

PLANNING COMMITTEE

(Online meeting)

Monday, 28 September 2020 at 1.30pm

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-rRiILmjUwg>

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** – To receive any apologies for absence
2. **Confirmation of Minutes** – To confirm the minutes of the meeting held on 1 September 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 – 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, then please contact Neville Watson, Planning Manager (email: nwatson@cravendc.gov.uk or 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.

7. Date and Time of Next Meeting – Monday, 5 October 2020 at 1.30pm

Agenda Contact Officer:

Hannah Scales, Democratic Services and Scrutiny Officer
Tel: (01756) 706235
E-mail: hscales@cravendc.gov.uk

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.

The Government COVID 19 regulations enable local authorities to meet remotely so that we can adhere to Government advice. This meeting is being live streamed on the Council's YouTube channel and will be archived for later viewing.

Procedural information for Members –

- Please use the virtual hand button on your screen to indicate that you wish to speak and then wait to be asked. Please do not speak over one another.
- However, you may interrupt to make any procedural points of order, or if you have arrived late and need to tell us that you are present.
- Please turn your microphone on and off before and after speaking, just as you would in a face-to-face Planning Committee meeting. If you do not turn it off, the moderator will mute it for you, to avoid background noise. Please also turn off your virtual hand button after speaking.

PLANNING COMMITTEE

1 September 2020

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

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

Apologies for absence were received from Councillors Handley, Morrell and Sutcliffe.

Ward Representatives : Councillor Moorby (2019/20611/FUL & 2019/21182/LBC) and Councillors Brown and Mulligan (2020/21468/FUL).

Start: 1.35pm

Finish: 4.25pm

Councillor Rose left the meeting at 3.21pm.

Councillor Heseltine left the meeting at 3.53pm.

A short comfort break was taken at 3.14pm.

The minutes of the 17th August 2020 were confirmed.

PL.989

DECLARATIONS OF INTEREST AND LOBBYING

a. Declarations of Interest

Members were invited to declare any interests in the business before the Committee. None were declared.

b. Lobbying

Application 2019/20611/FUL and 2019/21182/LBC – The Chairman and Councillors Brown, Lis, Place, Pringle, Shuttleworth and Welch indicated that they had been lobbied against the application. Councillor Ireton asked that it be recorded that he had received emails in relation to the application but they were neither for or against.

Application 2020/21468/FUL – Councillor Brown stated that he had been lobbied against the application.

PL.990

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 2020/20611/FUL:	Hellifield Parish Council Mr Stewart Weatherill (objector/for the objectors) Ms Fiona Tiplady, Rural Solutions (for the applicant)
Application 2020/21468/FUL:	Farnhill Parish Council Mr Elliot Exley (applicant)

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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:

2019/20443/FUL Erection of agricultural building (retrospective) at Bowsber Farm, Clapham, Lancaster. LA2 8HJ. Approved with Conditions.

2019/21004/LBC Listed building consent for refurbishment and re-fit of retail unit at 22 Sheep Street, Skipton, BD23 1HX. Approved with Conditions.

2019/21073/FUL Proposed demolition of existing buildings and re-development of site to accommodate Council Depot building and light industrial units, with access service areas and parking at the Locomotive Building, Engine Shed Lane, Skipton BD23 1UP. Approved with Conditions.

2019/21184/FUL Proposed new detached dwelling on land located to the South of 10A Park Wood Close, Skipton BD23 1QW. Refused.

2020/21463/FUL Change of use of site from live/work unit with residential annexe to unrestricted C3 dwellinghouse with residential annexe and ancillary residential outbuilding at Salt Pot Barn, Binns Lane, Glusburn, Keighley. BD20 8JJ. Approved with Conditions.

2020/21593/HH Demolition of existing garage and stables and construction of new garage and stables at The Rookery, Chapel Lane, Halton East, Skipton BD23 6EH. Approved with Conditions.

2020/21600/HH Demolition of existing single storey rear/side extensions. Part single/part two storey side/rear extension. Loft conversion including rear dormer at 91 Raikes Road, Skipton, BD23 1LS. Approved with Conditions.

2020/21627/FUL Construction of 1 no. 2 bedroomed dwelling (resubmission of previously withdrawn application 2019/20530/FUL) on land adjacent to 10 Park Lane Terrace, Park Lane, Carleton, Skipton. Refused.

2020/21628/HH Replacement windows and doors at The Coach House, Meadow Lane, Cononley, Keighley, BD20 8NA. Approved with Conditions.

2020/21652/MMA Minor material amendment of condition no. 2 (Approved Plans) on previously approved application referenced 2019/20668/FUL granted 19 August 2019 at Enter Farm, Enter Lane, Ingleton LA6 3DL. Approved with Conditions.

2020/21653/HH 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. Brackenber Farmhouse, Lowkber Lane, Cold Cotes, Clapham, Lancaster LA2 8HZ. Approved with Conditions.

2020/21654/LBC 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. Brackenber Farmhouse, Lowkber Lane, Cold Cotes, Clapham, Lancaster LA2 8HZ. Approved with Conditions.

2020/21655/VAR Variation of condition 14 (boundary fence) and removal of condition 10 (vibration scheme) of 2019/21017/FUL at 86 Otley Road, Skipton BD23 1HG. Approved with Conditions.

2020/21661/MMA 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. Rockwood House, Park Wood Close, Skipton BD23 1QW. Approved with Conditions.

2020/21672/CPL 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). 73 Regent Drive, Skipton, BD23 1BB. Split Decision.

2020/21675/HH To construct a two story extension to the rear of the property at 22 Park Crescent, Hellifield, Skipton. BD23 4HD. Refused.

2020/21686/HH Single storey rear extension following the demolition of the existing conservatory at Trees Farmhouse, Trees Farm, Westhouse, Ingleton LA6 3NZ. Approved with Conditions.

2020/21695/CPL Application for Certificate of Lawful Development for a proposed single storey rear extension at Stoneyber, Greenfoot Lane, Low Bentham, Lancaster. LA2 7EQ. Approve Cert. Lawful Devt.

2020/21700/HH Single Storey Rear Extension at 46 The Close, Skipton, BD23 2BZ. Approved with Conditions.

2020/21716/FUL Change of use of detached domestic fitness studio to business fitness studio at 2 Greenfield Place, Binns Lane, Glusburn, Keighley BD20 8JH. Refused.

2020/21741/LHSHLD 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 at 16 Beanlands Drive, Glusburn Keighley BD20 8PZ. Prior Approval Granted.

2020/21757/NMA 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 ' 5 The Bailey, Skipton, BD23 1AP. Approved no conditions.

2020/21792/NMA Non-material amendment on planning permission referenced 2018/18873/FUL granted 09 May 2018 on land to the East of Holly Tree House, Skipton Road, Low Bradley. Non-material amendment approved.

b. Applications

Permission Refused

Application 2019/20611/FUL part demolition and change of use of 'granary' buildings to create a holiday cottage (Use Class C3), glasshouse, extensions and alterations, parking and access and part demolition and change of use of 'granary' buildings to holiday cottage (Use Class C3), glasshouse, minor extensions and alterations, parking

and access at the Granary, Peel Green, Hellifield, Skipton, BD23 3LD - the Planning Manager to formulate appropriate reasons for refusal based on grounds of the harm to a complex of heritage buildings that include a Scheduled Ancient Monument exceeds any gain of the proposed development by virtue of its inappropriate size and design for the site. Further, ENV2 (part b) of the Local Plan is breached by a development of this scale and the harm cannot be managed by the imposition of additional conditions.

Application 2019/21182/LBC part demolition and change of use of 'granary' buildings to create a holiday cottage (Use Class C3), glasshouse, extensions and alterations, parking and access and part demolition and change of use of 'granary' buildings to holiday cottage (Use Class C3), glasshouse, minor extensions and alterations, parking and access at the Granary, Peel Green, Hellifield, Skipton, BD23 3LD – as a consequence of the above refusal, Members voted not to approve Listed Building Consent based on the above reasons.

2020/21468/FUL demolition of bungalow and the construction of two houses with associated parking areas (re-submission of application referenced 2018/19738/FUL) at Fairmount, Starkey Lane, Farnhill. BD20 9AW – the Planning Manager to formulate appropriate reasons for refusal based on grounds that the design of the proposed development is considered to represent an overdevelopment of the site, which will have an adverse impact on the privacy and amenity of neighbouring dwellings, and would cause considerable harm to Farnhill Conservation Area and as such the proposal is contrary to ENV3A, ENV3e and ENV2a of the Craven Local Plan and the guidance contained within the National Planning Policy Framework.

PL.992

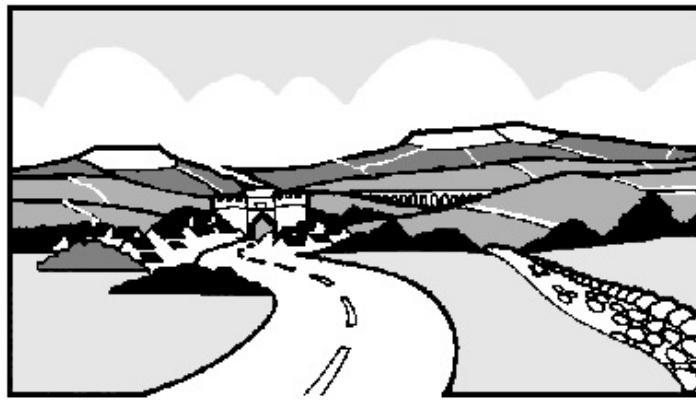
PLANNING ENFORCEMENT

The Strategic Manager for Planning and Regeneration submitted details of closed enforcement cases and new enforcement complaints registered in the period from 8th August 2020 to 20th August 2020.

Minutes for Decision

- None –

Chairman.



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D I S T R I C T

PLANNING COMMITTEE AGENDA

DATE: 28th September 2020

INDEX OF PLANNING APPLICATIONS

Item No.	Application Reference No.	Name of Applicant	Site Address	Page No's
1.	2019/20463/REG3	Craven Barnfield Regeneration Ltd	Land To The North Of Airedale Avenue, Skipton.	2 - 35
2.	2019/20487/FUL	Adams Park Homes	Former Railway Goods Yard , Clapham Station, Clapham, LA2 8ES.	36 - 56
3.	2020/21310/FUL	Craven District Council	Land At Lakeber Drive, High Bentham.	57 - 63

REPORT TO PLANNING COMMITTEE ON 28th September 2020

Application Number:	2019/20463/REG3
Proposal:	Development of site to form 53 residential dwellings with off street parking and all associated works.
Site Address:	Land To The North Of Airedale Avenue Skipton
On behalf of:	Craven Barnfield Regeneration Ltd
Date Registered:	29th April 2019
Expiry Date:	29th July 2019
EOT Date, if applicable:	30th August 2020
Case Officer:	Andrea Muscroft

The application is referred to Planning Committee as the application has been made on behalf of the Council and was deferred from the August Planning Committee Meeting due to a request for a healthcare contribution which has now been withdrawn.

1. Site Description

- 1.1 The application relates to a triangular shaped parcel of land extending to approximately 2.48 hectares located to the southeast of Otley Road in the town of Skipton and forms one half of an allocated site for residential development (ref: 090) as designated in the Craven Local Plan 2012 – 2032.
- 1.2 The site is currently used as agricultural land and has a grouping of trees along the boundary with the railway line. The land to the east of the site consists of agricultural land also designated for residential development (ref: 089). To the south east of the site is the residential development known as Elsey Croft with more established residential development located to the south, west and north west of the site.
- 1.3 The ground levels of the site fall in a northwards direction with the perimeter marked by drystone wall. Running south to north in the far western section of the site is a non-designated footpath which goes under the railway bridge linking the site with Otley Road before turning northeast towards the adjacent agricultural fields.
- 1.4 The site also lies adjacent to a protected railway track.
- 1.5 The application site for the majority lies within Flood Zone 1 with the exception of the far NW boundary which lies within Flood Zone 2 as defined by the Environment Agency.

2. Proposal

- 2.1 The proposal is seeking full planning approval for the construction of 53 dwellings with off street parking and associated infrastructure.
- 2.2 The proposed mix for the development would consist of the following:
16no. Affordable homes consisting of 1, 2 and 3 bedroom residential units.

