

PLANNING COMMITTEE (On-line Only)

1.35pm on Monday 17 August 2020

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

Substitute Members: Councillors Barrett, Ireton, Madeley, Noland, Solloway and Whitaker.

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** – 3 August 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@cravendc.gov.uk, telephone: 01756 706402)

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

Agenda Contact Officer: Vicky Davies
Tel. 01756 706486, E-mail committees@cravendc.gov.uk
7 August 2020.

Date of Next Meeting: Monday, 1st September 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

3rd August 2020

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

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

Apologies for absence were received from Councillors Heseltine and Lis.

Ward Representatives : Councillor Myers and Councillor Sutcliffe (2020/21690/FUL) and Councillor Solloway (2020/21484/FUL)

Start: 1.35pm

Finish: 3.43pm

The minutes of the Committee's meetings held on 20th July 2020 were confirmed. In doing so, Members requested that a transcript of comments made by Councillor Pringle in relation to late information and the subsequent officer response be provided to Members.

Chairman of Planning Committee

The Chairman of Planning Committee, Councillor Alan Sutcliffe addressed the Committee to inform them that this would be his last meeting as he was standing down as Chairman and subject to Annual Council confirmation was to become Vice-Chairman of Council. He thanked Members for the support they had given him since becoming Chairman in 2016 and gave his best wishes to the incoming Chairman of the Committee which would, if confirmed, be Councillor Linda Brockbank. She thanked him on behalf of the Committee and wished him well for the future.

PL.980

PUBLIC PARTICIPATION

Councillor Pringle referred to the Wyvern Park development. In particular, he asked for a response as to whether the developer was tied by condition to build the industrial units and not just the housing element of the permission because the industrial units were needed and these had been approved at the expense of some affordable housing.

Secondly, Councillor Pringle was concerned that the condition to make sure that construction HGV's came into the site from a new roundabout on the bypass was not being observed and such vehicles were accessing the site from Carleton New Road via the town centre. He wanted to be assured that, if appropriate, enforcement action would be taken.

In response, the Planning Manager confirmed that there was a commitment in the original planning permission for Wyvern Park, that the infrastructure for the industrial land had to be provided before commencement on the residential element, as this had been a major concern for the Planning Committee. The Committee had not wanted to see a situation whereby the residential development was built out and the industrial development would not be delivered and as a result there had been a commitment embodied in the legal agreements and indeed in the original planning permission.

On the question of traffic movements, the Planning Manager stated the intention was that the construction access would be from the by-pass. Discussions had been held between the developers and the Council's Enforcement Team regarding the situation. The practical aspect was that the by-pass access had to be completed and on visiting the site last week, it hadn't been. The Planning Manager advised Members that one of the primary contractors had their depot on Carleton New Road and it was a matter of common sense and practicality as to how they get their vehicles off their existing

yard without going through the town. He indicated that as soon as the new access had been completed all future construction traffic would access the site from the by-pass and not through town.

PL.981 **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 2020/21690/FUL – The Chairman and Councillors Brown and Pringle indicated that they had been lobbied against the application.

Application 2020/21484/FUL – Councillors Brown and Pringle indicated they had been lobbied in favour of the application.

PL.982 **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 2020/21690/FUL: Ms Karen Darvell (Stirton with Thorlby Parish Council)
Application 2020/21484/FUL: Mr Ernest Calvert (applicant)

PL.983 **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

2019/20936/FUL Construction of rear decking (retrospective) and alterations to fence at 9A Black Abbey Lane, Gludburn, Keighley BD20 8RY. Approved with Conditions.

2019/21232/FUL 3no. Proposed detached dwellings on land adjacent to 1 Mulberry Court, Sutton-in-Craven. Refused.

2019/21289/LBC 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) Scalaber Farm, Back Lane, Low Bentham, Lancaster LA2 8NZ. Approved with Conditions.

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. Huws Gray Builders Merchants, Low Bentham Road, High Bentham, Lancaster. Approved with Conditions.

2020/21356/FUL Two dwellings on land at Draughton, off access road to A65, Draughton, Skipton. BD23 6DY. Refused.

2020/21411/VAR 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 at 9-11 Court Lane, Skipton BD23 1DD. Approved with Conditions.

2020/21415/FUL Proposed conversion of existing attached barn to provide 2 bedroom holiday letting cottage at Tosside Fold Farm, Tosside, Skipton, BD23 4SD. Approved with Conditions.

2020/21448/ADV Install one new directional sign on land to the East of Unit 1, Union Business Park, Snaygill Industrial Estate, Skipton. Approved with Conditions.

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 1st August 2019 on land to the West of The Old Smithy, Skipton Road, Farnhill, Keighley. Approved with Conditions.

2020/21583/FUL 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 at High Spring House, High Bentham, Lancaster LA2 7FP. Approved with Conditions.

2020/21602/HH Construction of new front gable roof, new front canopy roof, new side utility extension and new lean to rear kitchen extension at 54 Raikeswood Road, Skipton. BD23 1NB. Approved with Conditions.

2020/21601/HH Demolition of conservatory. New single story front and rear extension with veranda at Coldwell House, Skipton Road, Gargrave, Skipton. BD23 3SA. Approved with Conditions.

2020/21607/HH 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 at Crowtrees Cottage, 10 Chapel Street, Settle BD24 9HS. Approved with Conditions.

2020/21632/HH Construction of garden room rear extension at 8 Canal Street, Skipton. BD23 1LB. Approved with Conditions.

2020/21617/HH Single storey front extension at 5 Branch Road, Skipton BD23 2BX. Approved with Condition.

2020/21625/HH Construction of an attached garden room to the South-west elevation of the existing domestic property at Brunton Park, Keasden Road, Clapham Lancaster LA2 8EZ. Approved with Conditions.

2020/21642/CND 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 on land off A65, Kendal Road, Hellifield, Skipton. DOC satisfactory.

2020/21662/CND 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 Rockwood House, Park Wood Close, Skipton. BD23 1QW. DOC satisfactory.

2020/21663/HH Demolition of existing kitchen extension and construction of larger kitchen extension at 46 Westmorland Street, Skipton. BD23 2EA. Approved with Conditions.

2020/21666/HH Proposed 2-storey side and single-storey rear extension at 2 Airedale Avenue, Gargrave BD23 3SD. Approved with Conditions.

2020/21669/CND 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 at Richard Thornton Lodge, A687, Burton-in-Lonsdale, LA6 3JZ. DOC satisfactory.

2020/21674/CND Application to discharge condition no. 3 (Access to Site) and no. 6 (Materials) on application referenced 2019/20792/FUL granted 25 October 2019 at 10 Grassington Road, Skipton BD23 1LL. DOC satisfactory.

2020/21673/MMA Minor material amendment of 2019/20919/HH to increase the size of eastern extension at the bungalow 9 Ryecroft Road, Glusburn, Keighley BD20 8RT. Approved with Conditions.

2020/21682/LBC Creation of oak trimmed opening on first landing and insertion of laminated glass floor at Shackleton Ghyll Farm, 121 Main Street, Cononley, Keighley. BD20 8NT. Approved with Conditions.

2020/21685/CPL Application for Certificate of Lawful Development for a proposed single storey rear extension at 6 Cross Bank, Skipton BD23 6AH. Approve Cert. Lawful Devt.

2020/21732/CND Application to discharge condition no. 9 (Construction Method) on planning permission referenced 2019/20736/VAR granted 22 October 2019 on land to the South of Burnside Crescent, Skipton. DOC not satisfactory.

2020/21769/NMA Non-material amendment on planning permission referenced 2018/19728/HH granted 06 November 2018 at Newlands Croft, Skipton Road, Gargrave, Skipton BD23 3SP. Non-material amendment approved.

