

## PLANNING COMMITTEE (On-line Only)

1.35pm on Monday 3<sup>rd</sup> August 2020

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

**Substitute Members: Councillors Barrett, Handley, Hull, Madeley, Noland and Solloway.**

## AGENDA

Please note that due to Covid-19, this meeting will be held remotely and will be livestreamed here <https://www.youtube.com/channel/UCdfb6ZRbYnZ1-rRliLmjUwg>

**Comfort Break:** 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** – 20<sup>th</sup> July 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](mailto: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@cravenc.gov.uk](mailto:committees@cravenc.gov.uk)  
24 July 2020.

Date of Next Meeting: Monday, 17 August 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.

## **PLANNING COMMITTEE**

14<sup>th</sup> July 2020

**Present** – The Vice-Chairman (Councillor Brockbank) and Councillors, Brown, Handley (substitute for Councillor Sutcliffe), Harbron, Lis, Morrell, Place, Pringle, Rose, Shuttleworth and Welch.

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

Apologies for absence were received from the Chairman (Councillor Sutcliffe) and Councillor Heseltine.

Councillor Welch left the meeting at 5.03pm.

Comfort breaks were taken at 3.43pm and 5.03pm

**Ward Representatives** : Councillor Rose (2019/21073/FUL), Councillor Brown (2020/21560/VAR) and Councillor Shuttleworth (2019/20654/REM)

Start: 1.38pm

Finish: 6.15pm

The minutes of the Committee's meetings held on 14<sup>th</sup> July 2020 were confirmed.

### **Minutes for Report**

PL.975

#### **LATE INFORMATION REPORTS**

Members had received a late information report from the Planning Manager and all Members had read this in advance of the meeting except Councillor Brown who was given time to read the report before the applications were considered.

Councillor Pringle brought to the attention of Members the latest reports in relation to application 2019/21073/FUL and in response the Planning Solicitor stated that legal officers were content that all matters relating to the application had been brought before the Committee to enable them to make a decision. Councillor Pringle asked that it be recorded that after making a statement in relation to various issues he had with the highways aspects of the application, he asked for a full and thorough external investigation into this application. As a consequence, he would be withdrawing from the debate and would not be voting thereon.

PL.976

#### **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 2019/21073/FUL** – Councillors Brockbank, Brown, Morrell, Rose and Shuttleworth indicated they had been sent additional information about the application. Councillors Lis and Welch had been lobbied against the application.

**Application 2020/21560/VAR** – Councillor Brown indicated he has been lobbied for and against the application. Councillor Rose indicated she had been lobbied against the application.

**Application 2019/20654/REM** – Councillor Shuttleworth indicated he had been lobbied against the application.

PL.977

**PUBLIC PARTICIPATION**

The following persons had their statements read out on their behalf or addressed the Committee in person under its public participation scheme:

Application 2019/21073/FUL:	Mr Vic Craven (agent/applicant)
Application 2020/21560/VAR:	Kildwick Parish Meeting. Mr Roger Lee (agent/applicant)
Application 2019/20654/REM:	Embsay with Eastby Parish Council Mr Ian Swain (agent/applicant)

PL.978

**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:

**b. Applications**

2018/19879/FUL Full planning application for seven residential units and the retention and re-cladding of existing commercial building. The application seeks the removal of the existing bund on site and a change of use from sui generis (plant hire) to B1 across the full unit. Land to North of Depot, Carleton Road, Skipton. Approved with Conditions.

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2020/21474/OUT Construction of four dwellings (all matters reserved) Land Rear of 24 Canal Street, Skipton. Application Withdrawn.

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2020/21514/FUL Conversion and extension of former NatWest Bank to form 2 residential properties and associated external works. National Westminster Bank, Station Road, High Bentham, Lancaster. LA2 7LF. Approved with Conditions.

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2020/21518/HH Retrospective application for conversion of garage to ancillary granny annexe at Enoch House, Main Street, Cononley, Keighley BD20 8LL. Approved with Conditions.

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2020/21537/OUT Outline application with some matters reserved for a proposed bungalow 4 Hall Court, Hall Drive, Sutton-in-Craven, Keighley. BD20 7NF. Approved with Conditions.

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2020/21610/HH Extensions including addition of first floor and porch at Wellside, Glusburn Moor, Lothersdale Road, Glusburn, Keighley BD20 8JB. Approved with Conditions.

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2020/21621/NMA Non-material amendment on application referenced 2018/19971/HH granted 23 January 2019 at Mount Pleasant, 51 Duke Street, Settle, BD24 9AY. Non-material amendment approved.

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2020/21623/VAR Application for variation of condition no's 2 (Approved Plans) and 5 (Tree Planting Scheme) of planning application referenced 2019/20986/MMA granted 22 November 2019 United Co-operatives Late Shop, Main Street, High Bentham, Lancaster LA2 7HE. Approved with Conditions.

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2020/21659/CND Application to discharge condition no. 3 (Fire Safety) of planning permission referenced 2019/20642/FUL granted 07 August 2019 at 11 Highfield Terrace, Craven Street, Skipton. DOC satisfactory.

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2020/21708/PNAG Prior notification for a proposed new agricultural building on land at Crow Nest Farm, Lawkland, Lancaster, LA2 8AT. Prior Approval Not Required.

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Permission Granted

**2019/21073/FUL application for proposed demolition of existing buildings and re-development of site to accommodate Council Depot building and light industrial units, with access service areas and parking at Locomotive Building, Engine Shed Lane, Skipton BD23 1UP - subject to the conditions below**

Conditions

**Time Limit for Commencement**

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

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

**Approved Plans**

- 2 This permission relates to the following plans and documents:

Location Plan dated 15th October 2019  
Scheme Layout Plan 18850/50B dated 4th March 2020  
Topographic Survey of Existing 1880/49 dated 15th October 2019  
Depot Floor Plans and Elevations 1880/61 dated 15th October 2019  
Unit Floor Plans 1880/62 dated 15th October 2019  
Unit Floor Elevations 1880/63A dated 13th February 2020  
19098-PWA-00-XX-RP-C-1000 P04 (revised 19.6.2020)  
19098-PWA-00-XX-RP-C-1000 P05 (revised 19.6.2020)  
Flood Risk Assessment by Paul Waite Associates November 2019 (updated June 2020)

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 that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Craven Local Plan to 2032 and National Planning Policy Framework

**Before you Commence Development**

- 3 The development hereby approved shall not commence until actual or potential land contamination at the site has been investigated and a Phase I desk study report has been submitted to and approved in writing by the local planning authority.

The Phase 1 desk study report shall be prepared in accordance with current best practice.

In the event that the Phase 1 desk study report identifies a need for further intrusive investigation then the development hereby approved shall not commence until a

Phase II intrusive site investigation report has been submitted to and approved in writing by the local planning authority.

The Phase II Intrusive Site Investigation report shall be prepared in accordance with current best practice.

Should the need for remediation be recommended in the Phase II Intrusive Site Investigation report, the development hereby approved shall not commence until a Remediation Strategy has been submitted to, and approved in writing by, the local planning authority. The Remediation Strategy shall be prepared in accordance with current best practice.

The approved remediation measures shall be implemented in accordance with the agreed timescales set out in the approved Remediation Strategy.

In the event that remediation is unable to proceed in accordance with an approved Remediation Strategy or unexpected significant contamination is encountered at any stage of the process, the local planning authority shall be notified in writing immediately. Revisions to the Remediation Strategy shall be submitted to, and approved in writing by, the local planning authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Following completion of the measures identified in the approved Remediation Strategy, a Validation Report shall be prepared and submitted to, and approved in writing, by the Local Planning Authority. The submission of the Validation Report shall be undertaken within the approved timescales.

The Validation Report shall be prepared in accordance with current best practice.

The site shall not be brought into use until such time as all the validation data has been submitted to and approved in writing by the local planning authority.

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

- 4 Prior to the commencement of development, the developer shall submit a Dust Management Plan in writing for approval of the Local Planning Authority. The Dust Management Plan shall identify all areas of the site and the site operations where dust may be generated and further identify control measures to ensure that dust does not travel beyond the site boundary. Once in place, all identified measures shall be implemented, retained and maintained for the duration of the approved use. Should any equipment used to control dust fail, the site shall cease all material handling operations immediately until the dust control equipment has been repaired or replaced.

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

- 5 No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved

in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:

- a. the parking of vehicles of site operatives and visitors.
- b. loading and unloading of plant and materials.
- c. storage of plant and materials used in constructing the development.
- d. erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate.
- e. wheel washing facilities.
- f. measures to control the emission of dust and dirt during construction.
- g. a scheme for recycling/disposing of waste resulting from demolition and construction works.
- h. HGV routing to avoid Skipton town centre.

Reason: To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

- 6 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: To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

### **During Building Works**

- 7 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those detailed on the approved plans unless otherwise approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and to accord with Policy ENV3 of the Craven Local Plan and guidance contained within the National Planning Policy Framework.

- 8 Regard should be had for the safe removal of any potential asbestos containing material present on site, i.e. roof material. The applicant should ensure removal of any such material is carried out by a suitably qualified, competent contractor/registered waste carrier, licenced in the removal and offsite disposal of asbestos to a registered hazardous waste landfill site.

Reason: To ensure that risks from asbestos to the environment, future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 9 Prior to the site opening to operation traffic details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

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

- 10 There shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

- a. tactile paving
- b. vehicular, cycle, and pedestrian accesses
- c. vehicular and cycle parking
- d. vehicular turning arrangements
- e. manoeuvring arrangements
- f. loading and unloading arrangements.

Reason: To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development and to accord with guidance contained within the National Planning Policy Framework.

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

- 11 No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number 5:

- a. are available for use unless otherwise approved in writing by the Local Planning Authority.

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

Reason: In accordance with Policy INF4 of the Craven Local Plan and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.



- 12 The development shall not be brought into use until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements
- a. The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority
  - e. Any gates or barriers shall be erected a minimum distance of 15metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
  - g. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details shown on the drawings and maintained thereafter to prevent such discharges
  - h. The final surfacing of any private access within 2m 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.
  - i. Provision of tactile paving in accordance with the current Government guidance

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highways users and compliance with guidance contained within the National Planning Policy Framework.

- 13 Prior to the buildings being brought into use a scheme of hard and soft landscaping works shall be submitted to and approved in writing by the planning authority.

Details of the scheme shall include:

- a) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- b) The location, design and materials of all hard landscaping works
- c) A programme for the implementation, completion and subsequent management of the proposed landscaping.

The Landscaping Scheme MUST include timescales for the implementation of the works.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and improvements to local biodiversity and to accord to Policies ENV3 & ENV 4 of the Craven Local Plan and the National Planning Policy Framework.

- 14 The development hereby approved shall not be brought into use unless the essential matter, e.g. bat boxes, bird boxes, have been installed.

Reason: In the interests of protecting and enhancing the biodiversity of the environment and to accord with policy ENV4 of the Craven Local Plan and the National Planning Policy Framework.

- 15 Prior to the development being brought into use a Breeam Certificate confirming that the non- residential development built has achieved a Breeam rating of Very Good has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes effective use of energy, water and materials and to comply with policy ENV3 of the Craven Local Plan and the National Planning Policy.

- 16 Prior to first occupation, a finalised maintenance plan of the proposed SuDS drainage scheme arrangement must be submitted and approved by the local planning authority. Details with regard to the maintenance and management of the approved scheme to include; details of the funding mechanisms and/or any other arrangements to secure the operation of the approved drainage scheme/sustainable urban drainage systems throughout the lifetime of the development.

Reason: To prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage system and to accord with policy ENV6 of the Craven Local Plan and the National Planning Policy Framework.