37no. Market homes consisting of 2, 3 and 4 bedroom residential units.

- 2.3 The submitted drawing shows the dwellings being accessed off an existing access off Airedale Avenue.
- 2.4 Landscaping is proposed throughout the site, plus the provision of green infrastructure to the north of the site adjacent to the railway track and a green buffer being created between the application site and Wensleydale Avenue due to changes in topography.
- 2.5 The proposal would provide a cycle/pedestrian path within the NW area of the site as well as providing two play areas.
- 2.6 The proposal has been submitted with the following supporting reports which have been considered by officers and consultees:
 - Landscape Visual Impact Assessment
 - Phase 1 GEO – Environmental Assessment.
 - Phase 2 GEO – Environmental Assessment
 - Preliminary Ecological Appraisal
 - Archaeological Desk Based Assessment
 - Arboriculture Survey Report
 - Design and Access Statement
 - Biodiversity Mitigation Plan
 - HRA Report
 - FRA and Drainage Strategy
 - Drainage principle and FZ 2 commentary
 - Run off Analysis of Existing Greenfield Area Report.
 - Surface Water Calculations Report.
 - Planning Statement
 - Residential/Dwelling Units Supplementary Report.
 - Transport Statement.
 - Highways Technical Note
 - Airedale Avenue/Hurrs Road Highway Improvements Plan

3. Planning History

- 3.1 Pre-application advice was undertaken by the applicant, seeking guidance with regards to the development principles for the development of the site, the provision and location of affordable dwellings on the site and the provision of open space. This pre application advice was conducted via meetings with the relevant departments within the Council and was the precursor to the current application.
- 3.2 In addition, pre-application advice was sought from external statutory consultees prior to the submission of the proposal.

4. Planning Policy Background

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

SD1 – The Presumption in Favour of Sustainable Development.

SD2 – Meeting the Challenge of Climate Change

SP1 – Meeting Housing Need

SP3 – Housing Mix and Density

SP4 – Spatial Strategy and Housing Growth

SP5 – Strategy for Skipton

ENV1 – Countryside and Landscape

ENV3 – Good Design

ENV4 – Biodiversity

ENV5 – Green Infrastructure

ENV6 – Flood Risk

ENV7 – Land and Air Quality

ENV8 – Water Resources, Water Quality and Groundwater

ENV10 – Local Green Space

ENV12 – Footpaths, Bridleways, Byways and Cycle Routes

H2 – Affordable Housing

INF3 – Sport, Open Space and Recreation Facilities

INF4 – Parking Provision

INF6 – Education Provision

4.2 **National Policy**

The National Planning Policy Framework – NPPF 2019

Planning Policy Guidance

4.3 **Environmental Impact Assessment**

4.4 This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

5. Parish/Town Council Comments

5.1 **Skipton Town Council (3.6.2019):** Concerns regarding the increased traffic volume that would be created and the impact this would have on road management and pedestrian safety. There are also concerns regarding contractors requiring access to the site through Greatwood area due to height restrictions on the railway bridge on Shortbank Road.

5.2 Councillors note the comments made by neighbouring properties.

6. Consultations

6.1 **CDC Environment Health Officer (17.5.2019):** Comments provided suggesting conditions relating to noise, vibration, dust, topsoil be imposed should the proposal be granted planning permission.

6.2 **CDC Open Space Officer (19.7.2019):** The proposal triggers the policy requirements for development over 10 units with regards to the provision of adequate play and recreational needs.

- 6.3 Details submitted have been reviewed and it is confirmed that the application is acceptable in relation to SRC2 with the proposed on site POS play area provision of approx. 600m² and subject to an off-site contribution of £62,500 to address the policy requirements and in catchment deficiency in provision for youth and adult provision: playing fields and allotments.
- 6.4 As the works required to comply with Saved Policy SRC2 are off-site, should the Council be mindful to grant planning permission, the following recommendation is made:
- 6.5 That members resolve to grant delegated authority to the Strategic Manger for Planning to grant planning permission subject to the applicant first entering into a S106 Planning Obligation or equivalent legal agreement to secure the on-site play provision and off- site planning gain contribution.
- 6.6 It is considered that a legal agreement is necessary in the interests of residential amenity to ensure adequate provisions of Public Open Space to meet local needs in accordance with the NPPF and saved local plan policy.
- 6.7 **Officer note:** Policy SRC2 was replaced by INF3 in November 2019 following the adoption of the Craven Local Plan 2012 – 2032. Notwithstanding this, the required onsite and offsite contribution remains unchanged. As the Council is the land owner the Council will enter into a S111 legal agreement.
- 6.8 **CDC Policy Officer** (10.2.2020): Comments do not raise any objection to the development but identify the key policy considerations and make reference to comments of NYCC Education regarding no financial contributions being required. They also conclude that policy SP5 does not prohibit the site been brought forward in two phases.
- 6.9 **CDC Strategic Housing Officer** (17.6.2019) The proposal is for the construction of 53 homes which includes 16 – 1, 2 and 3 bed affordable homes, both for rent and shared ownership. This equates to 30% affordable housing as required by the emerging Local Plan on greenfield sites of 11 dwellings and above (unless submission of a financial appraisal demonstrates provision is not viable at this level).
- 6.10 The Council's evidence base (November 2017) demonstrates a need for 126 affordable homes to be provided within the District each year. In addition, the Council holds a register of approximately 150 first time buyer households who cannot afford to rent or buy on the open market and who have expressed a wish to buy a shared ownership property.
- 6.11 The proposal is strongly supported by Strategic Housing.
- 6.12 **CDC Strategic Housing Officer** (25.2.2020): There are currently 199 households registered for affordable rented housing in Skipton comprising families, single people and couples under pensionable age, with a further 55 households aged 65 and above.
- 6.13 The Council also maintains a register of local first-time buyers who cannot afford to buy on the open market but can own their first home through HelptoBuy Shared Ownership. This means buying it 'a bit at a time'. Shares are available from as little as 25% (at 25% of market value) and with a 5% deposit only. Whilst rent is payable on the unsold equity, combined monthly housing costs are well below the cost of private renting.
- 6.14 There are currently 200 first time buyer households on the Council's register; with more names added weekly.
- 6.15 The proposal is for 8 rented homes (a mix of 1, 2, and 3 bed houses), 6 x 2-bed shared ownership apartments and 2 x 2-bed houses for shared ownership – 30% of total dwellings. This is a higher percentage of shared ownership than the Council routinely seeks (c25%)

and results from the inclusion of the apartment block. It is recommended not to 'split' tenure within a block, nor have 2-bed flats as affordable rent, as welfare reform changes mean the flats would have to accommodate children, which is less than ideal.

- 6.16 The affordable homes are well integrated and will be built to the same specification as the market ones (which include a market apartment block to 'match' the affordable one), helping to promote balanced and mixed communities. Policy SP3 of the Local Plan requires that housing mix addresses local housing needs as identified by the SHMA or other up to date evidence.
- 6.17 Affordable homes make up 30% of the total in accordance with Policy H2. The proposed mix is well integrated and provides a range of dwelling types, sizes and tenures to meet locally identified need. The proposal is supported by Strategic Housing.
- 6.18 **Officer Note:** The Council has an option to buy a further 4no. 2-bed houses subject to grant from Homes England. These homes are not a requirement of planning policy, but will be made available as shared ownership. Provision of 'additional' affordable homes in this way is commonplace and a mechanism strongly supported by Homes England. The homes are 2-bed, with a current market value of £235,000 - £117, 500 for an initial share of 50%.
- 6.19 **CDC Tree Officer (17.5.2019):** The proposal involves the removal of some trees, however, none of these have long term potential. It is therefore considered that the landscaping and tree planting plan to be acceptable.
- 6.20 **Environment Agency:** No comments received within the statutory consultation period.
- 6.21 **Officer Note:** The application was submitted with a detailed, site-specific Flood Risk Assessment (FRA) which includes details in retain to the Environment Agency's standing advice in terms of extra flood resistance and resilience measures.
- 6.22 **Natural England – NE (6.1.2020):** Limited time to assess the proposal however, NE notes and welcomes the LVIA and has no concerns regarding impacts on the YDNP from the proposal. The applicant is advised that a further assessment is undertaken taking into account the Habitats Regulations Assessment to identify potential recreational pressures and the necessity for mitigation. Currently there is insufficient information provided to satisfy our concerns with regards to this matter
- 6.23 **Natural England (14.1.2020):** NE consider that not enough sufficient information has been provided at this stage to comment on whether the green infrastructure proposed is sufficient to meet the requirements of the Habitats Regulations. It is recommended that a Habitats Regulation Assessment is undertaken.
- 6.24 **Natural England (4.3.2020):** Following receipt of further information on 11.2.2020 Natural England is satisfied that the specific issues we have raised in previous correspondence relating to this development have been resolved.
- 6.25 We therefore consider that the identified impacts of The North Pennine Moors Special Area of Conservation and Special Protection Area can be appropriately mitigated with measures secured via planning conditions or obligations as advised and withdraw our objection.
- 6.26 **Network Rail (10.9.2019):** With reference to the protection of the railway, Network Rail has no objection in principle to the development, but there are some requirements with regards to drainage, boundary fencing, Armco barriers, method statements, soundproofing, lighting and landscaping which can be mitigated via conditions. The other matters can be dealt with via informatives.

- 6.27 **NYCC Designing Out Crime Officer (15.5.2019):** Submitted information has been reviewed. Following a review of the submitted details advice and recommendations have been provided. The applicant/developer is advised that should the proposal be granted approval that they apply for Secured by Design (SBD) accreditation.
- 6.28 **NYCC Education Officer (29.10.2019):** Based on the proposed development a developer contribution would not be sought for primary education facilities as a result of this development. A developer contribution would also not be sought for secondary school facilities.
- 6.29 **Officer Note:** With regards to the provision of a new school the NYCC Education Officer has confirmed that currently there is surplus of places available within the area. Furthermore, the NYCC Education Department have been unable at this time to confirm the requirement of a school on this site. The requirement on whether a school will be required will be based on a continued assessment of local capacity over a period of a years (approx. 5-10yrs).
- 6.30 **NYCC Highways (30.5.2019 & 9.8.2019):** In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters: Existing Highway Layout to the site.
- 6.31 The Highway Authority has no objection to the proposal on the grounds of highway safety, capacity or amenity issues.
- 6.32 Consequently, the Local Highway Authority recommends that conditions be attached to any permission in relation to details required under a S38 application and conditions relating to construction of roads, footpaths etc and management of construction traffic.
- 6.33 **NYCC Highways (3.1.2020):** In assessing the submitted amendments which has resulted in the removal of the previously agreed 3 visitor parking spaces. Consequently, the LHA recommends that planning permission is refused due to the lack of visitor parking.
- 6.34 **Officer Note:** Following comments from the LHA the scheme was revised to include the agreed 3 visitor parking spaces back into the scheme. On receipt of the revised scheme LHA removed their objection (response outlined in paragraph 6.29)
- 6.35 **NYCC Highways (20.1.2020)** In assessing the submitted proposal taken into account the existing highway layout to the site the LHA has no objection to the proposal on the grounds of highway safety, capacity or amenity issues. Consequently, the LHA recommends that conditions are attached to any subsequent permission.
- 6.36 **NYCC Heritage and Archaeological Officer (24.5.2019):** The proposal includes a desk-based archaeological assessment prepared by On-Site Archaeology. It indicates that the site has archaeological potential but correctly points out that the archaeological potential of the site cannot be fully established without archaeological fieldwork and recommends a geophysical survey in the first instance. This is supported.
- 6.37 **NYCC Heritage and Archaeological Officer (22.8.2019):** Have reviewed the geophysical survey and note that it is largely clear of anomalies on interest with the exception of a faint curvilinear response in the north east corner of the survey area. This form of the anomaly could represent a small prehistoric enclosure or on the other hand could represent changes in the underlying geology.
- 6.38 In either case the feature is discrete and is unlikely to represent anything of major significance. It is recommended that this be investigated prior to the development. It is recommended that a trial trench is dug to assess if it is of archaeological significance. If this

is the case then a large area could be opened to record the feature. This staged investigation could be secured by a planning condition which is recommend should the proposal be granted planning approval.