Permission Deferred

2020/21690/FUL Full application to allow 12 month holiday occupation at Tarn House Caravan Park, Stirton, Skipton BD23 3LQ – to enable the Planning Manager to prepare a report for the next Planning Committee to include clearer conditions on the type of acceptable evidence of principal home ownership as well as providing further clarification on the reasons why Members wanted to refuse the application which were:

1. That Tarn House Caravan Park is not a designated site in the Local Plan.
2. The reason for the occupancy condition cited in para. 2.3 of the Planning Manager's report was that "The site is in an isolated location and thus is not considered appropriate for permanent residential use".
3. An occupancy condition restricting it to holiday use is unenforceable.

Permission Refused

2020/21484/FUL – application for a detached dwelling, landscaping and solar panels installation at High Calebs Barn, Cawder Lane, Skipton BD23 2TD – for the following reasons

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 – 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 proposed 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 – 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 – 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.

PL.984

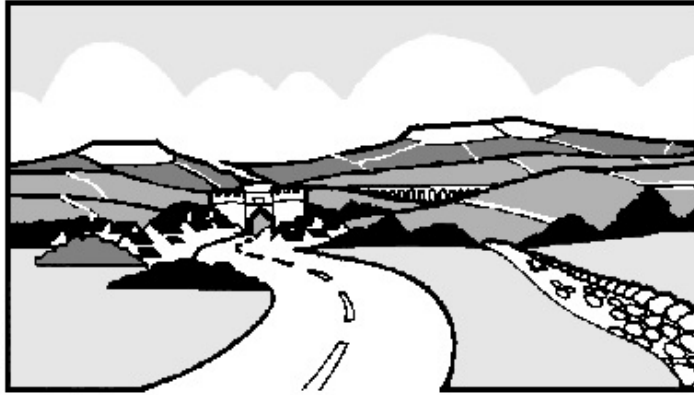
PLANNING ENFORCEMENT

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period from 10th July 2020 to 23rd July 2020.

Minutes for Decision

- None -

Chairman.



CRAVEN

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D I S T R I C T

PLANNING COMMITTEE AGENDA

DATE: 17th August 2020

INDEX OF PLANNING APPLICATIONS

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2.	2020/21690/FUL	Partingtons Holiday Centres	Tarn Caravan Park, Stirton, Skipton.	9 - 20
3.	2019/21002/FUL	Craven District Council	Aireville Park, Gargrave Road, Skipton.	21 - 30

REPORT TO PLANNING COMMITTEE ON 17th August 2020

Application Number: 2020/21311/FUL

Proposal: Four affordable homes & associated infrastructure

Site Address: Land At Duke Street High Bentham.

On behalf of: Craven District Council

Date Registered: 31st January 2020

Expiry Date: 27th March 2020

EOT Date, if applicable:

Case Officer: Mr David Coates

The application is referred to Planning Committee because the application is made by the Council.

1. Site Description

1.1 The site comprises an area of unused land, which is partially grassed and used for informal parking by local residents. Duke Street a narrow single track non-tarmaced lane off Main Street, and provides access for at least 14 dwellings. A row of 4 terraced properties is sited to the west with garden/amenity areas of further houses to the north. Another terrace of properties is located approximately 30m to the south.

1.2 The whole site lies within the Main Built Up Area of High Bentham

2. Proposal

2.1 The proposal is to erect a terrace of 4no x 2 bedroom properties and would be 100% affordable housing units and would be shared ownership. Each of the properties has a floor area of approximately 77m² and provision of 2 car parking spaces per properties would be to the north of the proposed terrace.

2.2 The proposed terrace of two storey properties would be constructed of buff coloured brick under a grey tile roof. The windows to bathrooms at each end of the terrace would be of obscure glazing.

2.3 PV panels are proposed as well as electric vehicle charging points.

2.4 A tree report accompanying the proposal indicates 1no Elderberry tree be felled and a privet hedge is cut back/thinned. No additional planting is proposed.

3. Planning History

3.1 2009/9839 2 family dwellings Withdrawn 29.07.2009

3.2 2009/9943 2 family dwellings (resubmission) Refused 21.10.2009

3.3 2013/14196 Outline Application for 2 bungalow Approved 11.04.2014

3.4 2014/15185 Prior Notification to demolish 3 garage. Consent not require 24.11.2014

4. Planning Policy Background

4.1 The Development Plan includes the Craven Local Plan adopted on 12 November 2019.

- 4.2 Policy SP4 sets out the settlement hierarchy and what development is directed to which settlement type. Low Bentham is a Tier 2 settlement being a Key Service Centre for the area.
- 4.3 Policy SP3 advises on the appropriate housing mix and density and having regard to the SHMA.
- 4.4 Policy ENV2 seeks to protect and enhance heritage and the built environment
- 4.5 Policy ENV3 advises on good design.
- 4.6 Policy ENV4 advises on the need for sites to provide a net gain in biodiversity on development sites
- 4.7 Policy ENV5 advises on the requirement to improve and expand green infrastructure.
- 4.8 Policy ENV6 advises on flood risk and the requirement to incorporate SUDs where possible.
- 4.9 ENV8 advises on water resources, water quality and groundwater, and that development will incorporate water conservation and re-use on site.
- 4.10 Policy H2 sets out the minimum thresholds for affordable housing provision in residential developments and the affordable housing provision should reflect the SHMA.
- 4.11 Policy INF1 describes how Planning Obligations will be used to secure community benefits and achieve sustainable developments.
- 4.12 Policy INF4 seeks to minimise congestions and encourage sustainable transport modes. Including provision of electric vehicle charging points.
- 4.13 Policy INF5 seeks to expand communications infrastructure resulting in new development being required to demonstrate anticipated connectivity requirements.

5. Parish/Town Council Comments

- 5.1 The Town Council responded on 3 March 2020 making the following comments:

The Council has no objections to this application but requests that
 A) additional car parking for other local residential is provided in the development
 B) that the access needs to be high quality with hard surfaces: and
 C) that the road should be adopted if possible.

6. Consultations

- 6.1 The NYCC Highway Authority responded on 9 March 2020 citing:

There are **no local highway authority objections** to the proposed development
 NO IMPACT ON THE HIGHWAY

- 6.2 The CDC Strategic Housing responded on 1st April 2020 making the following Comments:

The Council have submitted a planning application for a 100% affordable housing scheme for 4 shared ownership properties. There are currently over 150 households who have registered an interested for shared ownership housing within the Craven District with more names added weekly. Furthermore, the Council's evidence base (The Strategic Housing Market Assessment November 2017) demonstrates a need for 126 affordable homes to be provided within the District each year; 25% of which should be affordable sale homes for first time buyers. Shared ownership allows shares of between 25% and 75% to be purchased initially, with a deposit of only 5% on that share and a subsidised rent payable on the rest. These homes are therefore affordable for those living and working locally. There is significant unmet need in Craven for shared ownership housing and these homes will go some way towards meeting this need. They will also add to the Council's property portfolio, generating revenue to support council services.

Proposals are strongly supported by Strategic Housing.

7. Representations

7.1 A site notice dated 25 February 2020 was erected onsite and 10 neighbouring properties were notified by letter. 10 letters of representation have been received however 2 of the letters were anonymous, and their content has not considered in line with normal practice. The remaining 8 letters raise the following issues:

- Affect local ecology
- Close to adjoining properties
- Conflict with local plan
- Development too high
- General dislike of proposal
- Inadequate access
- Inadequate parking provision
- Inadequate public transport provisions
- Increase danger of flooding
- Increase in traffic
- Increase of pollution
- Information missing from plans
- Loss of light
- Loss of parking
- Loss of privacy
- More open space needed on development
- No Opinion expressed on development
- Noise nuisance
- Not enough info given on application
- Out of keeping with character of area
- Over development
- Potentially contaminated land
- Residential Amenity
- Strain on existing community facilities
- Traffic or Highway
- Very narrow state of Duke Street
- Loss of privacy to existing gardens.
- Parking provided for the proposed housing but nothing to mitigate against the loss of 7 spaces used by existing residents.
- Will be disruptive to existing residents
- Council has failed to maintain Duke Street
- Land would be better used for parking for existing residents
- The additional housing will bring about congestion on the narrow lane.
- the new development is out of keeping with the existing character
- No need for additional housing
- Traffic or Highways
- Existing green spaces soaks up water which concrete will not do
- Land floods in wet conditions
- Traffic or Highways