### Informatives

1. Please note that at discharge of conditions stage, should the requirements not have been approved as part of a planning application, the applicant is exposed to the risk of being unable to discharge the relevant planning condition.
2. The applicant is advised that if the proposed development will physically affect the PROW then an application to the LPA for a Public Path Order/Diversion Order will be required under S.257 of the TCPA 1990 Act. If however, the impact on the PROW is temporary then an application to the Highway Authority for a Temporary Closure Order is required.
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. Your attention is drawn to the attached note relating to demolition and the requirements of The Building Act.

**2020/21560/VAR – application to vary condition no. 2 (approved plans) of Minor Material Amendment to allow plots 1 and 7 to be detached on planning application reference number 2019/20416/FUL granted on 1<sup>st</sup> August 2019 on land to the West of The Old Smithy, Skipton Road, Farnhill.**

## Conditions

### **Time Limit for Commencement**

- 1 The development must be begun not later than the 1st August 2022.

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:

Location Plan 21.4.2020  
Site Location Plan 702.02A  
Floor Plans 702.03B  
Elevations 702.04C  
Landscaping Plan 21.5.2020

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 No development shall take place until a Construction Exclusion Zone has been formed around the Root Protection Areas of the protected trees identified as being retained on the approved plan. The Construction Exclusion Zone shall be provided in the form of protective fencing of a height and design which accords with the requirements BS 5837: 2012. The Construction Exclusion Zone shall be maintained in the duly installed positions during the entirety of the construction period insofar as it relates to these areas of the site.

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 in accordance with the requirements of Policy ENV4 of the Craven Local Plan and guidance contained within the National Planning Policy Framework.

- 4 No development shall commence on this site until a Scheme for the provision, implementation and maintenance of a surface water regulation system has been approved in writing by the Local Planning Authority in consultation with the Internal

Drainage Board. The rate of discharge would not be expected to exceed that of a 'greenfield site' taken as 1.4 lit/sec/ha.

Reason: To prevent the increased risk of flooding and to comply with policy ENV6 of the Craven Local Plan and the National Planning Policy Framework.

### **During Building Works**

- 5 Prior to any works commencing to the protected trees identified as area A2 within the Ian Tavendale Survey Report dated 23rd August 2017 a detailed scheme for the crown lifting and selective thinning of the protected trees along the field boundaries shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented as in accordance with the approved details.

Reason: To ensure the protection during development of the trees and in order to ensure that the character and amenity of the area is not impaired. To comply with Policy ENV4 of the Craven Local Plan and guidance contained within the National Planning Policy Framework.

- 6 No tree felling, tree works or works to hedgerows shall take place during the optimum period for bird nesting (March to August inclusive) unless a report, undertaken by a suitably qualified person immediately prior to any clearance, has been submitted to and approved in writing by the Local Planning Authority, demonstrating that nesting/breeding birds have been shown to be absent.

Reason: To protect and prevent unnecessary disturbance of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and the requirements of the National Planning Policy Framework.

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

- (i) separate systems for the disposal of foul and surface water;
- (iv) details of how the scheme will be maintained and managed after completion.

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

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

- 8 The development hereby approved shall be carried out in conformity with the details contained within the Flood Risk Assessment and retained thereafter.

Reason: To ensure that Flood Risk is satisfactorily addressed and to comply with policy ENV6 of the Craven Local Plan and the National Planning Policy Framework.

- 9 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 materials 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 Highways Authority.

The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.

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 comply with policy INF4 of the Craven Local Plan and the National Planning Policy Framework.

- 10 Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, within three months of development first taking place a 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: In the interests of the amenity of the area and to comply with the requirements of policy ENV3 of the Craven Local Plan and the National Planning Policy Framework

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

Reason: In the interests of site security and to ensure a satisfactory relationship with the character of surrounding buildings and the street scene and to comply with the requirements of policy ENV3 of the Craven Local Plan and the National Planning Policy Framework

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

Reason: In order to ensure satisfactory treatment of hard surfaced areas and a satisfactory standard of engineering works in the interests of visual amenity in accordance with Policy ENV3 of the Craven Local Plan and guidance contained within the National Planning Policy Framework.

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

Reason: To promote biodiversity in accordance with the requirements of policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

- 14 Unless otherwise agreed in writing by the Local Planning Authority, no above ground works shall commence until:  
a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM showing that the development will achieve an BREEAM rating 'Very Good' shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials to comply with policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

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

Reason: In the interest of sustainable travel and to comply with policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

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

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

Reason: In the interests of visual amenity and residential amenity and to accord with the requirements of Policy ENV3 of the Craven Local Plan and the requirements of the National Planning Policy Framework.

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

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

Reason: To ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents in

accordance with the requirements of Craven Local Plan policy INF4 and the National Planning Policy Framework.

### **Ongoing Conditions**

- 18 Notwithstanding the provisions of Schedule 2, Part 1, Class A 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), no windows other than those expressly authorised by this permission shall be inserted in the western side facing elevation of the dwelling on plot 1 (as identified on the approved plans).

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

- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2018, for the time being in force, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

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.

- 20 The disposal of surface water shall be implemented in accordance with approved details considered under application 2020/21689/CND.

Reason: To ensure the development is provided with satisfactory means of drainage and to reduce the risk of flooding and to comply with policy ENV6 of the Craven Local Plan and the National Planning Policy Framework.

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

Reason: In the interest of satisfactory and sustainable drainage and in accordance with the National Planning Policy Framework.

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

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

- 23 The external surfaces of the development shall be constructed in accordance with approved details considered under application 2020/21689/CND.

Reason: To ensure use of appropriate materials which are sympathetic to the character of the rural area and the site's surroundings in the interests of visual amenity in accordance with the requirements of Craven Local Plan policy ENV3 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. 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.

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

### 4. The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

### 5. 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.

### 6. The applicant is kindly requested to give the Council's Tree Officer 14 days prior notice in writing of any approved tree works that are to be undertaken as part of this development. This will enable the Council to inform local Councillors about imminent tree works, who can then answer enquiries from members of the public. Tree works, in particular tree felling associated with development, are often controversial and this information is requested because it will assist in reducing the potential for conflict when tree works are taking place.

### 7. Topsoil

The applicant is advised it is the responsibility of the developer to ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and



odours associated with contaminated soils as specified in BS 3882: 2015 Specification for Topsoil. Supplier(s) details and confirmation on the source(s) of any topsoil materials brought on site should be made available for inspection at the request of the Council's Environmental Health Department.

8. 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@cravenc.gov.uk](mailto:edu@cravenc.gov.uk) or can be downloaded from the District Council website.

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.

Delegated Authority

**2019/20654/REM reserved matters application for residential development (submitted pursuant to approved planning reference 2017/18839/VAR that authorises the construction of housing on the site)** – delegated authority is given to the Planning Manager to approve the application subject to satisfactory resolution of outstanding flood risk issues with the Local Lead Flood Authority and subject to the following 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. 0140 Rev A "Culvert Works" received 12th March 2020.
  - Drawing No. 0141 "Culvert Details" received 12th March 2020.
  - Drawing No. 0801 Rev C "Proposed Full Model" received 12th March 2020.
  - Drawing No. 142-EX-01 Rev F "Proposed Site Layout" received 12th March 2020.
  - Drawing No. 142-EX-02 Rev C "Proposed Street Scenes/Sections" received 12th March 2020.

- Drawing No. 142-EX-03 Rev A "Proposed Street Scenes/Sections" received 12th March 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 C "Plots 22 - Floor Plans" received 12th March 2020.
- Drawing No. 142/121 Rev C "Plots 20 to 26 - Floor Plans" received 12th March 2020.
- Drawing No. 142/122 Rev C "Plot 27 - Floor Plans" received 12th March 2020.
- Drawing No. 142/123 Rev B "Plot 22 - Elevations" received 12th March 2020.
- Drawing No. 142/124 Rev B "Plot 23 - Elevations" received 12th March 2020.
- Drawing No. 142/125 Rev B "Plots 24 to 26 - Elevations" received 12th March 2020.
- Drawing No. 142/126 Rev C "Plots 27 - Elevations" received 12th March 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 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**

- 4 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 2m<sup>2</sup> 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.

- 5 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.

- 6 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.

- 7 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**

- 8 No building or other obstruction including landscape features shall be located over or within 3 (three) metres either 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.

- 9 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.

- 10 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.

- 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) 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.

- 12 Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall be undertaken with the finished floor levels set above the 1 in 100 year plus climate change flood level with an additional 300mm freeboard above the flood level.

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.

### 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.

PL.979

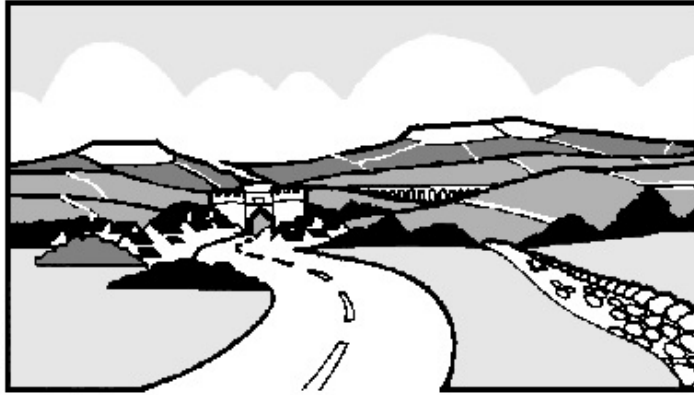
**PLANNING ENFORCEMENT**

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period from 26<sup>th</sup> June 2020 to 9<sup>th</sup> July 2020.

**Minutes for Decision**

- None -

Chairman.



# **CRAVEN**

IN · THE · YORKSHIRE · DALES

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

### **PLANNING COMMITTEE AGENDA**

**DATE: 3rd August 2020**

#### **INDEX OF PLANNING APPLICATIONS**

**Note: Members are invited to contact the case officer in advance of the meeting with any detailed queries or questions regarding the applications listed below.**

Item No.	Application Reference No.	Name of Applicant	Site Address	Page No's
1.	2020/21690/FUL	Partingtons Holiday Centres	Tarn Caravan Park, Stirton.	2 – 12
2.	2020/21484/FUL	Mr & Mrs Calvert	High Calebs Barn , Cawder Lane, Skipton.	13 – 26

## REPORT TO PLANNING COMMITTEE ON 3rd August 2020

**Application Number:** 2020/21690/FUL

**Proposal:** Full application to allow 12-month holiday occupation at Tarn House Caravan Park

**Site Address:** Tarn Caravan Park Stirton Skipton BD23 3LQ

**On behalf of:** Partingtons Holiday Centres

**Date Registered:** 29th May 2020

**Expiry Date:** 24th July 2020

**EOT Date, if applicable:**

**Case Officer:** Andrea Muscroft

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**This application has been referred to Planning Committee by Councillor Myers to allow Members the opportunity to consider the implications of removing the condition.**

1. Site Description

- 1.1 Tarn Caravan Park has been established on this site since the mid 1960's and has been granted approval for incremental additions to the original caravan park with the most recent being in October 2019 which at Appeal (ref: 3224437) granted approval for the siting of an additional 38 static caravans, 10 camping pods and a multiuse sports court area with formation of new internal road layout with associated works.
- 1.2 The application site is situated in the countryside near to the town of Skipton located to the west of the site and the landscaped boundaries distinctly separate the caravan park from the surrounding open countryside and from the nearby of hamlet of Stirton and Thorlby.
- 1.3 The site is licensed for the stationing of static caravans and touring caravans.
- 1.4 The site is accessed via a shared private road off White Hills Lane.
- 1.5 To the east of the site is a collection of private dwellings at separation distances ranging from 122m to 511m.