- 6.39 **NYCC Heritage and Archaeological Officer (8.11.2019):** A archaeological desk bases assessment has been provided. Although the geophysical survey identified anomalies of archaeological potential these were found to be natural or agricultural when tested by trial trenching. The site would appear to have a low archaeological potential and it is unlikely that further archaeological work here would advance our understanding of the heritage of the area.
- 6.40 **NYCC Public Rights Officer (13.5.2019):** Recommend informative: No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development. Applicants are advised to contact the County Council's Access and Public Rights of team at County Hall, Northallerton via paths@northyorks.gov.uk to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.
- 6.41 **NYCC SUDS Officer (30.5.2019):** The FRA and Drainage Strategy are noted. The documents are limited and the LLFA recommends further information is provided. The LLFA is unable to source a Drainage Impact Assessment and requests that this document should be provided as well as other details as outlined in our response.
- 6.42 **NYCC SUDS Officer (22.8.2019):** Details submitted are limited and the LLFA recommends that the applicant provides further information in the form of MicroDrainage network calculations/design calculations, provide an existing catchment plan and schedule of maintenance.
- 6.43 **NYCC SUDS Officer (8.9.2019):** Further to the additional information submitted on Friday 6th September 2019, specifically documents ref:
- Greenfield Area Plan – 18164-PWA-00-XX-DR-C-1000 – PO2
- Run Off Analysis of Existing Greenfield Area, Paul Waite Associates, Report Ref:18164-PWA-00-XX-CA-C-1003-PO2, Dated September 2019
- Drainage Layout– 18164-PWA-00-XX-DR-C-1003 – PO2, Dated 4/09/2019
- Surface Water Calculations, Paul Waite Associates, Report Ref:18164-PWA-00-XX-CA-C-1002-PO3
- 6.44 Since our last comments dated 22nd August 2019, given the timescales involved, the applicant has not been able to provide further capacity and survey information on the culvert. In acknowledging this, the applicant has therefore limited the surface water runoff rate from the site to the proportion of the site that is currently draining the watercourse located in the northern extent of the site.
- 6.45 The applicant's consulting engineers suggest that the area that drains to the watercourse may be significantly larger than that presented on the submitted greenfield area plan due to a ditch that runs along the toe of the railway embankment. However, given that hard evidence in the form of more detailed topographic surveys have not been provided, it cannot be definitively proved that this larger area does indeed drain to the watercourse. The applicant's engineers have therefore adopted an ultra-conservative area that can be shown to drain to the watercourse by a watershed line across the contours. It is understood that

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

- 6.46 The applicant has also provided on 27th August 2019, a management strategy document for the drainage. The LLFA is satisfied that the maintenance responsibilities have been identified and a management regime has been proposed.
- 6.47 The LLFA is satisfied that the proposed drainage scheme demonstrates that the site can be delivered without increasing runoff into the watercourse and increasing flood risk on and off site. In accordance with paragraph 163 of the NPPF.
- 6.48 The LLFA is also satisfied that a SuDS system can be implemented on site and maintained for its lifetime in accordance with the requirements of Paragraph 165 of the NPPF.
- 6.49 The LLFA can now support the approval of this planning application subject to conditions requiring a detailed drainage design and exceedance flow route plan to be submitted.
- 6.50 **Yorkshire Water** (5.8.2019): Based on the information submitted, YW has no further comments and the previous comments and conditions still stand.
- 6.51 **Yorkshire Water** (19.6.2019): Thank you for consulting YW regarding the above development. If planning permission is to be granted, conditions should be attached in order to protect the local aquatic environment and YW Infrastructure. Conditions relate to details ref protection of main water pipe within site, separate drainage systems for foul and surface water and details of outfall of surface water.
- 6.52 **Yorkshire Dales National Park** (5.9.2019): Thank you for the consultation on the above application. The NPA offers the following comments: No comment
- 6.53 **Officer Note:** The above is a summary of the comments received on this application. The full written text is available for inspection on the Council's website at:

<https://publicaccess.cravendc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PQKSLCFKL0300>

7. Representations

- 7.1 The proposal was advertised in the Craven Herald on the 16th May 2019 and a Site Notice was posted adjacent to the site on the 17th May 2019. In addition, notification letters were circulated to neighbouring properties.
- 7.2 As a consequence of the publicity the Council received letters of representation within the statutory consultation period. Comments have been summarised below:

7.3 **Visual**

Unsuitable development.

Officer Note: The Planning Inspectorates report dated 9th October 2019 following the examination of the Local Plan identified that the site selection process with regards to proposed sites for residential development has been robust and thus this site is considered acceptable for residential development.

7.4 **Amenity**

Increase noise.

Loss of outlook.

- 7.5 **Officer Note:** The loss of an outlook is not a material planning consideration as defined by section 70(2) of the Town and Country Planning Act 1990 Act and section 38(6) and Planning and Compensation 2004 Act.
- 7.6 **Highways**
Increase traffic.
- 7.7 **Officer Note:** NYCC Highways have not objected with regards to the potential impact on the local or wider highway network.
Inadequate vehicular access.
- 7.8 **Officer Note:** NYCC Highways have no objection to the use of the existing access.
Development should only be contemplated once a new access has been constructed from farm land accessed via Otley Road in connection with the development of SK89.
- 7.9 **Officer Note:** The matter of a proposed access via Otley Road is not a material planning considerations as this area lies outside of the application site.
- 7.10 **Drainage and Flooding**
Strain on existing infrastructure.
- 7.11 **Officer Note:** Yorkshire Water have not objected to the proposed integration with the existing infrastructure.
Footpath under the bridge onto Otley Road regularly floods and this proposal would make the situation worse.
Concern that the development would result in an increase in flooding.
- 7.12 **Officer Note:** The application is accompanied with supporting documentation relating to flooding, all of which have been taken into consideration by both officers and statutory consultees in the assessment of this application and considered acceptable in each respect.
- 7.13 **Other**
Increased air pollution.
Population not being looked after in what is already an over developed area.
No need for housing.
Adverse impact on local wildlife.
Why no affordable housing being provided by scheme?
- 7.14 **Officer Note:** The proposal would delivery 30% affordable housing which is compliant with Local Plan Policy H2.
Increase pressure on local amenities/services.
- 7.15 **Officer Note:** It is not envisaged that a development of this scale would put significant added pressure on local amenities/services.
The development would will cause the house price to drop of No 11 Airedale Avenue.
- 7.14 **Officer Note:** The change in house prices is not a material planning consideration as defined by section 70(2) of the 1990 Act and section 38(6) of the 2004 Act.
- 7.15 **Observations**
Development should incorporate more green energy.

- 7.16 As a consequence of the publicity the Council also received one letter of representation from the NHS Airedale Foundation Trust.
- 7.17 Comments have been summarised below:
The Trust is currently operating at full capacity in the provision of acute and planned healthcare. However, a contribution is being sought not to support a government body but rather to enable that body to provide services needed by the occupants of the new homes.
- 7.18 **Officer Note:** The Trust has now withdrawn their request for a contribution.
- 7.19 The Council also received representation from the Skipton Civic Society.
- 7.20 Comments have been summarised below:
- 7.21 The site is marked for development and the Society regards it as vitally important that ground archaeological investigations and a careful record of the site are carried out prior to development and would prefer that at least part of the site is left undeveloped.
- 7.22 **Officer Note:** The application is accompanied with supporting documentation relating to archaeological assessment, all of which have been taken into consideration by both officers and the statutory NYCC Archaeological Officer in the assessment of this application and considered acceptable in each respect.
- 7.23 The above is a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <https://publicaccess.cravendc.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>
- 8.0 Summary of Principal Planning Issues
- 8.1 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. The NPPF makes clear that, for decision taking, this means:
Approving development proposals that accord with an up-to-date the development plan without delay; or unless;
The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole;
- 8.2 Having regard to the relevant national and local planning policies, the site's designation within the CDLP, the representations received and the nature of the development applied for, it is considered that the main issues in this case are:
- Principle of development
 - Affordable Housing
 - Open Space
 - Healthcare
 - Visual impact
 - Amenity issues
 - Highway issues
 - Drainage & Flooding
 - Biodiversity

9. Analysis

9.1 **Policy Background**

9.2 The application site has been designated by Policy SP5 of the Craven Local Plan to 2032.

9.3 The CDLP sets the development needs for the district in the Plan period in Policies SP4 and SP5. Policy SP4 confirms that Skipton is a Principal Town Service Centre and sets out the settlement hierarchy and confirms that the majority of future growth is to be focused within the identified strategic locations for development, with Skipton being one of these. This policy sets the context for the principle of residential development on this site.

9.4 With regards to the phasing, policy SP5 and the specific site development principles for this and other allocated sites do not prevent a site allocation being developed in phases, for example due to land ownership issues. Therefore, as the site allocation SK089 & SK090 are in two separate ownerships and that there is no policy requirement set out in policy SP5 requiring the site to be developed as one, a phased approach to delivery and development of the site may be considered appropriate.

9.5 Policy SP5 sets out a series of design criteria for new development. The policies relating to density and mix of development and policies relating to securing affordable and open space are also of relevance. There are also various policies associated with the delivery of development and other key material considerations for a scheme of this nature which will be referred to where relevant in the remainder of this report.

9.6 **Principle of development.**

9.7 The NPPF has an underlying presumption in favour of sustainable development which is carried through to the local plan. Policy SD1 states that developments that accord with the provisions of the local plan will be approved unless material considerations indicate otherwise.

9.8 Policy SP4 of the local plan identifies a settlement hierarchy and sets out the spatial strategy and housing growth. Policy SP5 of the local plan sets out the designation of this site for the provision of housing. The policy also sets out the development principles.

9.9 Therefore, as the site has been identified for housing within the Local Plan ref: SK089 & SK090 with phase 2 (ref: SK089) coming forward at a later date and is for housing there is no conflict with the allocated use of the site the proposal complies with the requirements of policies SP4 & SP5 of the Local Plan.

9.10 The proposal is considered acceptable in principle, subject to any other policy requirements as set out through the Local Plan.

9.11 **Affordable Housing Provision.**

9.12 The NPPF refers to the social dimension of sustainable development and the need to provide a supply of housing to meet the needs of present and future generations. It goes on to state that local authorities should plan for a mix of housing based on the needs of different groups in the community and identify the size, type, tenure and range of housing that is required in different locations.

9.13 Policy H2 of the ELP seeks affordable housing of 30% for schemes of 11 dwellings or more.

9.14 The Council's 2017 Strategic Housing Market Assessment (SHMA) identifies a need for 126 affordable homes to be provided within the District each year which provides a strong indication of ongoing need for affordable housing in the district.

- 9.15 Details submitted indicate that the proposal will provide 30% affordable dwellings, equal to 16 affordable dwellings. This is compliant with the policy target of H2 which requires a provision of 30% affordable housing for greenfield sites. CDC Strategic Housing have reviewed the information and have confirmed that the proposal provides an appropriate mix and size of units within the site and therefore supports the proposal.
- 9.16 A legal agreement will be signed to secure the provision of housing.
- 9.17 **Open Space**
- 9.18 The application seeks approval for the construction of 53 dwellings. Consequently, the proposal triggers the requirements of Policy INF3 of the Local Plan.
- 9.19 The Council's Sports Officer has been consulted and has confirmed no objection to the proposal as the proposal would provide on-site POS provision and an off-site contribution of £62,500 to be secured via a legal agreement.
- 9.20 **Healthcare**
- 9.21 NHS Airedale Trust has sought a contribution of £58,551.51 based on a formula with regards to this development.
- 9.22 Policy SP12 of the LP states that "Development proposals are expected to either provide, or enable the provision of infrastructure which is directly related to, or made necessary by the development. Where infrastructure cannot be provided directly, the Council will seek developer contributions through planning obligations in accordance with Policy INF1".
- 9.23 Policy INF2 states that "Craven's community facilities will be improved, and new ones created, to meet the needs of the local community as it grows and changes over time".
- 9.24 Whilst para 8.7 of the supporting text includes "health services" as a community facility, it is clear that the Policy is addressing the physical provision of facilities (e.g. new or improved buildings or land) rather than the running of services within such facilities. As such there is no policy basis for supporting such requests relating to financial contributions. This assessment was supported by the Council's Barristers who state that "the request for contributions by the Trust is not a material consideration in the determination of the current planning application for development of this site".
- 9.25 Whilst para 8.7 of the supporting text to the Policy includes "health services" as a community facility, it is clear that the Policy is addressing the physical provision of facilities (e.g. new or improved buildings or land) rather than the running of services within such facilities. As such there is no policy basis for supporting such requests relating to financial contributions. This assessment was supported by the Council's Barristers who state that "the request for contributions by the Trust is not a material consideration in the determination of the current planning application for development of this site".
- 9.26 A further request was made by the Trust with regards to contributions. The Council sought further clarification on the reasoning for and calculation of the proposed contribution. Following correspondence between the Trust and the Council, the Trust has now **withdrawn** its request for a financial contribution (emphasis by officer).
- 9.27 **Education Provision**
- 9.28 Policy INF6 seeks to ensure that there is sufficient choice of school places available to meet the needs of existing and new communities. Within Skipton the educational board have identified that during the plan growth there may be a requirement for two new primary schools. To meet this potential requirement land safeguarded for any future primary school has been identified on five site within the local plan, of which this is one of them.