8. Summary of Principal Planning Issues

8.1 The main issues are:

- The Principle of Development
- Access, Highway Safety and Parking
- Flood risk

- Residential Amenity

9. Analysis

Principle of Development

- 9.1 The site is located within a Tier 2 settlement for which Policy SP4 directs development to meet the settlement's function as a Key Service Centre. Although, the size of the development falls below the threshold requiring affordable housing units the provision of 100% affordable housing by shared ownership is consistent with Policy SP2 regarding new housing growth in Tier 2 settlements. The Council as Local Planning Authority will ensure that the affordable housing remains so in perpetuity.
- 9.2 The access road to the site (Duke Street) is narrow and largely unmade, and it does pass close by the frontages of existing housing nearer to the junction with Main Street. The close proximity of Duke Street to those existing properties raises residents' concerns about congestion caused by the increase in traffic if the proposed residential development went ahead. Cars can pass close to the junction with Main Street, and near to application site, although there is a stretch of approximately 30m which is single car width. However, the Highway Authority in its consultee response is very clear and explicit that there are no highway objections. Overall it is considered that given the numbers of vehicles which use the road apparently without too much difficulty, the increase caused by the 4 affordable housing units would not result in unacceptable levels of vehicular movements.
- 9.3 Concern is raised by existing residents that the proposed housing would displace their current parking arrangements with no alternative being offered. The Applicant has confirmed that there are no existing rights relating to existing residents parking on the site. A total of 8 parking spaces would be created to serve the needs of the proposed 4 dwellings. No additional parking spaces are shown to be provided.

Flood Risk

- 9.4 Although residents indicate a flood risk issue during periods of heavy rain due to slow drainage, Duke Street is within Flood Zone 1, and measures to take advantage of SuDS would have to be incorporated into the scheme anyway. On that basis it is not considered there is a high risk of flooding to justify refusal of planning permission.

Residential Amenity

- 9.5 Some residents have indicated they would suffer loss of privacy due to allegedly being overlooked. The proposed terrace is located to the SW of 7-11 Duke Street and there are only obscure windows to the gables. The proposed terrace is angled and this together with the management of the Privet hedge, indicates that should any overlooking took place, this would be glimpses at distance views. Subject to appropriate management of the privet hedge it is considered this would overcome the residents' concerns. The proposed dwellings are separated from the garden area to the north by approximately 40m, with the proposed garden areas, car parking and provision for biodiversity/green infrastructure separating them. Taking account of all these factors, it is concluded that the distances involved, the angles of existing and proposed dwellings; and existing and proposed screening this would not result in any overlooking to any significant degree to warrant the refusal of planning permission.

10 Recommendation.

- 10.1 That the application be approved subject to conditions.

10. Recommendation

- 10.1 That the application be approved subject to conditions.

Conditions

Time Limit for Commencement

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

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

Approved Plans

- 2 This permission relates to the following plans:

Drawing no. 1942 01 Rev A received by the Council on 2 April 2020
Drawing no. 1942.02 received by the Council on 19 December 2019
Drawing no. 1942 03 Rev A received by the Council on 2 April 2020
Drawing no. 1942 04 received by the Council on 19 December 2019
Drawing no. 1942 05 received by the Council on 19 December 2019
Covering Letter dated 19 December 2019

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

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.

Ongoing Conditions

- 3 Prior to the construction of the dwellings hereby approved, a scheme for the provision of the affordable housing shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented as approved and thereafter retained unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the affordable dwellings are provided as proposed and to meet the requirements of policy H2 of the Craven Local Plan and the NPPF

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

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the area and to provide biodiversity enhancements in accordance with the requirements of policies SP4, ENV4, and ENV5 of the Craven Local Plan, and the National Planning Policy Framework.

- 5 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 any elevation of the 4 dwellings at any time

Reason: To safeguard the privacy of occupiers of neighbouring dwellings and ensure satisfactory levels of amenity for adjoining residents in accordance with the requirements of Policy ENV3 of the Craven Local Plan and the National Planning Policy Framework

- 6 Before each dwelling hereby approved is first occupied, a scheme for the design, construction (including surface treatment) and drainage of its associated parking areas shall be submitted to and approved in writing by the Local Planning Authority. The parking areas shall be constructed in accordance with the duly approved scheme before each associated dwelling is first occupied, and retained as such thereafter for the parking of vehicles.

Reason: In order that there is adequate provision for vehicles to be parked clear of the highway, to ensure appropriate surface treatment of parking areas and that satisfactory provisions are made for the disposal of surface water in accordance with the requirements of policies SP4, H2, and ENV6 of the Craven Local Plan and the National Planning Policy Framework.

Informatives

1. Statement of Positive Engagement:

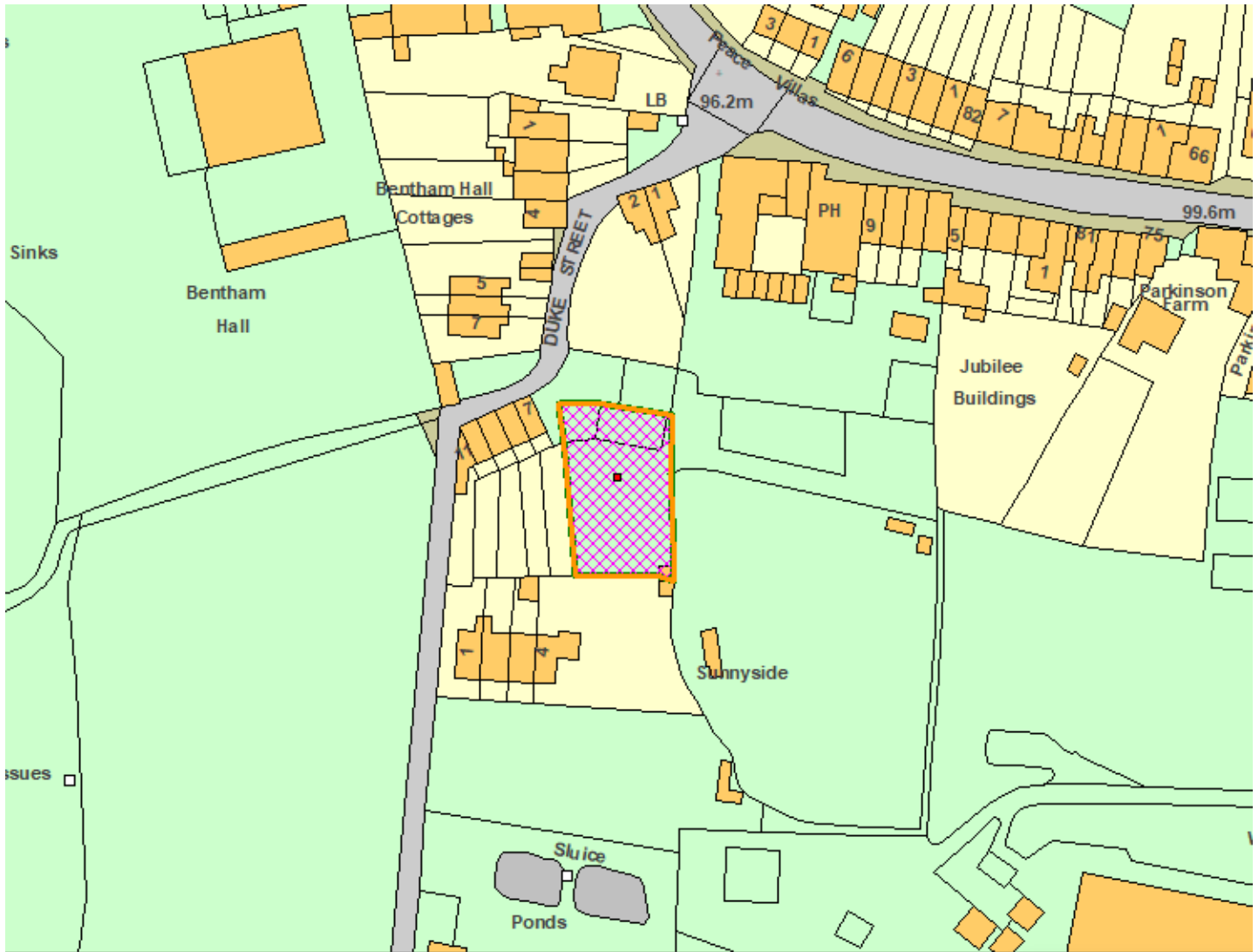
In dealing with this application Craven District Council has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 38 of the NPPF.