2. Proposal

- 2.1 The application is seeking planning permission to secure a 12-month holiday licence at Tarn House Holiday Park.
- 2.2 Officer Note: The site has been subject to a number of planning permission of which some do not include the seasonal holiday condition e.g. 65/2004/4186, 65/2006/6439 and 2018/19508/FUL.
- 2.3 Officer Note: Planning approval 65/2016/17340 condition 3 restricted occupation of part of the site. The condition states the following:

*No caravan on the site shall be occupied during the period 15th December in any one year to the 6<sup>th</sup> February of the following year.*



*Reason: The site is in an isolated location and thus is not considered appropriate for permanent residential use.*

- 2.4 The proposal seeks to address the inconsistencies between the approved permission to allow the site to offer occupation of the caravans for all year round and effectively the site would provide an “open” period of 12 months.
- 2.5 The proposal is supported the following:  
    Planning Statement  
    Planning Drawings
- 2.6 *Officer Note:* The applicant has engaged with pre-application enquiries with the Council’s Environmental Health Team with regards to updating the procedures of the site license for holiday use only. To clarify for members annually each caravan site owner would need to provide documentary evidence (Council Tax/Utility Bill) with full name and address plus photo ID (photo ID new requirement). This would continue to be enforced by the Councils Planning Enforcement/Environmental Health and Licensing Team Officers.
- 2.7 *Officer Note:* In addition, the Council has updated the site user guidelines to address concerns by local resident’s ref. noise, lighting and vehicle movements.
- 2.8 *Officer Note:* Whilst the Planning Enforcement and the Environmental Health Officers have been made aware of issues relating to light no formal statutory complaint has been received relating to light pollution nor noise nuisance.
3. Planning History
- 3.1 SN 3195/1: Use of 3 hectares (7.5 acres) of land as a caravan park, permission granted 1 July 1965.
- 3.2 SN 3195/2: Use of 7.7 hectares (19 acres) of land as a caravan park, permission refused 1 July 1965.
- 3.3 5/65/6 – Approval of details of layout, toilet block, sewage treatment plant (temporary), tree planting scheme and other matters reserved by conditions of outline consent SM 5050 – Approved February 1975.
- 3.4 5/65/10 – Garage and storage of chemicals for water supply and watercourse apparatus – Approved March 1973.
- 3.5 5/65/15 – Approval of details of site layout, toilets, site manager’s residence and office, tree planting and other matters reserved by conditions of outline consent SM 5050
- 3.6 5/65/17 – Extension of mains water supply from YW to serve Tarn House Caravan Park – Approved July 1976.
- 3.7 5/65/101 – Construction of internal road for emergency use of Tarn Caravan Park – Approved June 1992.
- 3.8 5/65/101/A – Extension to existing caravan park (for 32 static holiday pitches and 21 touring pitches) construction of new road and landscape proposals – Refused March 1995.
- 3.9 5/65/101/B – Extension to existing Caravan Park to provide ‘overflow area’ for additional touring caravans – Refused December 1995.
- 3.10 65/2004/4185 – Construction of swimming pool, sauna and solarium – Approved June 2004.
- 3.11 65/2004/4186 – Siting of 12 static holiday units (6 single and 6 twin) – Approved July 2004 (Subject to S106 Agreement).

- 3.12 65/2006/6439 – Siting of 12 twin unit caravans – Approved July 2006.
- 3.13 65/2016/17340 - Application to vary condition no. 3 on original planning consents reference SN50/50 and 5/65/15 to amend the closed period on the park to be between 15th December and 6th February – Approved November 2016.
- 3.14 2018/19508/FUL - Extension of existing caravan site for a further 38 static caravans, 10 camping pods and a multiuse sports court area, formation of new road layout and associated works – Refused by Planning Committee September 2018. Appeal allowed December 2018.
4. Planning Policy Background
- 4.1 **Craven Local Plan 2012 - 2032**
- 4.2 SD1: The Presumption in Favour of Sustainable Development
- 4.3 SD2: Meeting the Challenge of Climate Change
- 4.4 SP2: Economic Activity and Business Growth
- 4.5 EC3: Rural Economy
- 4.6 EC4 - Tourism.
- 4.7 **National Policy**
- 4.8 The National Planning Policy Framework
- 4.9 Planning Practice Guidance
5. Parish/Town Council Comments
- 5.1 **Stirton with Thorlby Parish:** The application referenced above has been publicised on the Parish website and the Parish notice boards. I have also consulted colleagues on the Stirton with Thorlby Parish Planning Committee.
- 5.2 We strongly object to this application on the following grounds.
- 5.3 That this local community does not directly benefit from the Park’s presence.
- 5.4 The impact that this new development will have on the Parish, in particular increased traffic levels on the surrounding roads, should be fully assessed before any additional use of the Park is allowed.
- 5.5 We have no evidence that the recent extensive disruption caused by Covid is to be permanent. There are already discussions about opening up the tourism sector. The current licence already allows opening until mid-December so there is ample opportunity to “allow some level of tourism to return in the latter part of 2020”. There is no justification for extending the licence period on a permanent basis for this reason. (3.4 Planning Statement)
- 5.6 Until there has been a full and transparent investigation by Craven District Council into the reasons why so many of the site residents were unable to return to their permanent residence during the Covid lockdown no changes to terms of occupancy should be made.
- 5.7 *Officer Note: This is not a material planning consideration.*
- 5.8 The proposed condition to prevent misuse of the holiday accommodation for sole/principal residency is totally inadequate.
- 5.9 Keeping a register of names and addresses does not prove that they are ‘main home addresses’ only that there is access to an address to which mail can be sent.

- 5.10 Maintaining a closed period on holiday home sites should be a matter of policy for Craven District Council as a necessary additional safeguard to minimising the likelihood of residency on site. Leaving the site for several weeks is no doubt inconvenient for those misusing the accommodation but it is unlikely to cause inconvenience to those utilising their caravans for holiday use. The current closed period includes Christmas and New Year and is in mid-winter so the days are short and the weather cold and wet, certainly not holiday weather.
- 5.11 The Covid crisis lockdown has made local residents, and people from the wider community, realise just how much traffic is generated by the Park. They have welcomed the ability to be able to walk and cycle on the roads in our Parish in safety. It has been possible to use the drive and public footpath that runs partly through the Park without constantly being forced out of the way by vehicles entering and leaving the Park and there has been a reduction in noise and air pollution. At the moment there are several weeks in mid-winter when we have similar opportunities and now even that short period is under threat. The government is actively encouraging local councils to promote walking and cycling as an alternative to car use and for health benefits, it makes no sense to reduce the opportunities we already have.
- 5.12 In this application the structure of the business model operating at Tarn House Caravan Park has not been made clear. How many of the units on the Park are available for tourists to rent? The majority of the units appear to be privately owned and information on the applicant's website states that people who own caravans on Tarn House may not sublet. The number of touring pitches has also been drastically reduced in recent years. It is branded as a holiday park but the Park appears to largely consist of units that are 'second homes', in all but name, providing very little true holiday accommodation. The more of these 'second homes' there are on site, the more risk there is of the units being used as a prime/main residence. In the interests of transparency, the owners should be required to make their business model clear to all interested parties before a decision about this application is made.
- 5.13 *Officer Note: There is no requirement to provide the Council with its business model with regard to the current proposal. As such the business model for the caravan park is not a material planning consideration.*
- 5.14 There is a caravan park with a residential licence in Skipton providing a suitable alternative for those who wish to live in a caravan or chalet for most or all of the year. Craven District Council will then be able to collect council tax to pay for the local services which are being provided to long term residents. Tarn House Holiday Park will then be free to provide accommodation for those wishing to use their facilities for the holidays and short breaks for which it is licensed.

## 6. Consultations

- 6.1 CDC Environmental Health Officer: Subject to compliance with the condition then no objection to the proposal.
- 6.2 Yorkshire Water: No response received within the statutory consultation period.

## 7. Representations

- 7.1 The proposal was advertised on the 19<sup>th</sup> June 2020 via a Site Notice. In addition, 15 notification letters were circulated to neighbouring properties.
- 7.2 As a consequence of the publicity the Council received the following:

7 letters of objection

12 letters of support

2 letter of observation

7.3 Comments have been summarised below:

7.4 Supportive comments

As a caravan owner we wholeheartedly support the proposal.

Support the proposal, brings holiday homes into the 21<sup>st</sup> century and would boost the local business.

Welcome news to the local economy, particularly now when trade is very difficult and most trades need assistance.

Proposal would benefit the community/business and give greater flexibility to holiday makers visiting the site.

If allowed to operate for 12 months it would give a much needed boost to the local economy.

The site is well established, attractive and well run facility which brings much need trade and tourism to our town. 12 month openings is now common thing for holiday sites, Skipton should capitalise on its tourist trade to help economic recovery.

Benefits owners of the caravans who may wish to take their time off any time of the year.

7.5 Objective comments

Proposal is a way to recoup monies due to the Covid-19 pandemic

*Officer Note:* This is not a material planning consideration in the assessment of the proposal.

No reason for an extended session.

Concern over the lack of notification to caravan owners.

*Officer note:* The Council has complied with its statutory consultation duties with regards to the notification of this application. How the owners of the park communicate proposed changes to the site is a private matter between the interested parties and not a planning consideration.

Extension to site season would result in site fees being increased.

*Officers Note:* This is not a material planning consideration but a private matter between the caravan site operator and interested parties.

Observation

Owners need to be under no impression that the site a holiday park is just a holiday park and does not give you the same protection nor rights.

8. Summary of Principal Planning Issues

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

8.2 Approving development proposals that accord with an up to date development plan without delay; or

8.3 Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless;

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

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

8.5 Whether the condition that limits the occupation of the site to 10 months of the year should be removed and the use of the caravans continue without this condition.

9. Analysis

9.1 The applicant Partingtons Holiday Centres is seeking to extend the holiday seasonal occupancy period from 10 to 12 months for areas of the park that have been subject to an occupancy condition, thus dealing with the inconsistencies present on the site. This will also coincide with other park operations and holiday caravan market as a whole and the recent appeal decision in which the Planning Inspectorate did not impose a seasonal occupancy condition (ref: 2018/19508/FUL).

9.2 Fig 1: Examples of some of the 12-month seasonal holiday accommodation permitted in Craven

Park Foot Caravan Park	Ingleton	12 month holiday season
Milton Park Luxury Lodges	Gargrave	12 month holiday season
Riverside Caravan Park	High Bentham	12 month holiday season
Lowther Hill Caravan Park	Bentham	12 month holiday season
Langcliffe Park	Settle	12 month holiday season
Inglewood Caravan Park	Thornton in Lonsdale	12 month holiday season
Dalesway Caravan Park	Gargrave	12 month holiday season
Crookrise Caravan Park	Skipton	12 month holiday season
Tarn Caravan Park (Part of the site)	Stirton	12 month holiday season

9.3 In support of the application the applicant has referred to changes in modern holiday use and to case law which has established that historic closed season occupancy conditions are being replaced with modern holiday occupancy conditions which if appropriately worded conditions limits the use of caravans and chalets, for holiday use only, are a sufficient means of control.

9.4 This would effectively allow the caravans and chalets to be used all year round, but would prevent occupation as a person's sole or main residence.