- 9.29 The application site is phase 1 of the development of a wider site (SK089) which lies to the east of the site and is in separate ownership of the applicant, but does not form part of this application site. The application site and the adjacent parcel of land to the east are together allocated in the Craven Local Plan for a primary school and residential development.
- 9.30 To progress this application, officers have consulted with the Education Officer on whether a primary school is required at this time. At the present time the Education Officer has not stated that there is an educational need for a primary school, as such in the absence of any identified need then residential development on this site is acceptable.
- 9.31 Whilst it is noted that there would have been a preference for both sites to come forward together as a hybrid application, given the separate ownership this has not been possible. Notwithstanding this, during the examination of the LP, officers worked closely with Planning Inspectorate to show that an area of undeveloped land on phase 2 would be an appropriate and feasible location for a future primary school in line with the site allocation requirements. Therefore, when phase 2 is submitted the undeveloped land would be adequately safeguarded in line with the site allocation, subject to conditions and planning obligations. However, it is important to stress that should the need be met elsewhere within the plan then the land would revert to residential.
- 9.32 **Visual impact**
- 9.33 Policy ENV3 set out the criteria for achieving good designed developments. In addition, Policy ENV5 identifies the importance of including, improving and expanding green infrastructure which can make a valuable contribution to visual impact of a development.
- 9.34 Section 12 of the NPPF highlights the importance of good design and its key role in providing sustainable development. Paragraph 127 states that LPAs should ensure that developments are visually attractive, are sympathetic to local character and history, and establish a strong sense of place.
- 9.35 Paragraph 130 however, does state that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area, taking into account local design standards or style guides. Conversely, where the design accords with clear expectations in plan policies, design should not be used by the decision maker as a valid reason to object to development.
- 9.36 **Layout, scale, appearance and landscaping.**
- 9.37 The proposed layout follows the principles set out within Policies SP5, ENV3 and ENV5 with respect to the internal highway network, public open space and the provision of a landscape buffer. In addition, the internal layout would ensure that the dwellings would not appear cramped and would be of a similar density compatible with the character of the surrounding residential development.
- 9.38 Dwellings would be arranged with both inward and outward facing aspects to flanking estate roads. This approach would achieve both active frontages to the roadside but also good natural surveillance.
- 9.39 Guidance within the NPPF advises that development should deliver a good mix of both types and size of dwellings. The majority of the new dwellings would be two storeys in height, although taller 3 storey dwellings are proposed to be constructed in the middle of the site. Notwithstanding this, it is considered that these larger dwellings which would be dispersed within the two storey dwellings, combined with the changes in topography would not result in these dwellings appearing as dominant or incongruous features in the wider context of the surrounding area.

- 9.40 The proposed dwellings in terms of their details, fenestration and materials would complement surrounding dwellings, with interest added to the dwellings through a combination of projecting porches, canopies, balconies and facing gables. The proposed dwellings would sit comfortably alongside existing dwellings located within the surrounding area and would not appear incongruous in the context of the site when read as a whole.
- 9.41 The proposed layout of the dwellings would include front garden aspects with rear private amenity areas enclosed by timber fencing. Public open space would be created with an existing stream that runs parallel to the railway line being enhanced. In addition, a public play area would also be created. Furthermore, the proposal would provide footpaths through the site which would improve access to the existing local footpath network.
- 9.42 The layout, scale, appearance and landscaping of the development would be compatible with the density, character and appearance of the surrounding area. Therefore, for the reasons outlined above it is considered that the proposal does not conflict with local plan policies, or the aims and objectives of the NPPF.
- 9.43 **Density and Mix of proposed development**
- 9.44 With regards to density of development, Policy SP3 of the CDLP requires “developments use land in an effective and efficient manner”. The policy then suggests a minimum density of 32 dwellings per hectare should be applied. Although it does state that “schemes with lower densities or mix proportions may be acceptable and justified where it is demonstrated that the proposal meets LP objectives or delivers sustainable forms of development.
- 9.45 In this instance, the application site has an area of approx. 2.48h, and so a scheme for 53 residential units would deliver a density of 21/22 dwellings per hectare. Whilst this is below the suggested minimum density, it is considered given the topography of the site that it is not untypical for a site with significant constraints to deliver lower density figures. Furthermore, SP3 recognises that in some instances sites will be unable to deliver the required density but, in such instances, will need to comply with other policy requirements.
- 9.46 Policy SP3 also makes reference to the mix of bedroom sizes in new residential developments and promotes the provision of smaller units to meet the identified demand and shortfall of such accommodation. With this scheme providing a majority of 1,2 and 3 bedroom properties it is considered that the proposal satisfies that policy objective.
- 9.47 The proposal therefore complies with the requirements of policy SP3 of the Local Plan and guidance contained within the NPPF.
- 9.48 **Amenity**
- 9.49 Policy ENV3 seeks to protect the amenity of existing residents and create acceptable amenity conditions for future occupants. This is broadly consistent with the aims and objectives of paragraph 127 (f) of the NPPF.
- 9.50 The nearest dwelling to the application site has been identified as No. 20 Airedale Avenue located to the south of the site at a separation distance of approximately 5m between gable to gable of plot 52. This separation distance complies with national guidance with regards to space between dwellings. In addition, this separation distance combined with the orientation of these dwellings would ensure that the occupants of this property would not experience any unacceptable loss of privacy or any overshadowing. Furthermore, for reasons outlined above the proposed dwellings would not appear overbearing or dominant when viewed from the private amenity areas associated with No. 20 Airedale Avenue.

- 9.51 The next nearest dwelling to the site would be No. 11 Airedale Avenue also located to the south of the site at a separation distance of approximately 12.5m from the side gable of Plot 1. To maintain the privacy of No. 11 the proposed building has been orientated to ensure that the occupants of this property do not experience any unacceptable loss of privacy or amenity as a result of this proposal. Similarly, the proposal would not appear dominant or overbearing.
- 9.52 The next group of dwellings located close to the application site are located on Wensleydale Avenue. The proposed layout shows the creation of a green buffer directly between dwellings on Wensleydale Avenue and the proposed dwellings. As a result of the green buffer, combined with the separation distances and the changes in topography it is not considered that the proposal would have an adverse impact on the privacy or amenity of the occupants of these dwellings.
- 9.53 With regards to the amenity of future occupants of the site it is considered that there is sufficient living accommodation to meet the needs of future residents. In addition, the separation distances between proposed properties is sufficient to ensure that no future occupants experience any unacceptable loss of privacy.
- 9.54 The layout, spacing, orientation and plot sizes of the development would not have any adverse effects on the privacy or amenity of neighbouring properties through the loss of outlook, overlooking or overshadowing, nor on any future occupants. Therefore, for reasons outlined above it is considered that the proposal does not conflict with the aims and objectives of the NPPF.
- 9.55 The proposal therefore complies with the requirements of policy ENV3 of the Local Plan and guidance contained within the NPPF.
- 9.56 **Highway Issues**
- 9.57 Policy SP5 sets out that access to the site could be gained from Airedale Avenue, Wensleydale Avenue and Elsey Croft and that contributions will be required for highway improvements at either of the following locations in accordance with policy INF7:
- The A65/Gargrave Road/A629/A59 junction; and the A6131/A65 junction.
- 9.58 Policy INF4 seeks to ensure that development have sufficient parking arrangements. Also of relevance is policy INF7 which seeks to ensure that developments incorporate sustainable transport solutions, whilst recognising that this can be achieved through a range of different approaches. These policies are consistent with the aims and objectives of the NPPF.
- 9.59 Another key paragraph of the NPPF is paragraph 109 of the Framework which indicates that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*
- 9.60 Access to the development would be off Airedale Avenue and would merge with the main estate roads. Within the site the development would provide in excess of 100 parking spaces which would include visitor parking spaces. Furthermore, the proposal would provide turning areas and pedestrian footpaths.
- 9.61 The application is accompanied by a Transport Statement (TS) as well as a Highways Tech Note. The TS makes the following conclusions with respect to transport impacts;

The development proposals have the potential to generate approximately one additional vehicle on the local highway network every two minutes.

The scheme would not prejudice the delivery of the wider SK089 development in the future.

The Hurrs Road/Shortbank Road Priority T-junction has been robustly assessed and confirmed that this T-junction can accommodate the increase in traffic with minimal impact on the local highway network.

Improvements to the Airedale Avenue and Hurrs Road junction.

The Jacobs Report which supported the adoption of the Craven Local Plan demonstrated that the junctions within close vicinity of the site can accommodate the allocation.

- 9.62 The site would be accessed via an existing route off Airedale Avenue. The access would enable two-way traffic to flow along it, with footways running along both sides of the internal road network.
- 9.63 Details submitted also show that the width of the northern section of the internal road has been increased to 5.5m in accordance with NYCC Residential Design Guide. Furthermore, following concerns from members ref any future ransom strip the northern section of the internal road layout now abuts the western boundary of the adjacent site and thus ensuring no potential for a future ransom strip. These amendments were also sought by the landowner of the adjacent site to ensure that this development did not prejudice any further development on land adjacent to the application site.
- 9.64 NYCC Highways have reviewed the internal road layout arrangements including parking provision and conducted site visits and have not raised any objections on highway safety grounds with regards to the current scheme.
- 9.65 Concerns have been raised with regard to the proposed works to the junction between Airedale Avenue and Hurrs Road. Following concerns expressed, a site visit was conducted between highways and interested members. Following that meeting it was confirmed that the highways authority had no concerns and that this element of the proposal was acceptable on highway safety grounds as the amendments requested to the existing visibility splays by NYCC Highways to this junction which is laid out without any road markings would result in an improve the visibility sight lines at the junction above those that are currently available, and would formalise the junction and thus improve highway safety.
- 9.66 Concerns were also raised with regards to the proposed visibility splays at the Hurrs Junction that they would fall over third party land. However, this would not be the case. Therefore, concerns over land ownership are not relevant to the consideration of this application.
- 9.67 Concerns were raised that no speed survey was undertaken with regards to the proposed works between Airedale Avenue and the Hurrs Road junction. Following a site visit, it was confirmed by the highways authority that as the works are an improvement to the existing visibility splays no speed surveys are required as the existing junction is currently in use without any improvements. These works can be secured via a condition.
- 9.68 Comments have been received stating that access should be provided off Otley Road. These comments are noted, but it is important to stress that during the examination of the local plan that the access to this site off Otley Road was deleted following concerns raised by the highways authority that the necessary visibility splays could not be achieved. As

such, during the examination, the access off Otley Road was deleted on the instruction of the Planning Inspectorate in light of the concerns raised by the highway authority.