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.



Application Number: 2020/21311/FUL

Proposal: Four affordable homes & associated infrastructure

Site Address: Land At Duke Street High Bentham Lancaster

On behalf of: Craven District Council

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

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

Consideration was deferred at the meeting on 3 August 2020 to enable the Planning Manager to advise on the reasons Members put forward for refusing the application. These are considered in Appendix 1 to this report.

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 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 6th 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 compliant 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 19th 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 21st 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 14th 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 Highways 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.

Appendix 1

1. That Tarn House Caravan Park is not a designated site in the Local Plan.

The caravan site is a long established site dating back to 1965. The planning history of the site is set out in Section 3 of this report. As an existing site it does not require designation in the Local Plan. Refusal on this ground could not be substantiated at appeal.

2. The reason for the occupancy condition cited in para. 2.3 of the Planning Manager's report was that "The site is in an isolated location and thus is not considered appropriate for permanent residential use".

The condition itself states "*No caravan on the site shall be occupied during the period 15th December in any one year to 6th February of the following year*". The condition does not refer to holiday accommodation and a number of permissions on the site do not have any seasonal holiday condition (see paragraph 2.2 of the report). Members should also note that the recent appeal decision on the site is not subject to restrictions.

This is not an application for permanent residential use. It is an application to use the caravans for holiday use at any time of the year. Members have to consider the application before them, not on any perceived use by Members. To refuse the application on grounds that are not being applied for would be indefensible at appeal.

3. An occupancy condition restricting it to holiday use is unenforceable.

This is a model conditions used by Planning Inspectors. The condition meets the tests of paragraph 55 of the NPPF.

1. It is necessary, to prevent permanent residential use.
2. It is relevant to planning and to the development permitted, because that is what is being applied for.
3. It is enforceable.
4. It is precise and reasonable in all other respects.

Members should also be aware that unlike many other developments, caravan sites are subject to two lines of enforcement by the Council, by planning enforcement and by the enforcement of the Site Licence by the Environmental Health team.

A breach of the planning condition could result in an issue of an Enforcement Notice.

A breach of the site licence could result in legal action and potentially the revocation of the licence.

It is concluded that a refusal on this ground cannot be substantiated.

In the light of the above Members are very strongly advised not to refuse the application.

Members are advised that if the application is refused for the reasons cited above the applicant has a right of appeal to the Planning Inspectorate. The Council would be at a great risk of an award of costs in favour of the applicant/appellant.

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.

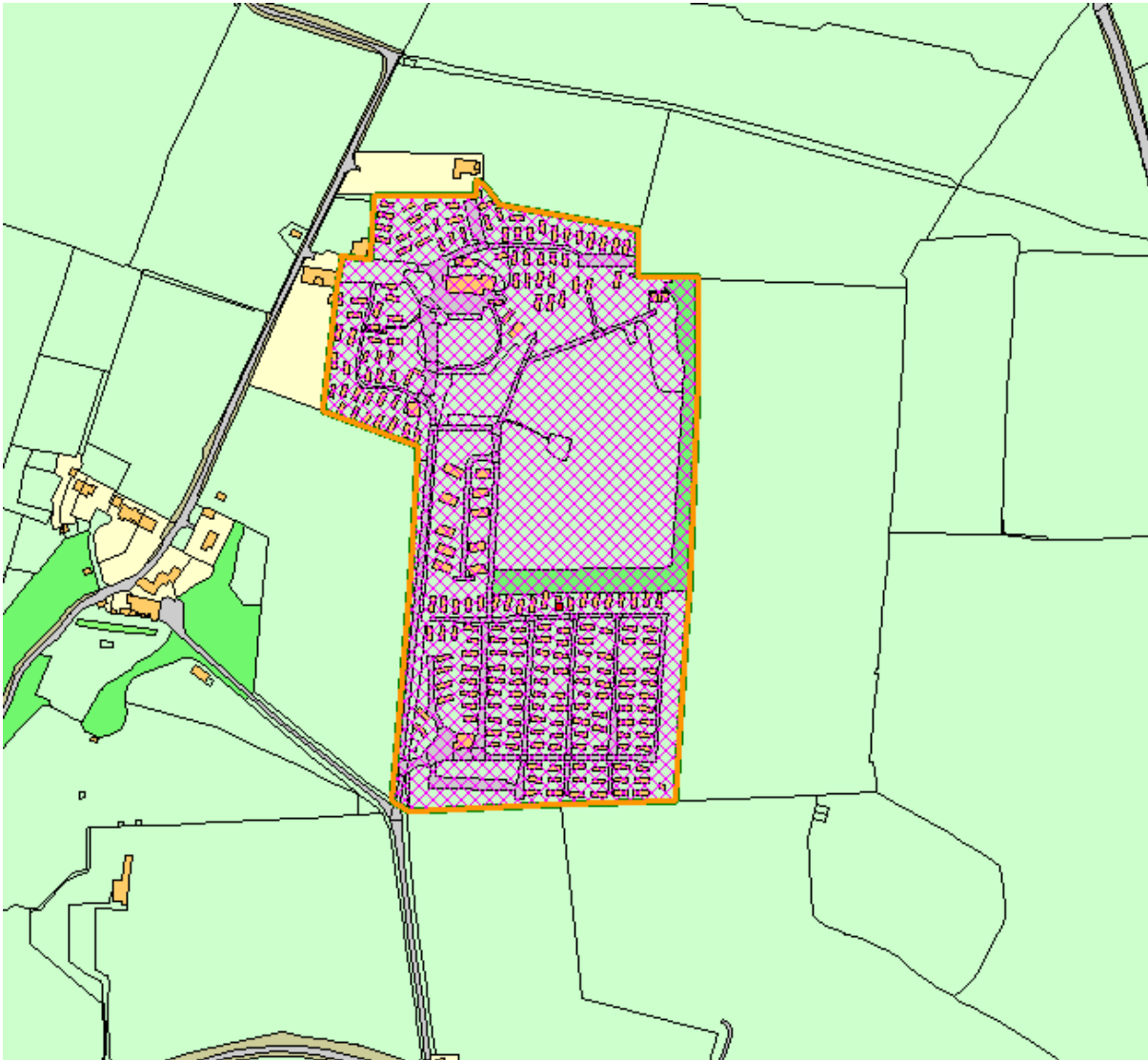
Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven District Local Plan and the National Planning Policy Framework.

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 17th August 2020

Application Number: 2019/21002/FUL

Proposal: Proposed Gallow Syke Flood Water Storage Scheme - Including: replacement culvert entrances, lay-by area and access track.

Site Address: Aireville Park Gargrave Road Skipton BD23 1UD

On behalf of: Craven District Council

Date Registered: 8th October 2019

Expiry Date: 7th January 2020

EOT Date, if applicable:

Case Officer: Mr Mark Moore

The application is referred to Planning Committee because the application is made by the Council.

1. Site Description

- 1.1 The application site is comprised of various locations adjoining the Craven Leisure Centre to the west of the town centre of Skipton and to the south adjoining the Leeds – Liverpool canal. The site also includes additional land required to form a temporary road for construction traffic that is situated to the west of the leisure centre and connected to the nearby Auction Mart site.
- 1.2 The application site lies outside of the main built up area (MBUA) of Skipton and is also within the Skipton Conservation Area and its Buffer Zone.
- 1.3 The site lies within Flood Zones 2, 3 and 3a.