- 9.5 It is noted that previous Inspectors rulings around the country including the most recent appeal relating to this site (ref: APP/2018/19508/FUL) on this matter have been in favour of either removing or not imposing conditions which limit the periods in which a site can be used. The reasoning provided by Inspectors is that the condition was unreasonable and unnecessary as a holiday occupancy condition is considered sufficient to prevent the use of the caravans as permanent dwellings.
- 9.6 To provide further clarification it is noted that there is little current formal guidance on holiday occupancy conditions, however the following provides a helpful basis in understanding how appeal decisions have been determined.
- 9.7 Circular 11/95 (repealed) - indicated that in cases where holiday use would be acceptable, but permanent residential use would not, holiday occupancy conditions alone would be more appropriate unless there were exceptional reasons why the holiday occupancy should be more limited e.g. to certain months of the year (for instance where the character or design of the construction means that the structure is unsuitable for continuous occupation, particularly in the winter months). In officers opinion there is no evidence that this is the case with regards to this site.
- 9.8 Good Practice Guide on Planning for Tourism (repealed) - states that the imposition of holiday occupancy conditions would be appropriate (a) in order to ensure that policies for the protection of the countryside are not compromised, (b) to avoid occupation by permanent households which would put undue pressure on local services or (c) to strengthen tourism in an area by ensuring that there is a wide range of properties available to tourists. This guidance proposed the use of the following conditions:
- i. Units used for holiday purposes only
  - ii. Not person's sole or main residence in the UK
  - iii. Owner to maintain an up to date register of occupiers
- 9.9 Although both sets of guidance have been repealed, they can be considered as a reasonable starting point in determining what would be considered 'reasonable' should the matter be considered on appeal.
- 9.10 It is considered that Condition 3 of appeal decision ref 2018/19508/FUL (imposed by Inspectorate) is sufficiently worded and detailed so as to restrict any potential residential occupancy of the caravans on the site. As well as stating that the caravans should be for holiday use only and not for permanent residential occupation, this condition also requires the site manager to maintain a register of the names of all the owners/occupiers of the caravans and of their home addresses.
- 9.11 Also a material planning consideration is the Ministerial Statement (HLWS359) issued on the 14<sup>th</sup> July 2020 which highlights the need for LPA's to consider the variation of conditions that restrict the holiday period of caravan and holiday parks to help local economies to recover from the impact of Covid-19.
- 9.12 The statement states the following:
- "The Government also recognises that the tourism industry will need to be able to adapt to secure its financial future. Caravan and holiday parks in England were able to reopen from 4th July 2020. Extending their operation beyond the usual summer season will be invaluable to parks as the sector begins to recover. We are aware that current planning conditions may limit their open season. The temporary relaxation of these planning restrictions can play a vital role in helping local businesses to get up and running again".*

*“Where local planning authorities consider it appropriate to require an application to vary relevant planning conditions ... they should prioritise the application and make an early decision to provide certainty to caravan and holiday park operators. In doing so, they should consider the benefits of longer opening season times to the local economy as it recovers from the impact of Covid-19”.*

9.13 Ministerial statements such as this one have been considered in case law to be material considerations in the determination of planning applications. They are often issued ahead of proposed changes to Government Policy and so are often given weight by Planning Inspectors on appeal.

9.14 To clarify for members, annually each caravan site owner would need to provide documentary evidence (Council Tax/Utility Bill) with full name and address, plus photo ID (photo ID new requirement) to the site management who are required to keep and make available to the Council for inspection. This would be enforced by the Councils Planning Enforcement/Environmental Health and Licensing Team Officers.

9.15 Recommended model condition

*The caravans hereby approved shall be used for holiday accommodation purposes only and shall not be occupied for any other purpose.*

*In particular, the accommodation 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 times 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 and to accord with the National Planning Policy Framework.*

9.16 With regards to the validity of this conditions the Newbury Principles, Circular 11/95(repealed) and paragraph 55 of the NPPF all state that conditions should be 1) necessary: 2) relevant to planning: 3) relevant to the development: 4) enforceable: 5) precise and 6) reasonable in all other aspects. It is considered, that this condition meets the requirements of the six tests.

9.17 In conclusion, appeal decisions have deleted conditions prohibiting the occupation of caravans on site during certain periods of the year, on the grounds that it was unreasonable and unnecessary as the condition did not achieve the objective of preventing the use of any caravan as permanent dwellings. Instead, it has been considered that the holiday occupancy condition is sufficient to prevent use of the caravans as permanent dwellings and thus other occupancy constraints are not justified. This approach has also been adopted by the Council when determining other proposals.

9.18 The proposed increase in occupancy by an additional period of 2 months per year for sections of the site would have no material effect upon privacy/amenity, ecology, landscape or environmental issues.

- 9.19 It is therefore considered acceptable to delete the seasonal occupancy condition restricting parts of the site subject to the imposition of the holiday occupancy condition.
- 9.20 **Impact of development on the highway network.**
- 9.21 In this instance, the proposal is not seeking to make any alterations to the existing access off White Hills Lane nor to the existing track that leads into the established caravan park. Therefore, the proposal would not have an adverse impact on highway safety.
- 9.22 Although the proposal does not trigger the need for consultation with NYCC Highways, clarification was sought on whether NYCC Highway would like to be consulted on this application. However, NYCC Highways confirmed that given the current operation of the site that the extension of the site would not give rise to concerns. They did enquire on whether a travel plan could be requested. Paragraph 111 of the NPPF states that LPA must make a judgement as to whether a proposed development would generate significant amounts of movements. The justification put forward by NYCC Highways was on sustainability grounds and not on the grounds that the development would generate significant amount of vehicle movements. Therefore, on balance, it is considered that due to the scale of development, the limited additional trips generated that would be generated given that some sections of the caravan park already have a 12-month holiday season that a travel plan was not necessary in this instance.
- 9.23 In conclusion, it is considered that the proposal would not have an adverse impact on the highway network and thus complies with the requirements of policies within the Local Plan. The proposal also complies with guidance contained within the NPPF.
- 9.24 **Conclusion**
- 9.25 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:
- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- 9.26 The application site is seeking the removal of the seasonal occupancy condition imposed on a section of the site and its replacement with a holiday occupancy condition.
- 9.27 The application site is an established caravan park screened from public views by existing trees/shrubs and topography. The existing business makes a positive contribution to the local economic economy and also provides some social benefits both of which are key objectives of the NPPF.
- 9.28 It is acknowledged that the proposal would result in season being extended for 2 months for a section of the park, however it is not considered that the proposal would have any adverse impacts on privacy/amenity of nearby residents, highway safety, landscape, ecological or any environmental issues.
- 9.29 Therefore, it is considered that the suggested condition is sufficient to protect against the residential use of the site and that the seasonal occupancy condition is no longer required. The condition is also considered to meet the six test as set out in the Newbury Principles Case Law, Circular 11/95 (repealed) and the NPPF.



9.30 Therefore, any potential harm arising from the proposal extended seasonal operating times from the site does not significantly and demonstrably outweigh the benefits (including supporting a prosperous rural economy). Accordingly, the proposal 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 The development hereby approved shall be carried out in accordance with the following drawings and documents:

GA3124-lp-01-d Location Plan  
Planning Statement

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.

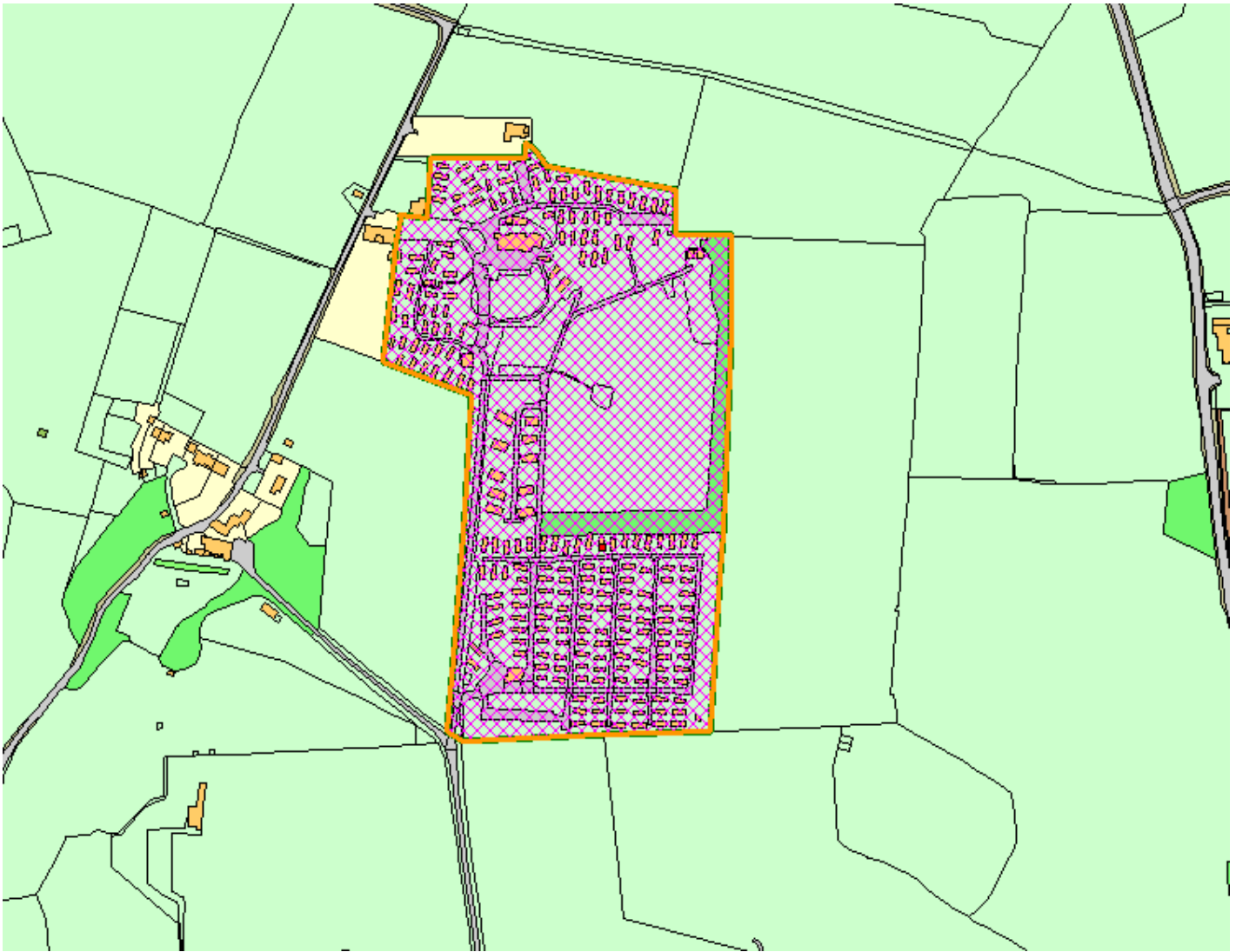
Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven District Local Plan and the National Planning Policy Framework.

**Ongoing Conditions**

3 The caravans hereby approved shall be used for holiday accommodation purposes only and shall not be occupied for any other purpose. In particular the accommodation 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 times 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.