- 9.69 Comments have been received regarding the issue of a vehicle access off Wensleydale Avenue. It is noted that policy SP5 states that access to the site can be achieved from Airedale Avenue, Wensleydale Avenue and Elsey Croft. However, following discussions with the highway authority it was considered that an access via Wensleydale Avenue was not a practical option. Therefore, this proposal must be assessed on its individual merits, and in this case, the provision of a vehicle access via Airedale Avenue, an access that NYCC Highways have not objected to on highway safety grounds.
- 9.70 The proposal would provide a financial contribution towards the provision of highway improvements and thus complies with the policy INF7.
- 9.71 It is accepted that the development would result in an increase in the number of vehicles accessing the road network as outlined within the TS. However, the impact on the existing network has been considered by NYCC Highways who have not recommended refusal on the grounds that the development would have an adverse impact on highway safety nor that the residual cumulative impacts would be severe in line with guidance set out in paragraph 109 of the NPPF.
- 9.72 Therefore, in the absence of any defensible evidence that the development would give rise to highway safety issues or that the residual cumulative impacts would be severe a reason to refuse on highway grounds could not be supported at appeal.
- 9.73 In conclusion, it is considered that the proposal would provide a safe and suitable means of access to the site which would not give rise to a severe residual cumulative impact on the capacity of the surrounding highway network. Furthermore, the internal road layout would provide safe movement of vehicles through the site with a suitable level of parking provision provided to ensure that the development would not have an adverse impact on highway safety.
- 9.74 As such, it is officer view that there are no highway grounds that could justifiably be used to oppose the development.
- 9.75 The proposal therefore complies with the requirements of policies SP5, INF4 & INF7 of the Local Plan and guidance contained within the NPPF.
- 9.76 **Flooding & Drainage**
- 9.77 Policy ENV6 states that growth will help to avoid and alleviate flood risk. This means development will take place in low risk areas wherever possible and always in areas of lowest acceptable risk. Development will incorporate flood prevention and water management measures, including SuDS where possible; maintain access to watercourses and flood defences; avoid areas with potential to increase flood resilience and seek to enhance natural flood management; minimise risks from surface water with appropriate foul and surface water disposal.
- 9.78 The majority of the site (which forms the majority of the site area) falls in flood zone 1 (land with a less than 1 in 1,000 or <0.1% annual probability of river/sea flooding). However, the far western part of the site is located in flood zones 2 (land with between a 1 in 100 and 1 in 1000 or 1% - 0.1% annual probability of river/sea flooding) as defined on the Environment Agency's Flood Map.

- 9.79 With regards to this site, flood risk vulnerability classification identifies this proposal as being within the 'more vulnerable' classification where this form of development is considered appropriate subject to the submission of a Strategic Flood Risk Assessment.
- 9.80 The proposal has been supported by a Flood Risk Assessment and Drainage Strategy. The document and supportive drawings outline the mitigation measures proposed with surface water drainage. In addition, the following information has been provided to the LLFA for consideration.
- Drainage principles and flood zone 2 commentary
 - Greenfield run-off analysis
 - Greenfield area plan
 - Surface water calculations
 - Attenuation storage volume
 - Drainage layout plan
- 9.81 The LLFA Suds officer has reviewed all the information provided and confirms that the details provided demonstrates that the proposed drainage scheme can be delivered without increasing runoff into the watercourse or increase flood risk on or off site. In addition, the LLFA Suds officers confirms that the proposed Suds system can be implemented on site and maintained for its lifetime thus meeting the requirements of paragraph 163 of the NPPF and local plan policies SP5 and ENV6.
- 9.82 Foul water would be dealt with via a connection to the main sewer network. Yorkshire Water have been consulted on the information provided and have recommended that planning conditions are attached requiring submission of details outlined in section 6 of this report.
- 9.83 As outlined above, a small section of the site lies within FZ2 and based on the flood risk vulnerability classification this proposal lies within the 'more vulnerable' classification. Notwithstanding this the EA considered this form of development appropriate in FZ2 areas and recommends that proposal follow standing advice. In this instance, the proposal as outlined above has been submitted with a FRA which has incorporated mitigation measures based on the EA's standing advice.
- 9.84 In conclusion, it is considered that the proposed development of this site combined with the proposed improvements and mitigation measures which would take the development out of FZ2 would not give rise to any unacceptable flood risk in the site or elsewhere.
- 9.85 Therefore, there are no defensible grounds to resist permission based on flooding or drainage Issues.
- 9.86 The proposal therefore complies with the requirements of policy ENV6 of the Local Plan and guidance contained within the NPPF.
- 9.87 **Biodiversity**
- 9.88 Policy ENV4 states that growth in housing, business and other land uses will be accompanied by improvements to biodiversity. This means that wherever possible, development will make a positive contribution towards achieving a net gain in biodiversity.
- 9.89 Comments from Natural England highlighted the need for a HRA to be undertaken and concerns over the potential impact on the North Pennines SCA & SPA.

- 9.90 The application site does not fall within a site designated for bio-diversity, but is within the impact risk zone of a Site of Special Scientific Interest, and as such, an appropriate assessment needs to have been undertaken by officers to ensure that there are no adverse effects arising from the development
- 9.91 The Royal Society for the Protection of Birds (RSPB) highlighted that Golden Plover's may be present in the Skipton area, although it was noted that the RSPB local group held no bird records and that any mention of birds recorded may be anecdotal.
- 9.92 The application is supported with a Preliminary ecological appraisal report, a Biodiversity mitigation plan and a Habitat regulations assessment. The Biodiversity mitigation plan states that a desk study was undertaken and included an extended phase 1 habitat survey.
- 9.93 This survey highlights the limited potential of the area around the site to support a bat population, water vole, great crested newts, reptiles and that there were no signs of badger or otters on the site. It was recorded that Curlew and black-headed gull were noted calling from land adjacent to the site. No evidence of Golden Plover was found during the ecological walkover survey. The survey concludes that the development of the site is feasible with minimal impact to biodiversity subject to the recommended mitigation and enhancement measure are incorporated within the scheme.
- 9.94 The application site is actively farmed land, and is generally open and of limited ecological value. It is not within any designated site, although there is an area of overgrown vegetation (shrubs/trees) to the north and northwest of the site (adjacent to the railway line). The proposal is seeking to retain a section of this existing vegetation and include the provision of green space as a landscape buffer to the south of the site. Details submitted shows the provision of additional landscaping to the landscape buffer as well as the open green spaces and as such this would enable an overall biodiversity net gain on the site thus compiling with policy ENV4.
- 9.95 With regards to any potential impact arising from the proposal Natural England required clarification that the proposed green infrastructure (GI) and linkages with other FI networks and pathways surrounding the site, would contribute to residents of the new dwellings utilise these GI at least some of the time for their recreational requirements, rather than more consistently using the pathways and routes within the North Pennines Special Area Conservation and Special Protection Area.
- 9.96 The proposed green infrastructure has been strategically located so that it can connect up with existing footpaths through the town to facilitate longer recreational walks. It is considered that the proposed green infrastructure would provide opportunities within and adjacent to Skipton thus greatly reducing the requirements for walking opportunities in the North Pennines Special Area Conservation. This is opinion is supported by NE who have raised no objections to the proposal.
- 9.97 In conclusion, in the officer's opinion the proposed development on this site would not have an adverse impact on the North Pennines Special Area Conservation or Special Protection Area and that the development would not have an unacceptable impact on protected species and would provide biodiversity enhancements.
- 9.98 The proposal therefore accords with Policy ENV4 of the Local Plan and guidance contained within the NPPF.
- 9.99 **Land and Air Quality**
- 9.100 Policy ENV7 seeks to safeguard and improve land quality by ensuring that grade 3 agricultural land is not developed where possible.

- 9.101 In this instance, the site has been classified as being grade 4 agricultural land. As such, the proposal complies with policy ENV7.
- 9.102 The proposal due to its location close to existing foot paths, layout and design would encourage walking, cycling and the use of public transport thus helping to improve the air quality.
- 9.103 The proposal therefore complies with the requirements of policy ENV7 of the Local Plan and guidance contained within the NPPF.
- 9.104 **Water resources, water quality and groundwater**
- 9.105 Policy ENV8 seeks to safeguard and improve water resources.
- 9.106 The proposal will be served by existing foul water infrastructure. Yorkshire Water have been consulted and have not raised any objections on the grounds that the existing infrastructure does not have the capacity to cope.
- 9.107 The proposal has been designed to incorporate water conservation measures into its design e.g. water collection facilities and re-use of the water within the site.
- 9.108 The proposal therefore complies with the requirements of policy ENV8 of the Local Plan and guidance contained within the NPPF.
- 9.109 **Renewable Energy**
- 9.110 Policy ENV3 criteria T) requires that development takes all **reasonable opportunities** to reduce energy use, water use and carbon emissions and to minimise waste, ensure future resilience to a changing climate and wherever possible to generate power through solar or other means in accordance with Building Regulations (*emphasised by officer*).
- 9.111 The proposed development would be constructed in accordance with Breeam standards (e.g. sustainability assessment of building and enhancing site ecology) and building control regulations (e.g. Part L Sustainable development). In addition, to provide more sustainable forms of transport the site will provide electric charging points. It is therefore considered in officer's opinion that the proposal has taken all reasonable opportunities to integrate sustainability into the residential development.
- 9.112 The proposal therefore complies with the requirements of policy ENV3 criteria T) of the Local Plan and guidance contained within the NPPF.
- 9.113 **Other issues.**
- 9.114 Concerns have been raised with regards to increased air pollution. The Council's Environmental Health team have been consulted and have raised an objection to the proposal with regards to any potential increase in pollution.
- 9.115 Concerns have also been expressed with regards to increased pressure on local amenities and services. In the absence of any evidence from statutory consultees that the existing infrastructure would be unable to cope with the development a reason to refuse on these grounds could not be supported at appeal.
- 9.116 Similarly, as Skipton has been identified as the Principal Town Service Centre within the settlement hierarchy which focuses on growth patterns and offers the widest range of services it is not envisaged that a development of this scale would put significant pressure on services to withhold planning approval.
- 9.117 The provision of green infrastructure would provide both improvements in biodiversity but would also help tackle climate change.

9.118 **Conclusion**

- 9.119 The application relates to a parcel of agricultural land which lies outside of the development limits for Skipton. Nevertheless, the site has been taken forward in the local plan as a site for housing.
- 9.120 The site lies adjacent to existing residential dwellings, therefore, whilst the proposal would result in the loss of an agricultural field, the relatively close relationship between this application site and adjacent dwellings would mean that the development would be seen against the backdrop of existing buildings.
- 9.121 The proposal in terms of design, scale, siting and landscaping would achieve a form of development that would not result in any unacceptable harm to the character and appearance of the surrounding area.
- 9.122 The proposed access to the site via Airedale Avenue is considered safe and suitable for all users. The internal layout would also provide suitable pedestrian and vehicle movement and off street parking. It is acknowledged that the development would see an increase in traffic using the existing road network, however, it is considered that the traffic generated by the development would not have any severe residual effects on the capacity of the surrounding highway network.
- 9.123 The proposal would have positive impacts arising from the provision of open space and play facilities, footpaths, good quality housing and access to services.
- 9.124 It is acknowledged that the development of this site would result in a loss of outlook for some nearby residents. However, the proposal has been design to ensure that there would be no unacceptable loss of privacy or amenity to these adjacent residents or those located further away.
- 9.125 No adverse effects would arise with respect to ecology, flood risk that would significantly and demonstrably outweigh the scheme's benefits.
- 9.126 In respect of all other material planning considerations, it is determined that the proposed development would be acceptable subject to the imposition of appropriate conditions and legal agreement.
- 9.127 **Planning Balance**
- 9.128 The proposal would deliver a strategic housing site within the local plan and help deliver economic benefits through the creation of new homes during the construction phase and from future residents as they access local services and facilities that would benefit the local economy. The scheme would also enable the delivery of highway improvements defined in the Local Plan at the A65/Gargrave Road/A629/A59 junction, and the A6131/A65 junction which in officer's opinion carry strong weight, as the road improvements as they form a key component of the Local Plan as well as a requirement for development of this strategic housing site under Policy SP5.
- 9.129 It acknowledged that the development of this site would have an environmental impact through the loss of an agricultural field, however, the proposal would not extend beyond the site allocation boundary, and has been designed to meet the design requirements of Policy SP5 and thus any potential harm is considered to be limited.
- 9.130 The NPPF states that the purpose of the planning system is to contribute to the

achievement of sustainable development. In economic terms, the development would provide construction jobs, on site employment opportunities, and would help deliver important infrastructure improvements. In social terms, the development has significant potential to deliver a high quality neighbourhood with open space and local facilities, and a range of homes. In environmental terms, the scheme would deliver a strong landscape framework. There would be some adverse impacts arising from the development, but these are not considered to be of such weight that permission should be refused.