2. Proposal

- 2.1 In a supporting letter the applicants have set out the context of this planning application which seeks full planning permission for the construction of a flood water storage scheme. The letter states:

‘Craven District Council is implementing a project with the aim of generating economic growth for Skipton, funded by the Government’s Local Growth Fund (LGF) via the York, North Yorkshire and East Riding Local Enterprise Partnership.

To the west of Skipton, running parallel to the railway line is a linear industrial estate extending along Ings Lane and Engine Shed Lane which has issues of poor vehicle accessibility and out of bank surface water flooding from Ings Beck (main river) exacerbated by water originating from Gallow Syke The most recent major flood event took place in 2015 affecting a number of local businesses.

The issue of flooding in this area is validated in the ‘Craven Employment Land Review and Future Requirements for Economic Growth’ report by consultants ‘Lichfields’ which notes that although rated as good, potential barriers to future growth of the area are identified as vehicular access and flooding.

In their conclusion Lichfields note that the existing 7.30ha Engine Shed Lane and Ings

Lane employment site, with a potential net developable area of 2.20ha, should be protected through local planning policies

In addition, to the south west of Ings Lane a 6.02ha site (Local Plan Reference SK049) is proposed to be allocated for employment led use in the ... Craven Local Plan 2012 – 2032. Within the development principles for the site, and in common with Engine Shed Lane, it is recognised that high flood risk is an issue that will need to be addressed in any proposal to develop the site.

'The first phase of the project, as detailed in this application, proposes to deliver an engineered solution to attenuate water along Gallow Syke to the north of the canal that will delay peak flows into Ings Beck therefore reducing loading downstream and the resulting impact on premises currently at risk of flooding. Supporting the water management proposals complementary works to encourage more light into the woodland (as detailed in the Aireville Park Masterplan 2013) and Gallow Syke will be undertaken with additional planting to encourage ground cover and silt retention'.

'In April 2016 the Craven District Council Policy Committee (POL.746/15-16) approved a series of project proposals for submission to the York, North Yorkshire and East Riding Local Enterprise Partnership (LEP) for consideration as part of the third round of the Local Growth Deal. This included projects related to Skipton as a growth town for the North Yorkshire LEP area and included the 'South Skipton Employment Zone' project.

Following submission of the project proposals Policy Committee agreed, through a further report in January 2017 (POL.608/16-17) that the Council would act as the accountable body and lead organisation for a £5m grant to deliver the 'Employment and Housing Growth in Skipton' project, previously referred to as the 'South Skipton Employment Zone' project'.

- 2.2 The proposed flood water storage scheme forms the first element of a series of large-scale projects has been amended since the application was originally submitted and is linked to a substantial time sensitive investment and grant funding. The application includes the following elements:

Creation of a temporary storage area for flood flows, north of Craven Leisure Centre access road:

- o Demolition of existing headwall and removal of existing trash screen.
- o Introduction of a restriction to the upstream end of the existing culvert, with a high-level overflow.
- o Construction of new online headwall with trash screen and overflow chamber.
- o Construction of new maintenance layby with access path to new headwall structure.
- o Installation of associated fencing.

2.2 Creation of a temporary storage area for flood flows, north of Leeds-Liverpool Canal

- o Demolition of existing headwall and removal of existing trash screen.
- o Placement of additional earthworks to strengthen the existing canal embankment, and to create a uniform profile at the top of the embankment.
- o Seeding and landscaping on new earthworks.
- o Introduction of a restriction to the upstream end of the existing culvert, with a high-level overflow.
- o Construction of new online headwall with trash screen and overflow chamber.
- o Construction of new maintenance track, with access to new headwall structure.
- o Installation of associated fencing.

Officer note: Following ongoing discussion with the EA the proposals no longer include any works to the north of Gargrave Road.

- 2.3 The application has been accompanied by an Ecological Appraisal (undertaken by JBA Consulting in May 2019) that incorporated:
- Bat Roost Assessment survey;
 - Otter survey; and,
 - Arboricultural survey.

2.4 In summary, the conclusions of the survey were that the main ecological constraints to the proposed works at Gallow Syke were identified as:

- o Potential impacts on nesting birds, should works be undertaken in the breeding season.
- o Impact upon trees.
- o Impacts on roosting, foraging and commuting bats.
- o Potential for the wider area to support Otter and Badgers.

The Ecological Appraisal concludes by making a number of recommendations relating to trees, protected species (primarily bats) together with mitigation measures and biological enhancements.

3 Planning History

2019/20325/EIASCR: Request for Screening Opinion for the fluvial and pluvial elements of the Gallow Sykes and Ings Beck Natural Flood Management (NFM) measures and flood improvement works.

Decision – environmental assessment not required. April 2019.

4 Planning Policy Background

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

SD1: The presumption in favour of sustainable development

SD2: Meeting the challenge of climate change

SP2: Economic activity and business growth

ENV2: Heritage

ENV3: Good Design

ENV4: Biodiversity

ENV8: Water resources, water quality and groundwater

ENV11: The Leeds & Liverpool Canal

4.2 **National Planning Policy Framework (February 2019)**

4.3 **National Planning Policy Guidance**

5 Parish/Town Council Comments

5.1 **Skipton Town Council:**

'No objection. However, Members wonder if in the future the installation of turbines for generating electricity could be included within similar applications. The Committee suggest that the planning authority should speak to the Environment Agency with regard to this'.

6 Consultations

6.1 **Airedale Drainage Board:**

The ADC were consulted and have responded to say that, although site is outside of their area, they are supportive of the proposals.

6.2 **Northern Gas:**

Following an initial objection due to concerns over proximity of the proposed works to gas infrastructure. Northern Gas has subsequently confirmed they no longer object. A request has been made for an informative to advise developer of need to contact the Northern Gas Plant Protection Team prior to commencing any works.

6.3 **NYCC Ecology:**

'Craven District Council does not have an agreement with North Yorkshire County Council Heritage Services to provide ecological advice on planning matters. As such I am unable to comment on the attached consultation. This does not mean that there are no ecological issues, and you must ensure that in determining the application due consideration has been given to the NPPF and relevant ecological legislation such as the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981'.

6.4 **CDC Sports Development Officer:**

No objection as proposals would not adversely impact on any recreational land or sports facility.

6.5 **CDC Tree Officer:**

Comments to follow amendments/site meeting

6.6 **Natural England:**

No objection.

6.7 **NYCC PROW Officer:**

No objection.

6.8 **Environment Agency:**

In a response issued in November 2019 the EA commented as follows:

*'In the absence of an acceptable flood risk assessment (FRA) **we object** to this application and recommend that planning permission is refused.*

Reason The submitted FRA relies on the outputs of the flood modelling carried out by Flood Risk Consultancy and set out in the Ings Lane (Skipton) Hydrology Report 2019. The Environment Agency is in the process of reviewing this modelling and until this is complete and the model has been verified, we are unable to effectively assess the Flood Risk Assessment'.

Overcoming our objection - To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above. If this cannot be achieved, we are likely to maintain our objection'.

Officer note: At the time of compiling this report the applicants are liaising with the EA in order to resolve the objection. A provisional recommendation is being made in anticipation of the EA removing their objection. The final EA comments will be included in a late information report.

Officer note: In addition to the above the EA has raised concerns regarding the potential impacts on protected species (bats/newts) and has made recommendations regarding conditions which should be attached to any subsequent planning approval.

6.9 **Canal and Rivers Trust:**

CRT has objected to the (original) application due to a lack of information regarding the following:

- o Construction and stability of canal retaining wall
- o Details of access to culvert under canal

- o Details of changes to water levels through culvert
- o Contamination to canal arising from construction works
- o Impact on biodiversity

CRT has requested an informative for applicants to contact the waterways engineering team prior to commencement of any works.

Officer note: The applicants have liaised with the CRT since the above comments were made and have included amendments to the scheme in order to overcome the objections.