**Application Number:** 2020/21690/FUL

**Proposal:** Full application to allow 12-month holiday occupation at Tarn House Caravan Park

**Site Address:** Tarn Caravan Park Stirton Skipton BD23 3LQ

**On behalf of:** Partingtons Holiday Centres

## REPORT TO PLANNING COMMITTEE ON 3rd August 2020

**Application Number:** 2020/21484/FUL

**Proposal:** Detached dwelling, landscaping, and solar panels installation.

**Site Address:** High Calebs Barn Cawder Lane Skipton BD23 2TD

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

**Date Registered:** 22nd April 2020

**Expiry Date:** 17th June 2020

**EOT Date, if applicable:** 31st August 2020

**Case Officer:** Mr Joshua Parkinson

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**This application has been referred to the Planning Committee by Councillor Heseltine to consider the planning merits of the application.**

1. Site Description
  - 1.1 The application site relates to a modest area of land located immediately north of High Calebs Barn, Cawder Lane, Skipton. The land rises towards the north-east and is characterised by a series of depressions covered with vegetation.
  - 1.2 The application site is located within a SSSI Impact Risk Zone and identified as being within an open upland landscape by the Craven District Outside the Yorkshire Dales National Park and Forest of Bowland AONB Landscape Appraisal.
  - 1.3 There is a public right of way that runs adjacent but outside of the south-west boundary of the application site (Path No. 05.37/16/4).
2. Proposal
  - 2.1 The application seeks full planning permission to erect a detached three bedroomed dwelling with associated landscaping and freestanding solar panels.
  - 2.2 The proposed dwelling would have two storeys, however, it would be set within the surrounding land. The proposed dwelling, at its largest points, would measure approximately 21.5m x 12m. It would have an equal pitched roof with a maximum height to ridge of approximately 8.3m. The dwelling would have a gabled porch projecting from the north-east elevation and a small roof overhang to the south-east elevation.
  - 2.3 The submitted plans state that the dwelling would have random natural stonework walls; a blue slate roof; oak effect PVC windows, doors, fascia's, soffits and barge boards; natural stone sills and heads; and aluminium gutters.
  - 2.4 The dwelling would have a block paved parking/turning area to the north-west. This area would be enclosed by an approximately 4m high retaining wall. The dwelling would utilise the existing access onto Cawder Lane.
  - 2.5 The application also proposes a large amount of excavation to facilitate the setting of the proposed dwelling within the surrounding land. In addition, other cuts and some fills are proposed to alter the external levels along with new tree planting.

2.6 The application also proposes erecting freestanding solar panels measuring approximately 20m x 20m to the north-east of the proposed dwelling.

### 3. Planning History

3.1 5/63/860 - Change of use of barn at Horse Close Farm, Skipton, to two dwellinghouses - Refused: 15/02/1980.

3.2 5/63/860/A - Conversion of barn at Horse Close Farm, Skipton, to two dwellinghouses - Refused: 15/05/1980.

3.3 5/63/860/B - Change of use and conversion of disused barn at Horse Close Farm, Skipton, to two dwellings - Approved: 02/04/1985.

3.4 5/63/1704 - Proposed double garage, two stables, tack room and cart shed, with open storage - Approved: 27/11/1989.

3.5 63/2016/17593 - Proposed four bedroom detached house - Withdrawn: 06/01/2017.

### 4. Planning Policy Background

4.1 Town and Country Planning Act 1990 (as amended) (TCPA 1990)

4.2 Planning and Compulsory Purchase Act 2004 (as amended) (PCPA 2004)

4.3 Craven Local Plan 2012 to 2032:

- SD1: The Presumption in Favour of Sustainable Development
- SD2: Meeting the Challenge of Climate Change
- SP1: Meeting Housing Need
- SP4: Spatial Strategy and Housing Growth
- ENV1: Countryside and Landscape
- ENV2: Heritage
- ENV3: Good Design
- ENV4: Biodiversity
- ENV7: Land and Air Quality
- INF4: Parking Provision
- INF7: Sustainable Transport and Highways

4.4 National Planning Policy Framework (as amended February 2019) (NPPF)

4.5 Planning Practice Guidance (PPG)

4.6 Craven District Outside the Yorkshire Dales National Park and Forest of Bowland AONB Landscape Appraisal (2002) (Landscape Appraisal)

### 5. Parish/Town Council Comments

5.1 **Skipton Town Council** - Comment received 04/06/2020: "*No objection*".

### 6. Consultations

6.1 **NYCC Highways** - Comment received 13/05/2020: "*There are no local highway authority objections to the proposed development NO IMPACT ON HIGHWAY*".

**Officer note:** NYCC Highways were asked to provide further detail to their response in light of their recommendation that a previously withdrawn application for a four-bedroom dwelling on the site be refused (Ref: 63/2016/17593).

6.2 Additional comment received 10/06/2020: Following re-assessment of the application they recommended that planning permission be refused for the following reasons: 1) The road leading to

the site is considered unsuitable for the traffic which would be likely to be generated by this proposal. 2) The visibility at the existing access by which vehicles associated with this proposal would leave and re-join the County Highway is unsatisfactory.

- 6.3 **CDC Environmental Health** - Comment received 04/05/2020: Recommended two conditions relating to noisy works and dust control. Comment received 05/05/2020: Highlighted that the site is within 50m of an historic landfill site. Therefore, they recommended a pre-commencement condition relating to contaminated land.
- 6.4 **CDC Trees Officer** - Comment received 22/05/2020: Raised no objections and recommended a condition regarding implementation of the landscaping scheme in the first season after the build.
- 6.5 **Yorkshire Water** - No comments received within specified 21-day period - Expired: 20/05/2020.
- Officer note:** The above comments have been summarised. However, they are available in full for public access on the Councils website: <https://publicaccess.cravendc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q6M6V2FKFY700>

## 7. Representations

- 7.1 Site notice posted: 08/05/2020 - Expired: 30/05/2020.
- 7.2 Press notice published: 07/05/2020 - Expired: 30/05/2020.
- 7.3 Notification letters sent: 9 - Expired: 21/05/2020.
- 7.4 One representation of support was received from neighbouring property Lower Calebs Barn on 06/05/2020. A summary:
- The proposed dwelling would provide suitable accommodation for the applicant;
- Officer note:** This would be a private benefit for the applicant. Therefore, this is not a material planning consideration.
- The proposed development would free up the applicants existing property for a large family;
  - They support the proposed development subject to the following conditions:
    - o The proposed dwelling is set into the surrounding land minimising its landscape impact and overlooking;
    - o The proposed dwelling is built in keeping with existing buildings in the area.

## 8. Summary of Principal Planning Issues

- 8.1 Principle of development
- 8.2 Parking provision, sustainable transport and highways
- 8.3 Design and heritage
- 8.4 Biodiversity
- 8.5 Countryside and landscape
- 8.6 Land quality
- 8.7 Amenity
- 8.8 Planning balance

## 9. Analysis

### **Principle of development**

- 9.1 The application seeks full planning permission to erect a detached three bedroomed dwelling with associated landscaping and freestanding solar panels. The application site relates to a modest area of land located immediately north of High Calebs Barn, Cawder Lane, Skipton. The CLP identifies Skipton as a Tier 1 settlement (principal town service centre).

- 9.2 CLP policy SP1 states that to meet the housing needs of the District provision has been made for 4,600 net additional dwellings in the plan area over the period 1 April 2012 to 31 March 2032. This is a minimum provision. CLP policy SP1 continues that the housing requirement will be predominantly met through existing completions, sites with planning permission or under construction and from site allocations. However, provision will also be delivered in Tier 5 settlements, open countryside and small sites across the plan area in accordance with the distribution strategy set out at CLP policy SP4.
- 9.3 CLP policy SP4 states that a sustainable pattern of growth will be promoted to deliver the spatial strategy of the plan. This will be achieved by directing most growth towards Skipton as the Tier 1 settlement.
- 9.4 CLP policy SP4 part H. supports proposals for additional housing growth on non-allocated land for housing within the main built up area of Tier 1 settlements provided they accord with all relevant local plan and neighbourhood plan policies. The main built up area is defined as:
- “The main built up area is defined as the settlement’s closely grouped and visually well related buildings and any associated spaces between these buildings, and excludes:*
- 1. Individual buildings or groups of dispersed buildings or ribbon developments which are clearly detached from the main built up area of the settlement, and ribbon developments attached to the main built up area but where the housing relates more to the surrounding countryside than to the main built up area of the settlement, and*
  - 2. Gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to surrounding countryside than to the main built up area of the settlement, and*
  - 3. Agricultural buildings and associated land on the edge of the settlement, and*
  - 4. Outdoor sports and recreational facilities and other formal open spaces on the edge of the settlement”*
- 9.5 The application site relates to a modest area of land located immediately north of High Calebs Barn, Cawder Lane, Skipton. The site is closely related to High Calebs Barn which forms part of a cluster of approximately four dwellings and associated buildings located towards the southern end of Cawder Lane. This cluster of buildings is surrounded by open land in all directions. Indeed, the application site is surrounded by open land to the north and west which provides a buffer of approximately 130m from the nearest other buildings beyond the aforementioned cluster. Therefore, the application site is not within the main built up area of Skipton.
- 9.6 CLP policy SP4 part I. supports the release of non-allocated sites for housing that adjoin the MBUA of Tier 1 settlements. However, the application site is located approximately 130m from the nearest buildings outside of the aforementioned cluster. Consequently, the application site is clearly detached from the main built up area of Skipton.
- 9.7 CLP policy SP4 part K. asserts that land outside the MBUA of Tier 1 - 5 settlements will be defined as open countryside. CLP policy SP4 part F. states that a sustainable pattern of growth will be promoted to deliver the spatial strategy of the plan. This will be achieved by directing a low level of growth to Tier 5 settlements and the open countryside to support a sustainable, vibrant and healthy rural economy and communities.
- 9.8 CLP policy SP4 part K. states the proposals for new homes in the countryside away from existing settlements will be limited. Within the open countryside residential development will be supported provided that:
- a) the proposal would meet an essential need for a rural worker to live permanently at or near their place of work in the countryside;*
  - b) the proposal is required in order to secure significant improvements to the environment or conservation of a designated heritage asset, and such development would represent the optimal*

*viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*

*c) the proposal is for the re-use of one or more redundant or disused buildings and would enhance the immediate setting; or*

*d) the design is of exceptional quality and in accordance with the National Planning Policy Framework.”*

- 9.9 The submitted application form states that the proposed dwelling would be market housing. Therefore, it would not meet an essential need for a rural worker. In addition, the application is not accompanied with any clear justification that the proposal would secure significant improvements to the environment or conservation of a designated heritage asset. Furthermore, the proposal is for a new dwelling. Therefore, it would not constitute the re-use of one or more redundant or disused building. Finally, there is no clear justification that the design is of exceptional quality in accordance with the NPPF. On this basis, the proposed development does not satisfy any of the circumstances where residential development in the open countryside would be supported.
- 9.10 In conclusion, the application site is located outside of, and detached from, the main built up area of Skipton. Therefore, for the purposes of the CLP, the site is identified as being within open countryside. However, the proposed development does not satisfy any of the circumstances where residential development in the open countryside would be supported. Consequently, the proposed development conflicts the spatial and housing growth strategy of the CLP set out at policy SP4. Therefore, the development is not acceptable in principle.

#### **Parking provision, sustainable transport and highways**

- 9.11 CLP policy INF4 states that new developments will help to minimise congestion, encourage sustainable transport modes and reduce conflict between road users by ensuring proper provision and management of parking for cars and other vehicles.
- 9.12 CLP policy INF7 asserts that the minimisation of greenhouse gases and congestion, and the provision of safe and accessible travel facilities will be supported by maximising the opportunities to travel by sustainable transport modes; avoiding severe residual cumulative impacts of development relating to transport; and the design of safe and convenient access to transport facilities.
- 9.13 Paragraph 108 states that in assessing specific applications for development, it should be ensured that:
- “a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users; and*
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”*
- 9.14 Paragraph 109 of the NPPF states that development should only prevented on highway grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts would be severe.
- 9.15 The application seeks full planning permission to erect a three bedroomed dwelling immediately north of High Calebs Barn, Cawder Lane, Skipton. The proposed dwelling would utilise the existing access serving High Calebs Barn. In addition, it would feature a large internal garage and external parking/turning areas.
- 9.16 Parking provision
- 9.17 The proposed dwelling would have a large internal garage and external parking/turning areas. In addition, NYCC Highways have not raised any objection to the development on parking grounds. Consequently, the proposed development would ensure proper provision and management of parking for cars and other vehicles.