9.131 On this basis, my final conclusion is that planning permission should be granted.

10. Recommendation

10.1 That subject to the completion of an appropriate legal agreement to secure contributions/planning obligations towards:

- The provision of on-site Affordable Housing
- Public Open Space Contributions
- Highway Improvements Contributions

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

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

Conditions

Time Limit for Commencement

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

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

Approved Plans

2 This permission relates to the following plans and documents:

- 01-A-Site Location Plan
- 02-Existing Site Layout
- 03-G-Proposed Site Layout
- 04-Site Block Plans
- 05-Existing Site Sections
- 06-A Proposed Site Sections A-A + B-B
- 10-B-Proposed Floor Plans & Elevations Type A
- 11-B-Proposed Floor Plans & Elevations Type B
- 12-B-Proposed Floor Plans & Elevations Type C
- 13-B-Proposed Floor Plans & Elevations Type D
- 14-D-Propsoed Floor Plans & Elevations Type E
- 15-D-Propsoed Floor Plans & Elevations Type F

- 16-D-Proposed Floor Plans & Elevations Type G
- 17-D-Proposed Floor Plans & Elevations Type H
- 18-C-Proposed Floor Plans & Elevations Type I
- 19-D-Proposed Floor Plans & Elevations Type J
- 20-D-Proposed Floor Plans & Elevations Type K
- 21-B-Proposed Floor Plans & Elevations Type L & M
- 22-B-Proposed Floor Plans & Elevations Type N
- A-Design & Access Statement

Topographical Survey Drawings

- TRI-2477-01-A1 - TriCAD Solutions Ltd
- TRI-2477-02-A1 - TriCAD Solutions Ltd
- TRI-2477-03-A1 - TriCAD Solutions Ltd
- TRI-2477-04-A1 - TriCAD Solutions Ltd
- TRI-2477-05-A1 - TriCAD Solutions Ltd
- TRI-2477-06-A1 - TriCAD Solutions Ltd
- 18164-PWA-00-XX-RP-C-1003 P01 FZ2 AND DRAINAGE

Archaeological Desk Based Assessment - On Site Archaeology Ltd

Geophysical Survey - On Site Archaeology Ltd

- Phase I Geo-Environmental Assessment - Paul Waite Associates
- Phase II Geo Environmental Assess - Paul Waite Associates
- FRA and Drainage Strategy - Paul Waite Associates inc drawing 18164 DR 01 P06
- 18164 PW A 00 XX DR C 5000 PO1 Section 104 Drainage
- 18164 PWA A 00 XX DR C 5001 PO1 Flood Routing Plan
- 18164-PWA-00-XX-DR-C-1007 P01 FLOOD ZONE 2 EXISTING AND PROP
- 18164-PWA-00-XX-DR-C-2000 P10 EXTERNAL WORKS
- 18164-PWA-00-XX-DR-C-3000 P09 EARTHWORKS ANALYSIS

1001-P03-Impermeable Area Plan - Paul Waite Associates

- 2000-P07-External Works - Paul Waite Associates
- 2001-P01-Retaining Wall Details Sheet 1, 2 & 3 - Paul Waite Associates
- 3000-P06-Earthworks Analysis - Paul Waite Associates
- 4000-P01-Remediation Strategy - Paul Waite Associates

LL01-C - Landscape Plan - Smeeden Foreman

- LL02-D - Landscape Plan - Smeeden Foreman
- SF2909 Landscape visual impact
- SF2909 rev B Habitat Regulations Assessment
- Aboricultural Survey Report - Smeeden Foreman
- TPP01 - Tree Protection Plan - Smeeden Foreman
- Preliminary Ecological Appraisal - Smeeden Foreman
- LMP01 rev C- Landsdcape Management Plans
- 6000_P02

Transport Statement - AMATP

AMA-20379-SK002 (ADDITIONAL INFO) FIGURE 2

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

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

Before you Commence Development

- 3 Development shall not commence until a scheme restricting the rate of development flow runoff from the site has been submitted to and approved in writing by the Local Planning Authority.

The flowrate from the site shall be restricted to the Qbar greenfield runoff rate for all events up to the 1 in 100 year event. A 30% allowance shall be included for climate change effects and a further 10% for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility.

No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, in accordance with the requirements of Policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

- 4 No development shall take place until an appropriate Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority. Site design must be such that when SuDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site.

This is achieved by designing suitable ground exceedance or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site.

Reason: to prevent flooding to properties during extreme flood events and to mitigate against the risk of flooding on and off the site and to accord with Policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

During Building Works

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

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

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

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

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

- 7 Prior to any above ground works, a scheme shall be submitted to and approved in writing by the local planning authority to provide that the buildings are designed and constructed so as to ensure that vibration values do not exceed 0.4m/s^{1.75} between 07.00 and 23.00 hours, and 0.26m/s^{1.75} between 23.00 and 07.00 hours, as calculated in accordance with BS 6472-1:2008, entitled Guide to Evaluation of Human Exposure to Vibration in Buildings. The dwellings shall be constructed in accordance with the approved scheme and maintained for the life of the approved development.

Reason: To safeguard the living conditions of residents particularly with regard to the effects of vibration and to accord with the National Planning Policy Framework.

- 8 During construction works there shall be no:
- a. Light Goods Vehicles exceeding 3.5 tonnes
 - b. Medium Goods Vehicles up to 7.5 tonnes
 - c. Heavy Goods Vehicles exceeding 7.5 tonnes

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

Reason: To avoid conflict with vulnerable road users and to accord with the requirements of Policy INF 7 of the Craven Local Plan and the National Planning Policy Framework.

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

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

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

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

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

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

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

- 12 Drawings and details to be submitted under one S38 application to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:
- a. Detailed engineering drawings to a scale of not less than 1:250 and based upon an accurate survey showing:
 - o the proposed highway layout including the highway boundary dimensions of any carriageway, cycleway, footway, and verges
 - o visibility splays
 - o the proposed buildings and site layout, including levels
 - o accesses and driveways
 - o drainage and sewerage system
 - o lining and signing
 - o traffic calming measures
 - o all types of surfacing (including tactiles), kerbing and edging.
 - b. Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:
 - o the existing ground level
 - o the proposed road channel and centre line levels
 - o full details of surface water drainage proposals.
 - c. Full highway construction details including:
 - o typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
 - o when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
 - o kerb and edging construction details
 - o typical drainage construction details.
 - d. Details of the method and means of surface water disposal.
 - e. Details of all proposed street lighting.
 - f. Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.
 - g. Full working drawings for any structures which affect or form part of the highway network.
 - h. A programme for completing the works. The development shall only be carried out in full compliance with the approved drawings and details unless agreed otherwise in writing by the Local Planning Authority with the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interests of highway safety and to accord with Policy INF of the Craven Local Plan and the National Planning Policy Framework.

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

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

- 14 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
- Reason: In the interest of satisfactory and sustainable drainage and to accord with the requirements of the National Planning Policy Framework.
- 15 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 24m measured along both channel lines of the major road Hurrs Road from a point measured 2m down the centre line of the access road. The eye height will be 1.05m and the object height shall be 1.05m. This can be achieved with the installation of new junction markings as per the proposed offsite Highway works showing on drawing 6000_P02 dated 8.8.2019.
- Reason: In accordance with the Craven Local Plan and the National Planning Policy Framework.
- 16 Each dwelling shall be constructed to achieve a minimum code for sustainable homes in accordance with the requirements of Code for Sustainable Homes: Technical Guide. The development shall be carried out entirely in accordance with the approved assessment and certification.
- Reason: To ensure that the development is sustainable and makes effective use of energy, water and materials and to comply with policy ENV3 of the Craven Local Plan and the National Planning Policy.
- 17 All flood risk mitigation works required in connection with the development hereby approved shall be carried out in complete accordance with the approved Flood Risk Assessment Report reference 18164/CR/01P06by Paul Waite Associates.
- Reason: To ensure that there is no increased risk of flooding as a result of the development and to accord with Policy ENV6 of the Craven Local Plan and the National Planning Policy Framework.
- 18 The development hereby approved shall be carried out in strict accordance with the approved biodiversity mitigation plan submitted and agreed as part of the the approved development and shall be retained thereafter.
- Reason: In the interests of protecting the biodiversity of the environment and to accord with Policy ENV4 of the Craven Local Plan and the National Planning Policy Framework.
- 19 No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a detailed check of the site for active birds' nests has been undertaken and written confirmation has been submitted to the planning authority that no birds will be harmed and that there are appropriate measures in place to protect nesting bird interest on the site.
- The check shall be undertaken no later than 14 days before the commencement of the, development and no site clearance or other works in connection with the development hereby approved shall commence unless the written confirmation and protection measures have been submitted to and approved in writing by the planning authority. The development shall be carried out in accordance with the approved protection measures.
- Reason: In the interest of safeguarding the habitat of local bird species and to accord with Policy ENV4 of the Craven Local Plan and the National Planning Policy Framework.
- 20 All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely

damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and to accord with Policies ENV3, ENV4 of the Craven Local Plan and the National Planning Policy Framework.

Before the Development is Occupied

- 21 Prior to the occupation of the last five dwellings to which this planning permission relates the carriageway shown on the approved plan from which it gains access to adjoining allocated site ref: 89 is constructed to basecourse macadam level.

Reason: To ensure appropriate access and egress to the adjacent site, in the interests of highway safety and to accord with the requirements of the National Planning Policy Framework.

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

Reason: To provide for adequate and satisfactory provision of off street accommodation for vehicles in the interest of safety and the general amenity of the development and to accord with Policy INF4 of the Craven Local Plan and the National Planning Policy Framework.

- 23 Prior to the occupation of the last five dwellings to which this planning permission relates the carriageway and any footway/footpath shown on the approved plan from which it gains access is constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.

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

Reason: To ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents. accord with the requirements of Policy INF4 & INF 7 of the Craven Local Plan and the National Planning Policy Framework.

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

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

Reason: In order to ensure that no undue disturbance is caused to individual occupants by the transmission of airborne sound and to accord with Policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

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

Planning Authority. Thereafter, the open grassed areas shall be permanently maintained in accordance with the approved management plan.

Reason: In the interests of visual amenity and residential amenity and to accord with the requirements of Policy ENV5 of the Craven Local Plan and the National Planning Policy Framework.

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

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

Ongoing Conditions

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

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

Informatives

1. Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.
2. The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.
3. The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.
4. Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details

of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Acceptable:

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

Not Acceptable:

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

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

5. Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application.
6. All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.
7. Children's play areas, open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railings, steel palisade or such other fence approved by the Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 1.8 metres and the fence should not be able to be climbed.

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

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

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

10. The developer proposes to divert the public foul sewer crossing the site (subject to Section 185 of the Water Industry Act 1991). On the Statutory Sewer Map, there are 100mm & 225mm diameter public foul sewers recorded to cross the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme. With regards to the 100mm & 225mm public foul sewers, YWS would look for this matter to be controlled by Requirement H4 of the Building Regulations 2000. The proposal by the developer to divert the foul sewer will be subject to YW requirements and formal procedure in accordance with Section 185 Water Industry Act 1991.
11. All wild birds, nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that persons undertaking site clearance, hedgerow removal, demolition works

etc. between March and August may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September-28 February wherever possible. Otherwise, a qualified ecologist should make a careful check before work begins.