6.10 **Craven Ramblers;**

'The area included includes the full lengths of Public Rights of Way 5.35/11 & 5.37/26. The works don't appear to include alterations to the rights of way and they are only mentioned in passing but we would hope that as part of the drainage improvements and other works they will be upgraded and improved in consultations with NYCC Rights of Way.'

6.11 **Yorkshire Water:**

YW originally objected to the proposals as first submitted. Their objections related to elements of the scheme which were on land to the north of Gargrave Road and have now been removed from the revised scheme. Consequently, the objections are no longer relevant.

6.12 **NYCC LLFA:**

No comments received at the time of compiling this report.

7 Representations

7.1 The application has been advertised by way of a press notice published on 11th October 2019 and site notices erected on the 18th October 2020.

7.2 Neighbour notification letters were posted on 11th October 2020.

7.3 There has been one third party representation (in response to the original submission) raising concerns regarding the potential impact of the proposed tree removal on protected bat species which are known to be present on the site (Aireville Park woodland). The objector has recommended an alternative route for the proposed access which would be less invasive and could be retained on a permanent basis.

7.4 The third party comments are too lengthy to be incorporated in this report however, can be read on the Council's planning website using the following link:

<https://publicaccess.cravencdc.gov.uk/online-applications/>

8 Summary of Principal Planning Issues

8.1 Principle of development

8.2 Impact on ecology

8.3 Impact on heritage assets

8.4 Impact on highway safety

9 Analysis

Principle of development:

9.1 Policy SD1: The Presumption in Favour of Sustainable Development of the Craven Local Plan sets out a principal aim of the plan which is to deliver sustainable growth across the district. It states that the council will take a positive and proactive approach to the consideration of development proposals that reflect the presumption in favour of sustainable development that is contained in the National Planning Policy Framework (NPPF). The policy also states that the Council will work with applicants to find solutions to secure sustainable development and that planning permission will be

granted for development that accords with the provisions of the Local Plan unless material considerations indicate otherwise.

- 9.2 Policy SD2 sets out how the Local Plan will ensure that development contributes to the mitigation of and adaptation to climate change, in accordance with the requirements of section 19(1A) of the Planning and Compulsory Purchase Act 2004. This includes reducing greenhouse gas emissions through the spatial strategy, proposing new development in locations of low flood risk, supporting energy efficiency and renewable technologies, and managing impacts on water supply, biodiversity and landscape.
- 9.3 Policy SP2, in conjunction with related economic (EC) policies of the Local Plan, seeks to ensure that the local economy will grow, diversify and generate new opportunities. This will be achieved by safeguarding existing employment land and commitments for B1, B2 and B8 uses, allocating additional employment land, supporting sustainable economic activity and supporting enhanced regional transport connectivity. The relevance of this policy to this application is that the proposals form part of a larger scheme of projects that seek to safeguard existing and proposed allocations in the Local Plan for economic development.
- 9.4 Policy ENV4 states that growth will be accompanied by improvements in biodiversity and, wherever possible, development will make a positive contribution to achieving net gains in biodiversity. This includes protecting international and national designations; avoiding harm to and encouraging enhancement of sites, networks, habitats and species; increasing tree and woodland cover; safeguarding surface and ground water bodies; enabling wildlife to move freely through the natural and built environment; and ensuring that net gains are delivered on specific allocated sites.
- 9.5 It can be seen from the above that, in common with all other planning proposals, this development has the benefit of there being a presumption in favour of sustainable development which, provided the development is sustainable and accords with all relevant Local Plan policies, would mean that the application is acceptable in principle. In this case the application does not fall into any category of development to which any of the adopted policies would specifically apply and it is necessary therefore to consider the wider principle of the proposal which is for a major infrastructure improvement that would help to alleviate local flooding and thereby safeguard wider strategic objectives. The effective management of water resources which the proposed flood water storage scheme would enable would be consistent with the general objectives of the Local Plan and the proposal is therefore considered to be acceptable in principle.
- 9.6 In coming to the above view the requirements of Local Plan policies SD2, SP2 and ENV4 have been taken into account. It is considered that the proposed scheme can deliver wider long-term benefits that accord with the key objectives of the Local Plan spatial strategy and is acceptable in principle.

Impact on ecology:

- 9.7 Issues relating to ecology are primarily addressed by policies ENV4: Biodiversity and ENV5: Green Infrastructure.
- 9.8 Policy ENV4 states that growth in housing, business and other land uses will be accompanied by improvements in biodiversity and, wherever possible, development will make a positive contribution to achieving net gains in biodiversity. This includes protecting international and national designations; avoiding harm to and encouraging enhancement of sites, networks, habitats and species; increasing tree and woodland cover; safeguarding surface and ground water bodies; enabling wildlife to move freely through the natural and built environment; and ensuring that net gains are delivered on specific allocated sites.
- 9.9 Policy ENV5 states that growth in housing, business and other land uses will be accompanied by an improved and expanded green infrastructure (GI) network. In order to achieve this, development

will avoid harm to GI assets and the network they form; enhance or create new GI and secure its long-term management; and create or enhance links in the network, including corridors to help wildlife move freely. GI improvements are also required on specific allocated sites.

- 9.10 In this instance the proposals would comprise other land uses and policies ENV4 and ENV5 therefore apply. The scheme is an engineered solution to attenuate water along Gallow Syke to the north of the canal that will delay peak flows into Ings Beck therefore reducing loading downstream and the resulting impact on premises currently at risk of flooding. Whilst this would comprise an ecological improvement and would be consistent with policy, the proposals would nevertheless require some tree removal from the wooded areas surrounding the beck and, as identified by the Ecological Appraisal, would give rise to a need for protective measures and mitigation in order to limit the impact on the local ecology and animal species.

Officer note: The original planning application, which has now been amended, included works to the north of Gargrave Road which have been omitted from the revised scheme. The original application was assessed by the Council's Tree Officer who had no objections to the application as originally proposed. The amended scheme would require removal of more trees on the elements south of Gargrave Road but overall, the net tree loss would be less than was originally proposed. At the time of compiling this report details of the revised tree works have not been made available to the case officer but the agent is actively pursuing discussion with the CDC Tree Officer in order to agree a scheme that can be supported by the Council. It has been agreed that any tree removal will be offset by replacement planting of an indigenous species and that appropriate tree protection measures will be put in place. The officers' recommendation will be provisional based upon a successful outcome in respect of tree works.

- 9.11 A second element of the ecological impacts of the proposed works are the potential effects of the works and associated tree removal on the local ecology. The Ecological Appraisal is comprehensive and detailed and makes detailed recommendations in relation to:

- o Habitats and Trees.
- o Bats
- o Birds
- o Otters and badgers
- o Biosecurity
- o Pollution prevention measures
- o Ecological enhancements

- 9.12 The recommendations of the Ecological Appraisal are too lengthy to incorporate fully in this report but it is concluded that subject to the imposition of appropriate conditions and informatives as set out in the Appraisal the proposals can be undertaken without causing unacceptably harmful ecological impacts. On this basis, and subject to the CDC Tree Officer recommending approval, the application is considered to be consistent with the relevant national and Local Plan policies and therefore acceptable.