9.18 Sustainable transport

9.19 The proposed dwelling would be located an approximately 30-minute walk and 10-minute cycle from High Street, Skipton. In addition, it would be located an approximately 10-minute walk and 5-minute cycle from two bus stops along Keighley Road (A6131). These bus stops provide a regular service between Skipton and Keighley. Consequently, the proposed development would support opportunities to travel by sustainable transport modes.

9.20 Highways

9.21 Cawder Lane is an unadopted single track road with no significant pedestrian footways or lighting. The road is accessed via Cawder Road which forms part of the County Highway. It was noted on the site visit that the existing visibility to the north of the junction with Cawder Road is extremely poor.

9.22 NYCC Highways were consulted on the application and initially commented raising no objection and stated that there would be no impact on the highway. However, they were asked to provide further detail to their response in light of their recommendation that a previously withdrawn application for a four-bedroom dwelling on the site be refused (Ref: 63/2016/17593).

9.23 Consequently, NYCC Highways provided an additional comment following re-assessment of the application. They recommend that planning permission be refused for the following reason:

9.24 1) Road leading to the site - Cawder Lane by reason of its poor alignments, poor junctions, insufficient width, poor condition, unsuitable gradients and lack of footways, lighting and turning area is unsuitable for the traffic that would be generated by the proposed development.

9.25 2) Visibility at the existing access - The existing access between Cawder Lane and Cawder Road where vehicles associated with the proposed development would leave and re-join the County Highway is unsatisfactory. The required visibility in a northerly direction is 60m x 2m. However, the available visibility is 5m x 2m. Therefore, the intensification of use which would result from the proposed development is unacceptable in terms of highway safety.

9.26 Conclusion

9.27 In conclusion, the proposed development would ensure proper provision and management of parking for cars and other vehicles. In addition, it would support opportunities to travel by sustainable transport modes. However, the proposed development by virtue of the unsuitability of Cawder Lane to handle the traffic generated and the inadequate visibility at the junction with the County Highway would have a significant detrimental impact on highway safety. Consequently, whilst according with CLP policy INF4, the proposed development conflicts with CLP policy INF7 and paragraphs 108 and 109 of the NPPF.

**Design and heritage**

9.28 CLP policy ENV3 states that good design will help to ensure that growth in Craven results in positive change. This will be achieved by following the general design principles set out in broad terms within the policy. Amongst other things, the policy states that development should respond to the context; and respect the form of existing and surrounding buildings including density, scale, height, massing and use of high quality materials.

9.29 Likewise, paragraph 124 of the NPPF stresses that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. In addition, paragraph 130 is clear that permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.

9.30 CLP policy ENV2 asserts that Craven's historic environment will be conserved and, where appropriate, enhanced. This will be achieved by paying particular attention to the conservation of those elements which contribute most to the District's distinctive character and sense of place. This includes the legacy of traditional barns and other buildings and structures associated with the farming industry and historic land estates.



- 9.31 Similarly, paragraph 184 of the NPPF states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance.
- 9.32 The application seeks planning permission to erect a detached three bedroomed dwelling with associated landscaping and freestanding solar panels immediately north of High Calebs Barn, Cawder Lane, Skipton. One representation of support has been received from neighbouring property Lower Calebs Barn. However, the support is conditional upon the proposed dwelling being in keeping with existing buildings.
- 9.33 High Calebs Barn relates to half of a converted barn that is present on an OS map surveyed in 1894. The barn is stone built, predominantly two storeys, has a simple longitudinal form and an equal pitched roof. However, the barn conversion was approved in 1985, prior to the emergence of best practice. Consequently, the barn has lost much of its agricultural character due to: domestic fenestrations, chimneys, porches and the addition of a large detached two storey double garage. Therefore, the barn has the appearance of two domestic dwellings. Nonetheless, the barn retains some agricultural character and is understood within the context of the surrounding agricultural landscape. Therefore, the barn does make some positive contribution to the District's distinctive character and sense of place.
- 9.34 The proposed dwelling would be set back approximately 50m from Cawder Lane. However, there is a public right of way to the south-west of the application site. Consequently, the south-west elevation of the proposed dwelling would be visible from public vantage points.
- 9.35 The proposed dwelling would have a simple longitudinal form that would match the nearby barn. However, whilst the proposed dwelling would have two storeys, it would be set within the surrounding land. Therefore, it would have the appearance of a bungalow from all but the north-west elevation. This would appear discordant with the prevailing two storey form of the surrounding buildings. In addition, bungalows are uncommon in the open countryside and more typically associated with suburban developments. Consequently, the proposed dwelling would not respect the scale, height or massing of the surrounding buildings.
- 9.36 The proposed dwelling would have a long equal pitched roof, two chimneys and a porch to the north-east elevation. It is considered that the roof form and chimneys would respond to the context of the nearby barn. In addition, the proposed porch is respectfully proportioned and would not appear incongruous given the two porches to the nearby barn. Therefore, these elements would respond to the context and surrounding buildings.
- 9.37 However, the proposed dwelling would contain large amounts of glazing. In particular, the south-west elevation would have a significantly high void-to-solid ratio. Moreover, the height from the window heads to eaves level would only be approximately 0.2m. This would create an ill proportioned appearance. Further, the openings would have a strong vertical emphasis and domestic character. This would appear discordant with the predominantly smaller openings and sash windows of the nearby barn. Consequently, the proposed openings would not respond to the context of surrounding buildings.
- 9.38 Turning to materials, the submitted plans state that the dwelling would have random natural stonework walls; a blue slate roof; oak effect PVC windows, doors, fascia's, soffits and barge boards; natural stone sills and heads; and aluminium gutters. It is considered that the stone would respond to the context of the surrounding buildings. In addition, the oak effect PVC fixtures would have the appearance of wooden fixtures from public vantage points. However, the proposed blue slate would contrast with the surrounding grey coloured slate. This would be exacerbated by the prominence of the proposed long equal pitched roof of the dwelling. Therefore, the proposed materials are not acceptable.
- 9.39 The application also proposes erecting freestanding solar panels measuring approximately 20m x 20m to the north-east of the dwelling. However, the application does not include any specific details regarding their height, material or specification. Consequently, it is not possible to assess whether their design or heritage impact would be acceptable.

- 9.40 In regards to landscaping, the application proposes removing 10 trees to facilitate the development. However, it asserts that none of the trees are large or have any high amenity value. The Councils Trees Officer was consulted on the application and raised no objections. In addition, the application proposes planting new trees. Consequently, on balance, the loss of low quality trees would not have a significant detrimental impact on visual amenity.
- 9.41 In addition, the application proposes a large amount of excavation to facilitate setting the proposed dwelling within the surrounding land. Moreover, other cuts and small amounts of fill are proposed to adjust the external levels to match the adjacent fields. Overall, it is considered that the proposed excavations would not have a significant detrimental impact on visual amenity given that the application site is already characterised by a series of depression.
- 9.42 The submitted information states that the bungalow would be constructed with a structural insulated panel system and have a greywater system. In addition, the solar panels would provide lighting and power to the dwelling. Therefore, the proposed dwelling would have sustainability design in.
- 9.43 Conclusion
- 9.44 In summary, the proposed dwelling by virtue of its scale, height and massing would have the appearance of a suburban bungalow. This suburban character would be exacerbated by the excessive domestic glazing proposed and the prominence of the proposed blue slate roof. Consequently, the proposed dwelling would not respond to the context nor respect the form of the existing and surrounding buildings. Moreover, the dwellings suburban character would detract from the agricultural character of the adjacent barn. In addition, insufficient detail has been provided to assess whether the proposed solar panels are of a good design or would have an acceptable heritage impact.
- 9.45 In conclusion, the proposed dwelling by virtue of its scale, height, massing, excessive glazing and materials would have a strong suburban character. This would contrast with the form of the existing and surround buildings. In addition, it would detract from the agricultural character of the adjacent barn. Further, insufficient detail has been provided to assess whether the proposed solar panels are of a good design or would have an acceptable heritage impact. Consequently, the development does not represent good design and would not conserve Craven's historic environment. Therefore, the proposal conflicts with CLP policies ENV2 and ENV3, and paragraphs 124, 130 and 184 of the NPPF.
- Biodiversity**
- 9.46 CLP policy ENV4 states that growth in housing, business and other land uses on allocated and non-allocated sites will be accompanied by improvements in biodiversity. This means that, wherever possible, development will make a positive contribution towards achieving a net gain in biodiversity.
- 9.47 Paragraph 170d states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.
- 9.48 The application seeks full planning permission to erect a three bedroomed dwelling immediately north of High Calebs Barn, Cawder Lane, Skipton. This would result in an increase in the amount of hard surfaces; and the removal of 10 trees and existing vegetation. CLP policy ENV4 states that development proposals that result in a significant loss in, or harm to, biodiversity on site, and where no compensatory measures are proposed, will be resisted.
- 9.49 The Councils Tree Officer was consulted on the application and raised no objections. In addition, the proposed plans do indicate new tree planting. However, no details have been provided regarding the species and size of the new planting. In addition, it has not been made clear how the replanting would result in a net gain in biodiversity.
- 9.50 In conclusion, it cannot be demonstrated that the proposed development would result in improvements in biodiversity. Consequently, the proposed development is contrary to CLP policy ENV4 and paragraph 170d of the NPPF.

## **Countryside and landscape**

- 9.51 CLP policy ENV1 states that sustainable growth will ensure that the quality of Craven's countryside and landscape is conserved for future generations to enjoy.
- 9.52 Likewise, paragraph 170 of the NPPF asserts that planning decisions should contribute and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.
- 9.53 The application seeks planning permission to erect a detached three bedroomed dwelling with associated landscaping and freestanding solar panels. The proposed dwelling would be closely related to High Calebs Barn and Lower Calebs Barn. One representation of support has been received from neighbouring property Lower Calebs Barn. However, the support is conditional upon the proposed dwelling being set into the surrounding land to minimise its landscape impact.
- 9.54 The application site rises towards the north-east and is characterised by a series of depressions covered with overgrown vegetation. It is identified as being within an open upland landscape consisting of irregular stone walls by the Landscape Appraisal. This landscape area is characterised as a rolling landscape; open, exposed upland character; absent of trees; and a strong network of dry-stone walls.
- 9.55 The proposed dwelling would be situated within a modest area of land located immediately north of High Calebs Barn, Cawder Lane, Skipton. It is considered that this area of land is closely related to High Calebs Barn. Consequently, the addition of one dwelling would not have a significant detrimental impact on the surrounding countryside and landscape.
- 9.56 In conclusion, the proposed development would conserve Craven's countryside and landscape. Consequently, the proposed development accords with CLP policy ENV1 and paragraph 170 of the NPPF.

## **Land quality**

- 9.57 CLP policy ENV7 states that growth in Craven will help to safeguard and improve land quality by encouraging and supporting the remediation of contaminated land, taking into account what may be necessary, possible, safe and viable.
- 9.58 Paragraph 178 of the NPPF asserts that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.
- 9.59 CDC Environmental Health were consulted on the application and commented highlighting that the application site is within 50m of an historic landfill site. However, they raised no objection to the development subject to a pre-commencement condition requiring details of a phase I contamination desk study to be submitted and approved in writing. The proposed condition has multiple steps which would be triggered in the event that the study identifies a need for further investigation and/or remediation.
- 9.60 In conclusion, subject to the proposed condition, the proposed development would safeguard and potentially improve land quality. Consequently, the proposal accords with CLP policy ENV7 and paragraph 178 of the NPPF.