12. All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rail's infrastructure or railway land.
13. All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.
14. An Armco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing / wall must not be removed or damaged. Given the considerable number of vehicle movements likely provision should be made at each turning area/roadway/car parking area adjacent to the railway.
15. Although the existing NR fence is adequate in preventing trespass there will inevitably be pressure from the new residents to soften or even attempt to alter its appearance. It should be noted that our fence should not be altered or moved in any way and nothing should be put in place to prevent us from maintaining our boundary fence as we are obliged to do so in law. It is our experience that most developments seek to provide their own boundary enclosure so as to avoid such future problems. It would also help to reduce the impact of railway noise. We would advise that the developer should provide a trespass proof fence adjacent to Network Rail's boundary (minimum 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged.
16. Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.
17. Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

18. Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement
19. Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed
20. With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.
21. All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soakaways must be located so as to discharge away from the railway infrastructure. The following points need to be addressed:

There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.
All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.
Attenuation should be included as necessary to protect the existing surface water drainage systems from any increase in average or peak loadings due to normal and extreme rainfall events.
Attenuation ponds, next to the railway, should be designed by a competent specialist engineer and should include adequate storm capacity and overflow arrangements such that there is no risk of flooding of the adjacent railway line during either normal or exceptional rainfall events.
22. No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development. Applicants are advised to contact the Country Council's Access and Public Rights of team at County Hall, Northallerton via paths@northyorks.gov.uk to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss the Highway Authority any proposals for altering the route.
23. In accordance with the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.
24. Topsoil

The applicant is advised it is the responsibility of the developer to ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 Specification for Topsoil. Supplier(s) details and confirmation on the source(s) of any topsoil materials brought on site should be made available for inspection at the request of the Council's Environmental Health Department.
25. Noise

The applicant needs to have regard to the BS8233:2014 Guidance on 'Sound Insulation and Noise Reduction for Buildings' which presents guideline noise levels for both inside and outside dwellings.
26. 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.

27. Charging Points

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

28. Broadband Connectivity

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

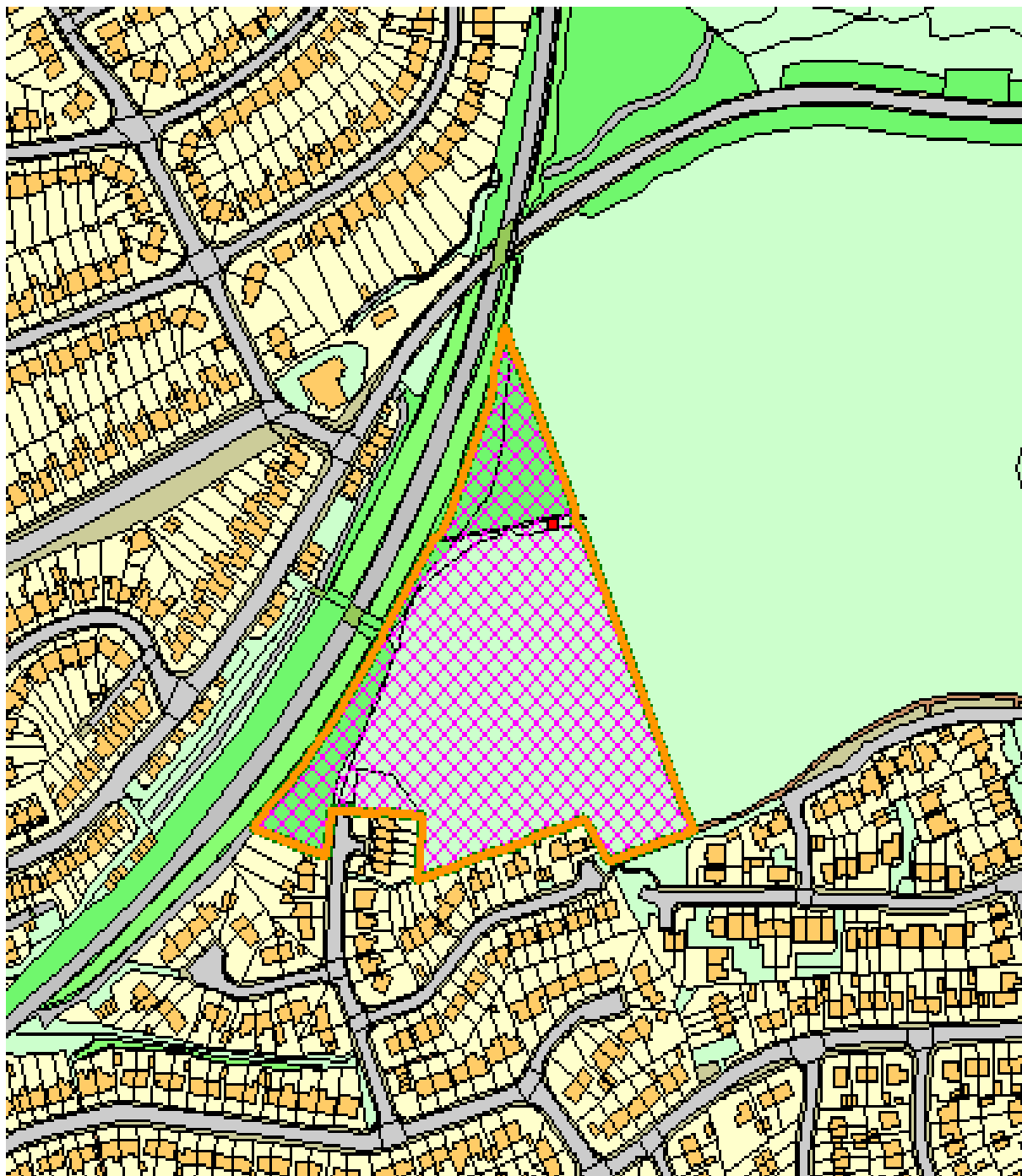
The District Council has produced a document, "Broadband Connectivity for New Developments in Craven - A Briefing Note for Developers" which provides a general introduction to broadband connectivity in the District. The briefing note is available by emailing edu@cravendc.gov.uk or can be downloaded from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

29. No new trees must be planted 5m either side of any public sewer centre-line.

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

The pipe is located and marked out by YW prior to construction activity commencing and to arrange a visit the developer should contact tech_support.engineer_west@yorkshirewater.co.uk

31. Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager



Application Number: 2019/20463/REG3

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

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

On behalf of: Craven Barnfield Regeneration Ltd

REPORT TO PLANNING COMMITTEE ON 28th September 2020

Application Number:	2019/20487/FUL
Proposal:	Change of use of land from former Railway Goods Yard to 5 no. Holiday Lodges (Phase 2)
Site Address:	Former Railway Goods Yard Clapham Station Clapham LA2 8ES
On behalf of:	Adams Park Homes
Date Registered:	3rd June 2019
Expiry Date:	29th July 2019
EOT Date, if applicable:	31st July 2020
Case Officer:	Mr Mark Moore

This application is referred to Planning Committee for a decision at the request of Cllr Lis following objections from local residents regarding the impact of the proposed development on residential amenity.

1 Site Description

- 1.1 The application site comprises part of former railway sidings to the north west of Clapham Station which now serves only the Skipton to Lancaster line. The site is accessed just off Wenning Bank in Clapham and is undeveloped. There is a small cluster of residential development near to the site opposite the railway station although the site also faces towards a large residential property on the northern side of the lane and further westwards out into open countryside.
- 1.2 The site comprises the southernmost part of a linear site of which the northern section has planning permission for siting of caravans. The western boundary of the site lies adjacent to the railway line whilst the eastern boundary adjoins the roadside.
Officer note: Under extant planning permission and subsequent variations there is approval for siting of a total of 15 lodges on the phase 1 site located immediately adjacent (planning permission ref: 18/2016/17483 refers).
- 1.3 The site is flat and relatively open is enclosed by stone walling and has some existing tree and hedgerow screening along its boundaries.
- 1.4 The application site is located within open countryside and lies within the Forest of Bowland AONB 50m buffer.

2 Proposal

- 2.1 The application seeks planning permission for the change of use of land from former railway goods yard to a site for 5 holiday lodges. It is also proposed to construct a maintenance and cycle storage building and to provide a total of 8 car parking spaces. Other areas within the site would be used for LPG storage and a landscaping scheme is proposed across the site. The application is a proposed second phase to an extant planning permission that allows for 15 holiday lodges on the land located adjacent to the northern edge of the application site.

Officer note: Following objections raised by the AONB Officer and request for amendments to reduce the scale of development and its potential for visual impact the proposals have been revised.

It was originally proposed to site 9 holiday lodges and this has been reduced to 5 which has enabled additional screen planting to be incorporated within the scheme.

- 2.2 The lodges are to be constructed using horizontal dark stained boarding with grey roofing tiles and would sit on a stone plinth.
- 2.4 A cycle store and maintenance unit is to be provided to the south east of the site. This will be a single storey building with a set of double doors on the west elevation. No windows are to be provided within this building. This unit will be finished with horizontal timber boarding with a dark stain finish; the roof will have concrete tiles in slate grey.
- 2.3 Parking is to be provided adjacent to all of the proposed holiday lodges and a 3 bay parking area is to be provided in between the cycle store and holiday lodge no. 5. The proposed hardstanding areas are to be block pavements. It is proposed to use the existing vehicle access which is located to the northern edge of the application site and is central to the existing and proposed sites. Low level lighting is proposed which would be sited along the internal site access road.
- 2.4 Following the submission of amended plans an improved landscaping scheme has been proposed which will incorporate existing trees (24 individual specimens have been identified on the site comprised of a mix of Sycamore, Ash and Silver Birch all of which are to be retained). In addition to the retained tree planting it is proposed to incorporate additional tree and hedgerow planting to screen the boundaries of the site from the adjacent railway and roadside.

3 Planning History

- 3.1 5/18/102/A – Development for self-catering holiday chalets with ancillary retail and parking facilities, former Goods Yard and Sidings adjoining Clapham Station. (Change of use). This application was withdrawn.
- 3.2 18/2005/5116/FUL: Proposed 11 No. Holiday Chalets. Approved October 2005.
- 3.3 18/2005/6223/VAR: Deletion of Condition 4 of Planning Ref: 18/2005/5116 (proposed 11 no. holiday chalets). Approved May 2006.
- 3.4 18/2006/6224/VAR: Deletion of Condition 5 of Planning Ref: 18/2005/5116 (proposed 11 no. holiday chalets). Approved May 2006.
- 3.5 18/2006/6225/VAR: Deletion of Conditions 4 & 5 of Planning Ref: 18/2005/5116 (proposed 11 no. holiday chalets). Approved May 2006.
- 3.6 18/2016/17483: Variation of condition no 2 & 5 of previously approved application (18/2006/6225) to allow revised site layout (increasing number of chalets from 11 to 15) and landscaping. Approved March 2017.
- 3.7 2018/19550/FUL – Change of use of land from Former Railway Goods Yard to site 9 no. holiday lodges (Phase 2). Application withdrawn November 2018.

4 Planning Policy Background

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

- o SD1: Presumption in Favour of Sustainable Development.
- o ENV1: Countryside and Landscape.
- o ENV3: Good Design
- o ENV5: green Infrastructure
- o ENV7: Land and Air Quality
- o ENV12: Footpaths, Bridleways, Byways and Cycle Routes
- o EC3: Rural Economy
- o EC4: Tourism

- o INF4: Parking Provision.
- o INF7: Sustainable Transport and Highways

4.2 **National Planning Policy Framework**

4.3 **Planning Practice Guidance**

5 Parish/Town Council Comments

5.1 **Clapham Parish Council:**

Comments received 26th June 2019. The Council objects on the following grounds:

- The proposed development would, taking account of what has already been permitted along similar lines, constitute an over-development of holiday lodges and would alter the character of an essentially agricultural and residential area.
- The development would adversely impact on the view towards Ingleborough from the Keasden Road.
- Further, it would lead to loss of outlook from nearby properties, particularly Farrer Lodge and Granny Townley's.
- There are already drainage issues in the vicinity of Clapham Station. These would be exacerbated by the introduction of the proposed holiday lodges.
- There would be an increase of traffic on adjacent narrow lanes that would have an adverse impact on those already living and working in the area.

Further comments were received 24th July 2019 following on from amended plans being submitted. The Parish Council still relies on its objection submitted after its meeting of the 25th June 2019.

6 Consultations

6.1 **NYCC Highways:**

Comments received 19th June 2019. The existing access to phase 1 will be used for phase 2. Consequently, the Local Highway Authority recommends that a condition is attached which relates to visibility splays, and an informative relating to an explanation of the terms used.

Further comments were received on the 9th July 2019 following the receipt of amended plans. NYCC Highways comments remain unchanged to those provided in June 2019.