Impact on heritage assets:

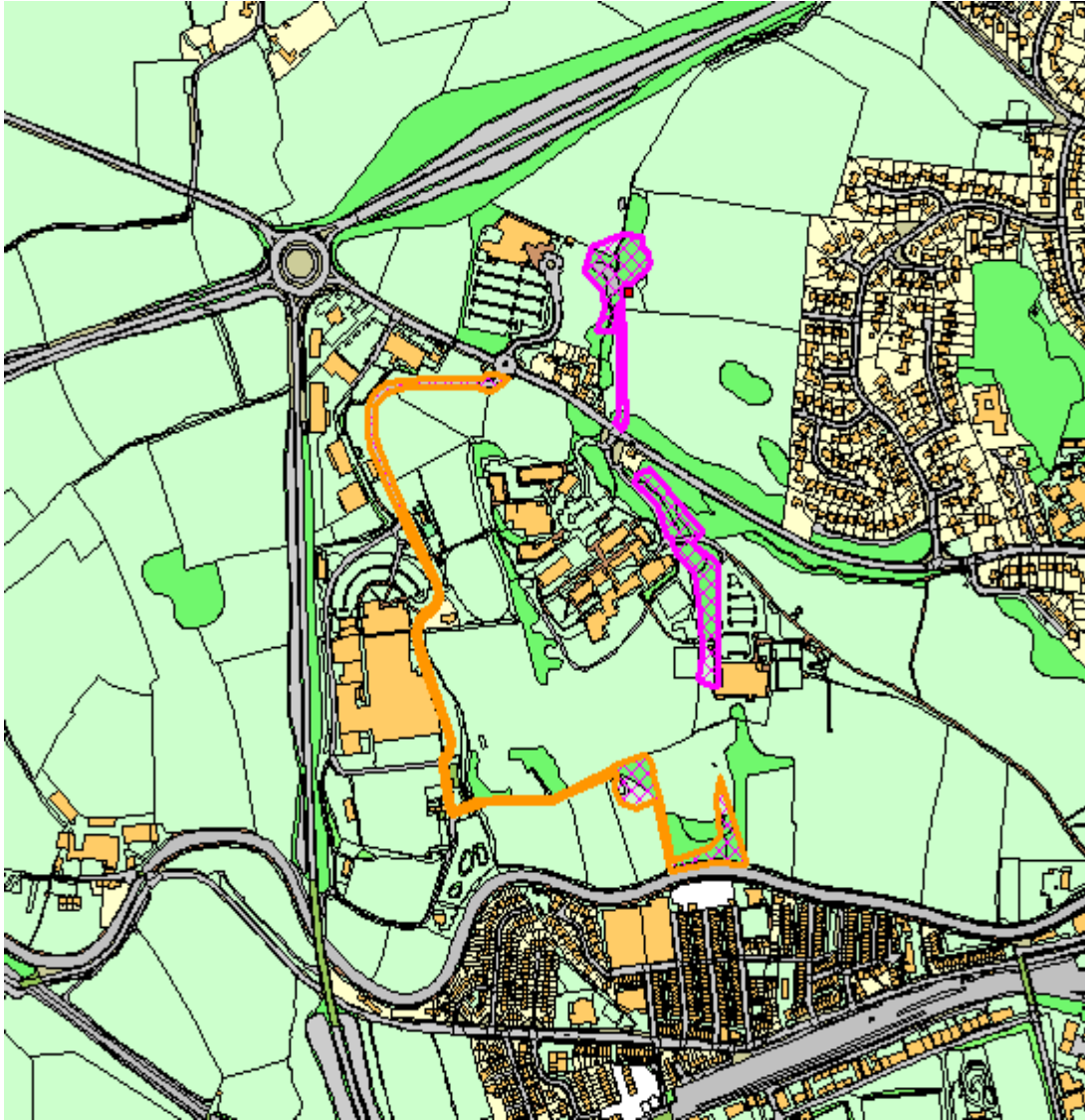
- 9.12 Section 16 of the NPPF gives guidance on conserving and enhancing the historic environment. In particular paragraph 192 advises that Local Planning Authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 193 & 194 goes on to advise that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation.

- 9.13 Where a proposed development would lead to substantial harm, local authorities should refuse consent, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm (paragraph 195 refers). Policy ENV2 of the Craven Local Plan supports this position, and states that Craven's historic environment will be conserved, and one of the ways this will be achieved is through ensuring that proposals affecting a designated heritage asset conserve those elements which contribute to its significance.
- 9.14 In this case there are no listed buildings within close proximity to any parts of the application site and therefore there are no impacts in this respect. The main issue is the location of the site within the Skipton conservation area and, in particular, the effects of the proposed works to the Leeds – Liverpool canal which is a heritage asset.
- 9.15 The first version of the application proposed works along part of the canal bank that would be constructed from blockwork but this has since been modified on advice from the Councils Heritage Advisor and the Canals and Rivers Trust. Specifically, the amended scheme addresses the issues as follows:
- Impact on Land Stability – the retaining wall has been re-designed to retain the earth and the canal embankment and the flood water in a flood event.
- Maintenance Access to the culvert – the inlet screen is designed to provide access and also there is an access chamber behind the new wall
- Water Flow through the Culvert – the application seeks to restrict flow through the culvert by having a section of pipe upstream of the existing culvert which has less of a capacity than the existing culvert so the flows in the existing culvert will be less than existing therefore there is no risk being posed to the existing culvert through the execution of these works
- Leakage from the canal – there will be a land drain between the canal and the retaining wall which would remove any canal leakage
- Measures to prevent contamination – appropriate measures in accordance with CRT's requirements would be employed
- Biodiversity – subject to compliance with the recommendations of the Ecological Appraisal no significant impact on biodiversity is envisaged.
- 9.16 In summary, it is considered that the impacts on heritage assets would be minimal and, in any case, would be outweighed by the wider public benefits that the proposals would give rise to. Accordingly, the application is considered to be in accordance with the relevant national and Local Plan policies and is therefore acceptable.
- Impact on highway safety:
- 9.16 The application would not generate any traffic beyond that required during the construction phase and would require construction of a temporary access road to allow use of the existing Auction Mart access and connection with Gargrave Road. Additionally, a lay-by is to be created within the Auction Mart site in order to allow better control of construction traffic. It is considered that subject to submission of a construction traffic management plan there are no highway issues associated with this proposal.
- Conclusion:
- 9.17 Paragraph 11 of the NPPF, which is reflected in Policy SD1: The Presumption in Favour of Sustainable Development of the Craven Local Plan, advocates support for sustainable development and states that LPA's should be approving development proposals that accord with an up-to-date development plan without delay.
- 9.18 In this case it is considered that the proposal represents sustainable development that meets the relevant policy criteria and can be undertaken, subject to appropriate planning conditions, without

any loss of visual impact, or adverse impacts. Accordingly, it is considered that the proposal is acceptable and should be approved.

10. Recommendation

10.1 For the reasons set out in the report the recommendation to approve is provisional. Planning conditions will be subject to the submission of further information and will be compiled and reported as late information to the Planning Committee in due course.

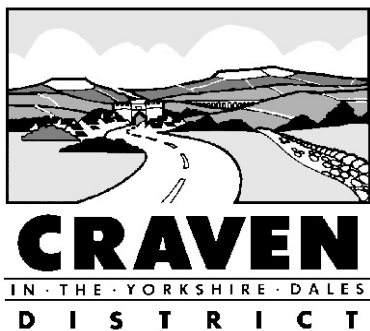


Application Number: 2019/21002/FUL

Proposal: Proposed Gallow Syke Flood Water Storage Scheme - Including: replacement culvert entrances, lay-by area and access track.