## **Amenity**

- 9.61 CLP policy ENV3 states that development should protect the amenity of existing residents and business occupiers as well as create acceptable amenity conditions for future occupiers. In addition, 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.
- 9.62 Similarly, paragraph 127f of the NPPF asserts that planning decisions should ensure a high standard of amenity for existing and future users.
- 9.63 Amenity of future occupants

9.64 The proposed three bedroomed dwelling would be of a large size and would have a large amenity area including a patio area. In addition, it would have multiple parking spaces. This would provide a good standard of amenity for future occupants.

9.65 Neighbouring amenity

9.66 The proposed dwelling would be located in open countryside. Therefore, it would be surrounded by few neighbouring occupiers. The nearest property with the potential to be impacted is High Calebs Barn. However, it is considered that the proposed dwellings predominantly single storey height and set back approximately 20m from the shared boundary with High Calebs Barn would ensure that there is not a significant detrimental loss of privacy nor increase in overshadowing or obstruction. Consequently, the proposed development would protect the amenity of this existing resident.

9.67 In addition, one representation of support has been received from neighbouring property Lower Calebs Barn. However, the support is conditional upon the proposed dwelling being set into the surrounding land to minimise overlooking. Nonetheless, it is considered that the proposed dwellings predominantly single storey height and set back in excess of 60m from Lower Calebs Barn would ensure that there is not a significant detrimental loss of privacy nor increase in overshadowing or obstruction. Consequently, the proposed development would protect the amenity of this existing resident.

9.68 In conclusion, the proposed development would provide a good standard of amenity for future occupants and would protect the amenity of existing residents and business occupiers. Consequently, the development accords with CLP policy ENV3 and paragraph 127f of the NPPF.

### **Planning balance**

9.69 CLP policy SD1 sets out the plans presumption in favour of sustainable development. It states that development that accords with the provisions of the local plan will be approved unless material considerations indicate otherwise. This mirrors the presumption in favour of sustainable development at the heart of the NPPF. Paragraph 11 of the NPPF states that for decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.

9.70 Conversely, paragraph 12 of the NPPF states that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

9.71 This is enshrined in planning law, section 70(2) of the TCPA 1990 states that in dealing with applications for planning permission the local authority shall have regard to the provision of the development plan and any other material considerations. Likewise, Section 38(6) of the PCPA 2004 states that planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.

9.72 The applicants' agent was advised that the application provides no evidence of how the development accords with any of the circumstances where residential development in the open countryside would be supported. Consequently, the applicants' agent provided a letter for further consideration explaining the material considerations that justify a departure from the CLP which was adopted in November 2019. In summary, the letter makes the following points:

- Acknowledges that the application site is separate from Skipton (Tier 1) and is not a Tier 5 settlement;
- The CLP makes provision for small self-build projects in the countryside and small sites across the plan area;

**Officer note:** CLP policy SP1 does state that the housing needs of Craven will be met through housing allowance for Tier 5 settlements, open countryside and small sites across the plan area. However, it continues that this should be in accordance with the distribution strategy set out as CLP

policy SP4. The proposed development has failed to demonstrate that it would satisfy CLP policy SP4.

- The development satisfies the environmental objective of sustainable development as set out within the NPPF;

**Officer note:** The environment objective of sustainable development is one of the three overarching objectives that are interdependent and should be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). In addition, paragraph 3 of the NPPF states that the Framework should be read as a whole. Taken as a whole, the proposed development would not constitute sustainable development as set out within the NPPF.

- There is a previously approved garage on the site that is substantially unbuilt. The proposed dwelling would not have a significantly greater floor area than the unbuilt elements of the garage. In granting the dwelling, the local planning authority could remove the rights to complete the original garage;

**Officer note:** The proposed development has been determined upon its own merits. Moreover, it would not be possible to remove the right to complete a previously begun development via planning condition.

- The application site is located within the curtilage of the existing dwelling. Therefore, there is no alteration to the use or any requirement for an additional access;
- Quotes paragraph 12 of the NPPF and asserts that the reasons above are sufficient to depart from the development plan;
- The development would satisfy criteria (d) and (e) of paragraph 79 of the NPPF;

**Officer note:** Paragraph 79 of the NPPF states that planning decisions should avoid the development of isolated homes in the countryside unless certain circumstances apply, this includes:

*“d) the development would involve the subdivision of an existing dwelling; or*

*e) the design is of an exceptional quality, in that it:*

*- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raised standards of design more generally in rural areas; and*

*- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.”*

The proposed development is for a new dwelling and would therefore not constitute the subdivision of an existing dwelling. In addition, the design is not of an exceptional quality as it would not respond to the context nor respect the form of existing and surrounding buildings. Therefore, the proposed development would not satisfy paragraph 79 of the NPPF.

- The site is a windfall site;

**Officer note:** The proposed development would result in the addition of only one dwelling. Therefore, this would fail to outweigh the conflict with the policies of the CLP and NPPF.

- The development is sustainable and the impact is acceptable.

**Officer note:** The preceding analysis has demonstrated that the development would not be sustainable and the impacts are unacceptable.

9.73 Overall, the submitted letter provides no clear and convincing argument to justify a departure from the up-to-date CLP. Therefore, in accordance with paragraph 12 of the NPPF, section 70(2) of the TCPA 1990 and section 38(6) of the PCPA 2004, planning permission should be refused.

9.74 Conclusion

- 9.75 In summary, the proposed development would: ensure proper provision and management of parking for cars and other vehicles; conserve Craven's countryside and landscape; safeguard and potentially improve land quality; and would provide a good standard of amenity for future occupants and would protect the amenity of existing residents and business occupiers.
- 9.76 However, the proposed development fails to satisfy any of the circumstances where residential development in the open countryside would be supported. In addition, the proposed development would: have a significant detrimental impact on highway safety; not represent good design; not conserve Craven's historic environment. Furthermore, it cannot be demonstrated that the development would result in improvements in biodiversity.
- 9.77 Overall, there has been no clear and convincing argument to justify a departure from the up-to-date CLP. Therefore, in accordance with paragraph 12 of the NPPF, section 70(2) of the TCPA 1990 and section 38(6) of the PCPA 2004, planning permission should be refused.

## 10. Recommendation

- 10.1 Refuse.

### Reasons for Refusal

1. The application site is located outside of, and detached from, the main built up area of Skipton. Therefore, the application site is located in open countryside. However, the proposed development does not satisfy any of the circumstances where residential development in the open countryside would be supported. Furthermore, there are no material considerations that indicate a decision other than in accordance with the development plan. Consequently, the proposed development conflicts with policy SP4 of the Craven Local Plan 2012 to 2032 and paragraph 12 of the National Planning Policy Framework.
2. The road leading to the site (Cawder Lane) by reason of its poor alignments, poor junctions, insufficient width, poor condition, unsuitable gradients and lack of footways, lighting and turning area is unsuitable for the traffic that would be generated by the proposed development. In addition, the existing access by which vehicles associated with this proposal would leave and re-join the County Highway is unsatisfactory since the required visibility of 60 metres x 2 metres cannot be achieved in a northerly direction at the junction with the County Highway. Therefore, the proposed development would have an unacceptable impact on highway safety. Consequently, the development conflicts with policy INF7 of the Craven Local Plan 2012 to 2032, and paragraphs 108 and 109 of the National Planning Policy Framework.
3. The proposed dwelling by virtue of its scale, height, massing, excessive glazing and materials would have a strong suburban character that would not respond to the context nor respect the form of existing and surrounding buildings. In addition, insufficient information has been received to assess whether the design of the proposed solar panels would be acceptable. Consequently, the proposed development would not constitute good design. Therefore, the proposal conflicts with policy ENV3 of the Craven Local Plan 2012 to 2032 and paragraphs 124 and 130 of the National Planning Policy Framework.
4. The proposed dwelling by virtue of its scale, height, massing, excessive glazing and materials would have a strong suburban character. This would detract from the agricultural character of the adjacent barn conversion. In addition, insufficient information has been received to assess whether the heritage impact of the proposed solar panels would be acceptable. Consequently, the proposed development would not conserve Craven's historic environment. Therefore, the proposal conflicts with policy ENV2 of the Craven Local Plan 2012 to 2032 and paragraph 184 of the National Planning Policy Framework.

5. The submitted information fails to demonstrate how the proposed development would result in a net gain in biodiversity. Therefore, the proposal is contrary to policy ENV4 of the Craven Local Plan 2012 to 2032 and paragraph 170d of the National Planning Policy Framework.

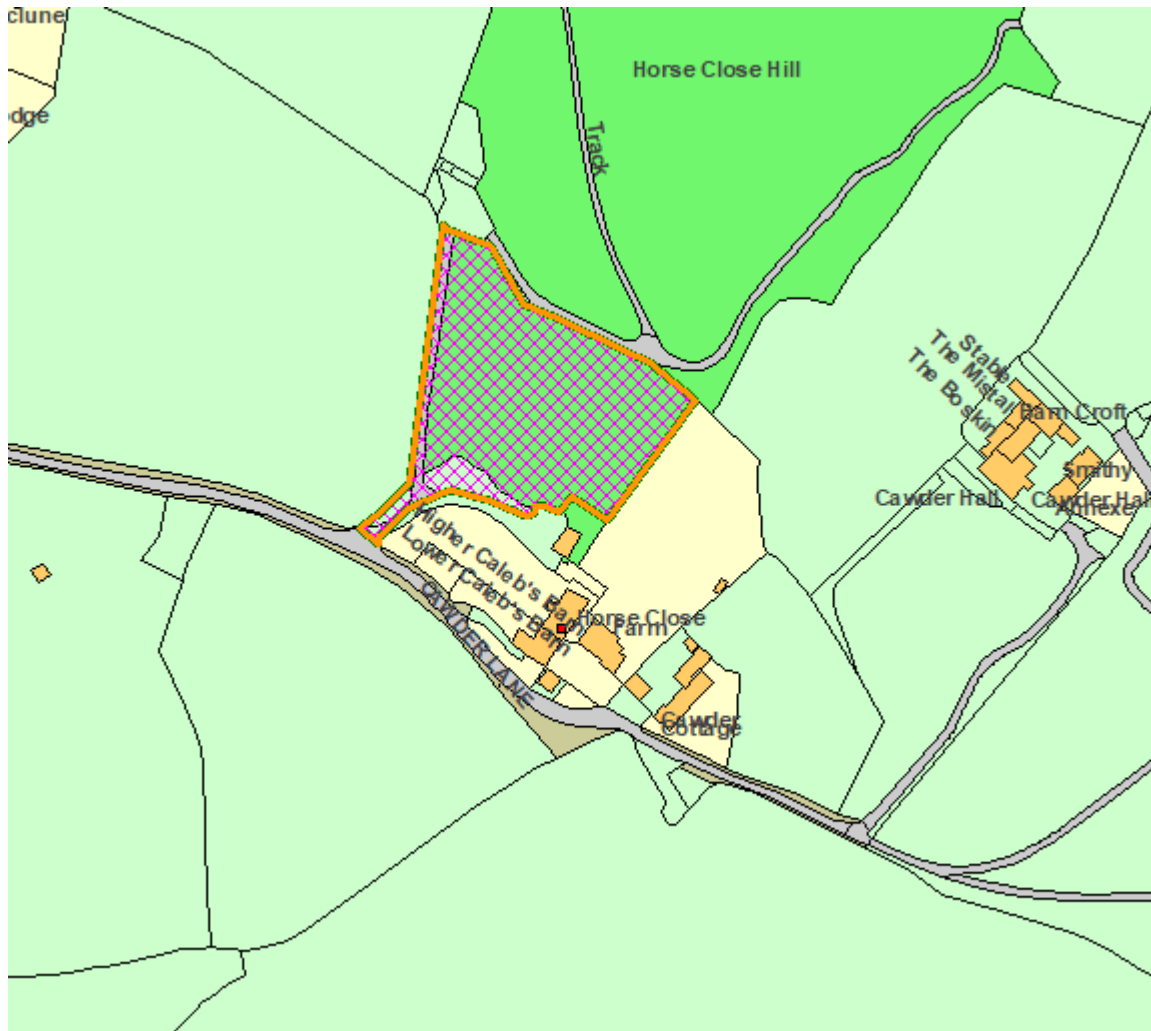
### Informatives

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. This decision relates to the following information and plans:

