn

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/03200/2020	7th January 2020	20th January 2020	Not Expedient to Enforce	Alleged unauthorised change of use from garden to beer garden	The Old Post Office 8 High Street Ingleton Carnforth LA6 3AA	Ingleton And Clapham