Site Address: Aireville Park Gargrave Road Skipton BD23 1UD

On behalf of: Craven District Council



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

(Main Switchboard) Telephone: 01756 700600

Craven District Council - List of Planning Decisions from 24 July to 06 August 2020

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

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20443/FUL	Mr Alan Whitaker	Bowsber Farm Clapham Lancaster LA2 8HJ	Erection of agricultural building (retrospective)	Approve with Conditions	27.07.2020
2019/21004/LBC	Vodafone UK	22 Sheep Street Skipton BD23 1HX	Listed building consent for refurbishment and re-fit of retail unit	Approve with Conditions	24.07.2020
2019/21073/FUL	Barnfield Construction Ltd And Craven District Council	Locomotive Building Engine Shed Lane Skipton BD23 1UP	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	Approve with Conditions	25.07.2020
2019/21184/FUL	Mrs C Boothman	Land Located South Of 10A Park Wood Close Skipton BD23 1QW	Proposed new detached dwelling	Refuse	28.07.2020
2020/21463/FUL	Mr & Mrs M Robinson	Salt Pot Barn Binns Lane Glusburn Keighley BD20 8JJ	Change of use of site from live/work unit with residential annexe to unrestricted C3 dwellinghouse with residential annexe and ancillary residential outbuilding	Approve with Conditions	05.08.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2020/21593/HH	Mr Brian Hudspeth	The Rookery Chapel Lane Halton East Skipton BD23 6EH	Demolition of existing garage and stables and construction of new garage and stables.	Approve with Conditions	06.08.2020
2020/21600/HH	Mrs A. Monaghan	91 Raikes Road Skipton BD23 1LS	Demolition of existing single storey rear/side extensions. Part single/part two storey side/rear extension. Loft conversion including rear dormer	Approve with Conditions	29.07.2020
2020/21627/FUL	Buildakit Properties Ltd	Land Adjacent To 10 Park Lane Terrace Park Lane Carleton Skipton	Construction of 1 no. 2 bedroomed dwelling (resubmission of previously withdrawn application 2019/20530/FUL)	Refuse	28.07.2020
2020/21628/HH	Mr Robert Minton-Taylor	The Coach House Meadow Lane Cononley Keighley BD20 8NA	Replacement windows and doors	Approve with Conditions	06.08.2020
2020/21652/MMA	Mr & Mrs Metcalfe	Enter Farm Enter Lane Ingleton LA6 3DL	Minor material amendment of condition no. 2 (Approved Plans) on previously approved application referenced 2019/20668/FUL granted 19 August 2019	Approve with Conditions	03.08.2020
2020/21653/HH	Annette Linsdell	Brackenber Farmhouse Lowkber Lane Cold Cotes Clapham Lancaster LA2 8HZ	Remove the existing plastic oil tank (size L170cm x W95cm x H110cm or 140cm including breeze blocks) and the breeze blocks on which it rests on top of the stone plinth. Repair and repoint the stone plinth. Install a metal, banded, fire resistant oil tank to conform to building regulations. Install directly on the repaired stone plinth. Proposed size of tank L150cm x W90cm x H140cm. Plinth size L155cm x W95cm x H89cm.	Approve with Conditions	31.07.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2020/21654/LBC	Annette Linsdell	Brackenber Farmhouse Lowkber Lane Cold Cotes Clapham Lancaster LA2 8HZ	Remove the existing plastic oil tank (size L170cm x W95cm x H110cm or 140cm including breeze blocks) and the breeze blocks on which it rests on top of the stone plinth. Repair and repoint the stone plinth. Install a metal, bunded , fire resistant oil tank to conform to building regulations. Install directly on the repaired stone plinth. Proposed size of tank L150cm x W90cm x H140cm. Plinth size L155cm x W95cm x H89cm.	Approve with Conditions	30.07.2020
2020/21655/VAR	Ms Katie Williams	86 Otley Road Skipton BD23 1HG	Variation of condition 14 (boundary fence) and removal of condition 10 (vibration scheme) of 2019/21017/FUL	Approve with Conditions	24.07.2020
2020/21661/MMA	Firth Developments Ltd	Rockwood House Park Wood Close Skipton BD23 1QW	Minor material amendment to application allowed under appeal reference APP/C2708/W/19/3237080 granted 29 April 2020. To allow for rear ground floor window amendments to plots 3, 4, 5 and 6, rear first floor bathroom window re-positioned to plots 3 and 4, removal of stone mullions to rear windows of plots 3, 4, 5 and 6, removal of jambs to side and rear elevations of plots 3, 4, 5 and 6, with exception of rear door to plots 5 & 6, reduction in height of stone heads to windows and doors, amendment to front first floor window to plots 1 and 2.	Approve with Conditions	04.08.2020
2020/21672/CPL	Mr & Mrs Webb	73 Regent Drive Skipton BD23 1BB	Remove existing conservatory and replace it with a single storey rear extension plus conversion of garage and to construct/infill the existing open space beyond the garage (below previously extended side extension).	Split Decision	28.07.2020
2020/21675/HH	Mr Mark Macaulay	22 Park Crescent Hellifield Skipton BD23 4HD	To construct a two story extension to the rear of the property	Refuse	06.08.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2020/21686/HH	Mr & Mrs Wilmhurst	Trees Farmhouse Trees Farm Westhouse Ingleton LA6 3NZ	Single storey rear extension following the demolition of the existing conservatory.	Approve with Conditions	06.08.2020
2020/21695/CPL	Mr and Mrs Hurlley	Stoneyber Greenfoot Lane Low Bentham Lancaster LA2 7EQ	Application for Certificate of Lawful Development for a proposed single storey rear extension	Approve Cert. Lawful Devt	27.07.2020
2020/21700/HH	Mr & Mrs Gleave	46 The Close Skipton BD23 2BZ	Single Storey Rear Extension	Approve with Conditions	24.07.2020
2020/21716/FUL	Mr Richard Grattan	2 Greenfield Place Binns Lane Glusburn Keighley BD20 8JH	Change of use of detached domestic fitness studio to business fitness studio	Refuse	05.08.2020
2020/21741/LSHLD	Mr & Mrs P Whitley	16 Beanlands Drive Glusburn Keighley BD20 8PZ	Prior approval notification for single storey rear extension measuring 5.27 metres beyond the rear wall; 3.95 metres in height from ground level and 2.60 metres in height to eaves from ground level	Prior Approval Granted	30.07.2020
2020/21757/NMA	Mr David Ball	5 The Bailey Skipton BD23 1AP	Non Material Amendment to 2020/21345/HH date of decision 3rd March 2020, to amend replacement wall description. Current description is 'to match existing dry stone wall proposed'. The description should be ' to match existing stone walls '	Approve no conditions	04.08.2020
2020/21792/NMA	Mr & Mrs Nelson	Land To East Of Holly Tree House Skipton Road Low Bradley	Non-material amendment on planning permission referenced 2018/18873/FUL granted 09 May 2018	Non-material amendment approved	24.07.2020

Planning Committee Report of New Cases Registered
24/07/2020 to 07/08/2020

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03282/2020	Works on the second floor to a beam and re-pointing of the wide rear window.	22 Sheep Street Skipton BD23 1HX	Skipton North
ENF/03283/2020	Alleged unauthorised re-roofing of dwelling and internal alterations.	The Barn Home Farm Mark House Lane Gargrave Skipton BD23 3UT	Gargrave And Malhamdale
ENF/03284/2020	Breach of condition no. 2 of planning application ref: 63/2013/13343- Unit 5 is being used as retail.	The Secret Drawer Ltd Marton Mills Sawley Street Skipton BD23 1TA	Skipton West
ENF/03285/2020	1. Chalet walls painted different colours in breach of Condition 7 of 18/2016/17483 2. Installation of caravan on land adjoining the caravan park	Great Harlow Luxury Lodges Wenning Bank Clapham Lancaster LA2 8ES	Ingleton And Clapham
ENF/03286/2020	Fence allegedly too high	1 Manor Park Cowling Keighley BD22 0DW	Cowling
ENF/03288/2020	Erection of large structure in garden	38 Moorview Road Skipton BD23 2SB	Skipton South
ENF/03289/2020	Alleged demolition and rebuild of stable block	Stable Block High View Windle Lane Cononley Keighley BD20 8JX	Aire Valley With Lothersdale

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03290/2020	Alleged increase in wall height	Orchard Cottage Cawder Lane Skipton North Yorkshire BD23 2TD	
ENF/03291/2020	Alleged unauthorised operation of business from residential premises	Flat 3 Oakville 2 Keighley Road Cross Hills Keighley BD20 7RN	Glusburn
ENF/03292/2020	Alleged unauthorised removal of agricultural hedge and doubling the width of the farm track.	Longber Farm Longber Lane Burton In Lonsdale Ingleton LA6 3LA	Bentham
ENF/03293/2020	Metal garden structures allegedly too high	2 Sarahs Croft Coniston Cold Skipton BD23 4ED	Gargrave And Malhamdale
ENF/03294/2020	Alleged unauthorised construction of outbuilding	29 Northfields Avenue Settle BD24 9JR	Settle And Ribble Banks



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

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
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