- Submitted application form received 3rd March 2020;
- Drawing No. 19/38/04B "EXISTING SITE PLAN" received 22nd April 2020;
- Drawing No. 19/38/05A "PROPOSED SITE PLAN" received 22nd April 2020;
- Drawing No. 19/38/06A "NEW DWELLING PROPOSED PLANS AND ELEVATIONS" received 22nd April 2020;
- Drawing No. 19/38/07A "NEW DWELLING SECTIONS THROUGH SITE" received 22nd April 2020;
- "MANAGEMENT STATEMENT FOR PACKAGE TREATMENT PLANT AND DISCHARGE" received 22nd April 2020;
- Foul Drainage Assessment Form received 22nd April 2020;
- "Arboricultural Impact Assessment & Tree Protection Method Statement" prepared by treeplan dated 20th April 2020 and received 22nd April 2020;
- "DESIGN STATEMENT" received 25th May 2020;
- Letter regarding the principle of development received 2nd June 2020.



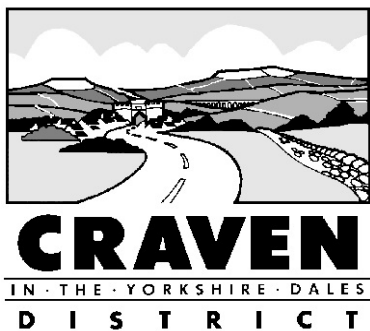
**Application Number:** 2020/21484/FUL

**Proposal:** Detached dwelling, landscaping, and solar panels installation.

**Site Address:** High Cales Barn Cawder Lane Skipton BD23 2TD

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





**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 Delegated Planning Decisions from 10 – 23 July 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
2019/20936/FUL	Calvert & Woodward	9A Black Abbey Lane Glusburn Keighley BD20 8RY	Construction of rear decking (retrospective) and alterations to fence	Approve with Conditions	16.07.2020
2019/21232/FUL	Mr Stephen Mulloy	Land Adjacent To 1 Mulberry Court Sutton-in-Craven	3no. Proposed detached dwellings	Refuse	17.07.2020
2019/21289/LBC	Mr Francis Bayliss	Scaleber Farm Back Lane Low Bentham Lancaster LA2 8NZ	Removal of timber fencing and replacement with Beech hedgerow and dry stone wall to southern end of eastern site boundary (Previous application 2019/21070/LBC)	Approve with Conditions	15.07.2020
2019/21299/FUL		Huws Gray Builders Merchants Low Bentham Road High Bentham Lancaster	Demolition of existing single storey bungalow and change of use from residential to Sui Generis (Builders Merchants); re-profiling of existing garden to form new concrete hard standing; erection of new perimeter boundary fence and new vehicular access.	Approve with Conditions	15.07.2020
2020/21356/FUL	Mr S Brewster	Land At Draughton Off Access Road To A65 Draughton Skipton BD23 6DY	Two dwellings	Refuse	17.07.2020

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2020/21411/VAR	The Ref & Whistle	9 - 11 Court Lane Skipton BD23 1DD	Application for variation of condition no's 2 (Approved Plans),and 8 (Noise Management Plan) on previous consent referenced 2019/19739/COU granted 19th February 2019	Approve with Conditions	16.07.2020
2020/21415/FUL	Mr & Mrs D Rushton	Tosside Fold Farm Tosside Skipton BD23 4SD	Proposed conversion of existing attached barn to provide 2 bedroom holiday letting cottage	Approve with Conditions	17.07.2020
2020/21448/ADV	Craven District Council	Land To East Of Unit 1 Union Business Park Snaygill Industrial Estate Skipton	Install one new directional sign	Approve with Conditions	16.07.2020
2020/21560/VAR	Pinnacle View Homes Ltd	Land To West Of The Old Smithy Skipton Road Farnhill Keighley	Application to vary condition no. 2 (Approved Plans) of Minor Material Amendment to allow Plots 1 and 7 to be detached on planning application reference number 2019/20416/FUL granted 1st August 2019	Approve with Conditions	21.07.2020
2020/21583/FUL	Mr & Mrs Gravil	High Spring House High Bentham Lancaster LA2 7FP	Single storey addition to north facing elevation, single and first floor additions to existing annex (south facing elevation) to form holiday accommodation and the erection of a detached secure garage.	Approve with Conditions	14.07.2020
2020/21602/HH	Mr And Mrs Abruzzese	54 Raikeswood Road Skipton BD23 1NB	Construction of new front gable roof, new front canopy roof, new side utility extension and new lean to rear kitchen extension.	Approve with Conditions	10.07.2020
2020/21601/HH	Mr & Mrs Peter Ward	Coldwell House Skipton Road Gargrave Skipton BD23 3SA	Demolition of conservatory. New single story front and rear extension with veranda.	Approve with Conditions	16.07.2020

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2020/21607/HH	Mr and Mrs Francis and Sally Murray	Crowtrees Cottage 10 Chapel Street Settle BD24 9HS	Demolition of existing garage and entrance lobby. Two storey extension to east gable and alterations to ground floor windows to north elevation. Construction of garage with home office over.	Approve with Conditions	15.07.2020
2020/21632/HH	Mr Mrs Crane	8 Canal Street Skipton BD23 1LB	Construction of garden room rear extension	Approve with Conditions	14.07.2020
2020/21617/HH	Mr David Lynan	5 Branch Road Skipton BD23 2BX	Single storey front extension	Approve with Conditions	22.07.2020
2020/21625/HH	Sheila Mason	Brunton Park Keasden Road Clapham Lancaster LA2 8EZ	Construction of an attached garden room to the South-west elevation of the existing domestic property.	Approve with Conditions	17.07.2020
2020/21642/CND	Vistry Partnerships	Land Off A65 Kendal Road Hellifield Skipton	Application to discharge condition no. 10 (Highways - Mud on Road) and no. 12 (Highways - Construction Traffic) on planning permission referenced 2019/20933/FUL granted 11 March 2020	DOC satisfactory	13.07.2020
2020/21662/CND	Firth Developments Ltd	Rockwood House Park Wood Close Skipton BD23 1QW	Application to discharge condition no. 3 (highway layout), no. 6 (highway safeguards), no. 7 (condition of existing highway), no. 8 (site set-up), no. 9 (HCV routes), no. 11 (programme of completion of works), no. 12 (foul and surface water drainage) and no. 13 (tree protection) of appeal reference APP/C2708/W/19/3237080 granted 29 April 2020	DOC satisfactory	21.07.2020
2020/21663/HH	Mr Martin Ridding	46 Westmoreland Street Skipton BD23 2EA	Demolition of existing kitchen extension and construction of larger kitchen extension	Approve with Conditions	13.07.2020

<b>Application Number</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date of Decision</b>
2020/21666/HH	Mr & Mrs A Austin	2 Airedale Avenue Gargrave BD23 3SD	Proposed 2-storey side and single-storey rear extension	Approve with Conditions	22.07.2020
2020/21669/CND	Permahome Limited	Richard Thornton Lodge A687 Burton In Lonsdale LA6 3JZ	Application to discharge condition no. 3 (Tree Protection Measures) and no. 4 (Window and Door Details) of planning permission referenced 2019/20873/FUL granted 14 February 2020	DOC satisfactory	10.07.2020
2020/21674/CND	Mr D Clements	10 Grassington Road Skipton BD23 1LL	Application to discharge condition no. 3 (Access to Site) and no. 6 (Materials) on application referenced 2019/20792/FUL granted 25 October 2019	DOC satisfactory	13.07.2020
2020/21673/MMA	Mr Steve McDermott	The Bungalow 9 Ryecroft Road Glusburn Keighley BD20 8RT	Minor material amendment of 2019/20919/HH to increase the size of eastern extension	Approve with Conditions	22.07.2020
2020/21682/LBC	Mr and Mrs Simon and Fiona Greening	Shackleton Ghyll Farm 121 Main Street Cononley Keighley BD20 8NT	Creation of oak trimmed opening on first landing and insertion of laminated glass floor	Approve with Conditions	15.07.2020
2020/21685/CPL	Mr D Clough	6 Cross Bank Skipton BD23 6AH	Application for Certificate of Lawful Development for a proposed single storey rear extension	Approve Cert. Lawful Devt	10.07.2020
2020/21732/CND	Termrim Construction Ltd	Land To The South Of Burnside Crescent Skipton	Application to discharge condition no. 9 (Construction Method) on planning permission referenced 2019/20736/VAR granted 22 October 2019	DOC not satisfactory	17.07.2020
2020/21769/NMA	Mr Adam Witek	Newlands Croft Skipton Road Gargrave Skipton BD23 3SP	Non-material amendment on planning permission referenced 2018/19728/HH granted 06 November 2018	Non-material amendment approved	17.07.2020

**Planning Committee Report of New Cases Registered**  
**From 10/07/2020 to 23/07/2020**

<b>Enforcement Reference</b>	<b>Alleged Breach</b>	<b>Site Address</b>	<b>Ward</b>
ENF/03274/2020	Breach of condition no. 4 of planning application ref: 63/2007/7460- Using the extension as a holiday let.	49 Grassington Road Skipton BD23 1LL	Skipton North
ENF/03275/2020	Alleged unauthorised large amount of excavation and groundworks/quarry works.	Land Off Jacksons Lane Low Bradley Keighley BD20 9HG	Aire Valley With Lothersdale
ENF/03277/2020	Breach of condition no. 2 of planning application ref: 2019/20421/HH- Velux windows have not been installed, windows have been installed, door installed is single not double and a glazed link corridor has been installed between the garage and the dwelling.	2 The Park Bank View Low Bentham Lancaster LA2 7DZ	Bentham
ENF/03278/2020	Large piece of equipment has been erected at the rear of the property.	Stanforths Butchers 9 - 11 Mill Bridge Skipton BD23 1NJ	Skipton North
ENF/03279/2020	Use of residential land as a builder's yard	Sansbury Place Duke Street Settle BD24 9AS	Settle And Ribble Banks
ENF/03280/2020	Erection of large summer house in garden.	23 Main Street Sutton-in-Craven Keighley BD20 7HX	Sutton-in-Craven
ENF/03281/2020	Erection of large shed in garden.	17 Raikes Road Skipton BD23 1NP	Skipton North



**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 10/07/2020 to 23/07/2020**

<b>Enforcement Reference</b>	<b>Date Received</b>	<b>Date Closed</b>	<b>Reason for Closure</b>	<b>Alleged Breach</b>	<b>Site Address</b>	<b>Ward</b>
ENF/03278/2020	16th July 2020	23rd July 2020	No Breach	Large piece of equipment has been erected at the rear of the property.	Stanforths Butchers 9 - 11 Mill Bridge Skipton BD23 1NJ	Skipton North