6.2 **CDC Trees Officer:**

Comments received 12th June 2019. No objections to the application and the proposed tree species are appropriate however (no. 02) only shows Hawthorn to be planted (CM) whilst the specifications state a mix of Field Maple, Oak & Birch are to be planted. The drawing should reflect this.

Officer note: Amended plans were provided and comments were received by the tree officer on the 18th June 2019, these comments confirm that he is satisfied with the amendments made.

6.3 **United Utilities:**

Comments received 19th July 2019. The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. A condition relating to surface water and foul water is recommended, a condition is also provided which relates to the management and maintenance for the lifetime of the development.

6.4 **CDC Environmental Health Officer (Contamination):**

Comments received 10th June 2019. Due to the historical land use as railway land there is a potential for the land to be contaminated. It is therefore recommended that contaminated land conditions relating to Phase 1 Desk Study Report, Phase II Intrusive Site Investigation Report, Implementation and Amendment of Remediation Strategy and Validation Report are added to any permission granted.

6.5 **CDC Environmental Health Officer (Noise etc.):**

Comments received 10th June 2019. As the proposed holiday lets are in close proximity to the railway, they may be affected by both noise and vibration from passing trains. Conditions and informatives are recommended which relate to noise, vibration, and clean topsoil.

6.6 **Network Rail:**

Comments received 21st August 2019. Network Rail have the following comments to make:

- (1) The 1.8m high trespass proof fence is noted as well as its location from the Network Rail boundary. This is acceptable.
- (2) All planting should be in line with the Network Rail's vegetation matrix.
- (3) The applicant is reminded that the proposal is on former goods yard and may therefore be subject to a demarcation agreement. Therefore agreement to the proposal would be required from PropertyServicesLNW@networkrail.co.uk
- (4) The applicant will fill in the attached form and submit to:
AssetProtectionLNWNorth@networkrail.co.uk – the works on site will need to be agreed with NR.
- (5) If the dashed red line is the applicants' boundary then they have still included NR land within the proposal area. The holding objection remains.

6.7 **Forest of Bowland AONB:**

Comments received 27th June 2019. Objects to the proposal as the negative landscape and visual effects on the views and local landscape character will be significant and will outweigh any benefits to the local visitor economy of the proposal. Full comments can be found on the CDC website.

Officer note: The above AONB comments were made prior to the submission of amended plans.

- 6.8 The above is a summary of the comments received on this application. The full written text is available for inspection on the Council's website at: <https://publicaccess.cravendc.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

7 **Representations**

7.1 Site Notice – Expired 28th June 2019.

7.2 Neighbour Letters - Expired 26th June 2019.

7.3 11 representations have been received and the comments have been summarised below:

- o We have enough caravans/lodges in this area.
- o Many of the existing caravans/lodges have not been sold.
- o The little hamlet at Clapham Station is becoming surrounded by caravans/lodges and they do nothing to benefit the local economy.
- o They do not benefit the aesthetics of the area.
- o They do not contribute to council tax.
- o Lodges are to be sited parallel to the road therefore creating a brown wall along the full length of the old goods yard.
- o On the proposed site someone has installed a large concrete base and placed two liquid Propane tanks on it. How has this been allowed when planning approval is only now being sought?
- o It would be more appropriate to consider affordable housing for local people
- o No benefits of the proposals ecologically.

- o The amended plans simply add planting around the lodges but does nothing to retain the Forest of Bowland AONB landscape, character and outlook.
- o Hope that plans from the last application (2018/19550/FUL) are available to the committee as the current plans do not show the actual impact in terms of space between this site and local homes.
- o The amended plans show a Trespass proof fence, which means that passengers on trains and local residents will now be looking at a green metal fence (1.8 metres high) instead of enjoying the landscape, the wildlife and the trains,
- o The development would also adversely impact on the view towards Ingleborough from the Keasden Road,
- o The current elevation plan shows a deceptive North elevation diagram, which may be correct for some of the units (1-5) the wall height drops and ground evens out so that the lodges will be visible.
- o The application states that there are no areas incorporated to store and aid the collection of waste and that no arrangements have been made for the separate storage and collection of recyclable waste. This is highly concerning as there may be environmental issues of smell and pest control.
- o The application states that there are no flood risks and that a soakaway would be used for surface water. Where would this be sited and where is the attenuation tank to be placed? Or is the soakaway and attenuation tank the same thing? If so, this is misleading.
- o The biodiversity of the area is being affected by Phase 1 and will not be helped by Phase 2.
- o House prices will be affected and the speed of selling.
- o The application also states that there will be no employment opportunities, is there not going to be any in-house employees looking after the day to day running of the site? I'm sure local people would be ideal for these roles.
- o No recreational space has been provided in either Phase 1 or Phase 2, where are the children supposed to play?
- o Influx in people and noise.
- o The increase in traffic will have an adverse impact on those already living and working here, if the site was being developed for local affordable housing or sheltered accommodation for an ageing population, the benefit might outweigh the disadvantages, however this is not the case.
- o The access road will not provide a buffer between the Lodges and rail line as the width of the road will be narrower than the previous application.
- o The proposed use of the site will see a constant flow of traffic to and from the site on changeover days and the road is not very wide. In silo/hay time this could be a problem for agricultural workers.
- o The eastern boundary in its current form cannot be classed as dense, this is an inaccurate representation.
- o The previous application (2018/19550/FUL) was withdrawn due to Network Rail raising queries about ownership of the land involved. Whilst this issue has been addressed, the many issues raised by neighbours have not been resolved and this being holiday season, many have not had time to respond. Objections raised in 2008 should be carried forward, or an extension of time granted for these issues to be resubmitted.
- o Phase 1 should be completed and implemented before approval is granted to Phase 2 as it may not be necessary.

- o No comments received by the Forest of Bowland, this is within their AONB and the development affects the biodiversity of the hamlet of Clapham Station.
- o United Utilities should be consulted about the comments raised by several others on the effects of the proposed soak-away on the existing sewer system.
- o The site is promoted as being in a sustainable location with public transport being easily accessible. yet the applicant has provided 20 parking spaces for 9 lodges.
- o The Design and Access statement submitted by the developer does not show the River Wenning, immediately below the station platform and the impact of tarmac and block paving saturation and flooding when there is heavy rain at the entrance to Clapham Station.
- o The site is visible from the station and from the railway line, it is also visible from the increasingly popular long-distance footpath that crosses the SSSI moorland that is immediately adjacent to the site.
- o The population is ageing and as shown by the very high response to the recent neighbourhood plan survey (177 forms returned out of 350 households canvassed) the most significant issue raised is the retention of young people in the area. Another concern is the lack of housing for older people when they are ready to downsize. The only development that should be approved for the former goods yard is either affordable housing and/or assisted living.
- o Better screening should be provided along both the south eastern boundary and along the full length of the south western boundary with the railway.
- o A site visit should be undertaken due to the adverse overbearing effect of the lodges (and the new fence to provide a buffer to the railway) creating a detrimental outlook for all who live here and the significant detriment to the public view from people using the station and putting off those who travel by train from choosing to get off at Clapham.
- o A proper examination for potential contaminants on site should be made before any permission is granted.
- o In the late 1960's/early 1970's there was two animal feed warehouses situated where phase 2 is planned to be located. It is probable that these buildings contained asbestos.
- o Concern over the additional demand on the sewage system, the question of sewage disposal in the Clapham Station area has been vexatious for a number of years and was supposed to be resolved by the installation of the current system. However, there have been problems with the sizing of the pump (the system was sized for the original planned eleven holiday lodges). The system appears to be having problems coping before the lodges are even occupied. The planning authority should be assured that the developer and United Utilities are both confident that the sewage system will cope or will be upgraded to cope with the increase of the overall number of lodges to 24.
- o Conditions should be added to prevent any alteration to the trees along the north-eastern boundary (including the removal of limbs, thinning out etc.) so that the screening effect on that boundary is also maintained.
- o The local pub and community shop in Clapham are identified as being within walking distance, this is not possible for those with health issues, small children in tow or if you had a lot of shopping to bring back.
- o With regards to the amended plan, the new planting around the lodges will only define the areas of each lodge and will not deaden the noise or vibrations from the trains. The planting will require a lot of upkeep and its close proximity to the lodges and the inhabitants will scare a lot of birds and smaller animals away. Some of the species chosen are not child friendly and could cause harm if the berries are eaten.

- 7.4 Amended plans were received and consulted on the 4th July 2019. 4 representations in objection, these have been received and comments are summarised below:
- o Amendment does not address the concerns voiced by residents/parish council.
 - o Denser planting is not going to hide the lodges or protect them from the noise or vibrations of the trains.
 - o Some of the lodges will be dark as their windows face the boundary walls of the proposed development.
 - o A reduction to 8 doesn't change anything.
 - o The site will still be an unnecessary over development of caravan parks, of which there are already far too many in a rural, mainly agricultural area.
 - o The proposals will affect the character, beauty and ecology of the AONB.
 - o The issue of flooding has not been dealt with satisfactorily.
 - o Objection to the two liquid propane tanks which have been installed on the site whilst the planning application is still under consideration, this surely should not have been allowed.
 - o Surely the fact that the developers have had to submit so many amendments denotes concern by various bodies.
 - o Fail to see if any real progress has been made.
 - o Phase 1 of the development seems to be at a standstill and only 1 lodge appears to have been installed – assume this is for the persons working for the developers.
 - o No great need for phase 2 to go ahead.
- 7.5 1 representation has been received in support of the proposals. The comments are summarised below:
- o Welcome development which improves and increases access to this beautiful area and the commerce/employment that such access brings.
 - o The site is very much visible from the railway which brings visitors here, and from the increasingly popular long-distance public footpath which crosses the moorland overlooking the newly erected phase 1 cabins and proposed phase 2. The trees that were planted on the site of phase 1 appear to have been lost, those that do remain fall steeply away to the boggy moorland so that those trees have limited impact from a landscaping viewpoint. These factors should be taken into consideration and trees, shrubs and bushes should be included in sufficient numbers and of a sufficient size, appropriately placed to make the site a pleasing one.
- 8 Summary of Principal Planning Issues
- 8.1 Principle of development.
- 8.2 Scale, design and visual impact of the proposed development.
- 8.3 Impact of the proposed development upon the privacy and amenity of neighbouring properties.
- 8.4 Highways issues.
- 9 Analysis
- Principle of development**
- 9.1 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the NPPF.

- 9.2 As the site is located in the open countryside Local Plan Policy ENV1: Countryside and Landscape is of relevance. The policy is intended to ensure that the quality of the Craven countryside is conserved and that opportunities to restore and enhance the landscape are taken wherever possible. The policy, as it applies to this application, sets out that in considering new development in those areas subject to national landscape designations, as is the case here (site within AONB buffer):
- 'the Council will give great weight to conservation of their special qualities, including their landscape, scenic beauty and intrinsically dark landscapes (for the enjoyment and experience of dark skies). In addition, proposals will be considered on a needs basis, should be in scale with, and have respect for their surroundings and be in line with the AONB or National Park Management Plan objectives'.*
- 9.3 Policy EC3: Rural Economy states that Craven's rural economy will be supported in order allow it to grow and diversify in a sustainable way that would provide long-term economic, environmental and social benefits for local communities. Amongst other criteria Policy EC3 seeks to achieve these aims by (part c)) *'helping existing and new rural businesses, including tourism related businesses to succeed, grow and expand, by working with them co-operatively and proactively, so that development proposals can be supported wherever possible'.*
- 9.4 Policy EC4: Tourism seeks to facilitate the growth of tourism in the district in a sustainable way that will help to improve the economy, environment and quality of life. To this end, and amongst other criteria, the policy seeks to secure such growth by:
- a) *'Enabling established destinations to become even better through the development of new and improved facilities'.*
- b) *'Helping up-and-coming destinations to establish themselves and become successful'*
- c) *'Recognising opportunities to bring tourism into new areas that have untapped potential, including new types of activity and new destinations'*
- d) *'Acknowledging the range of sporting, recreational, cultural, arts, wildlife and leisurely activities that people may wish to engage in as tourists'*
- e) *'Ensuring that tourism development provides easy access to the network of public transport services, footpaths and cycle routes (including canal towpaths) in the area and, wherever possible, secures the improvement and expansion of that network'.*
- 9.5 Paragraph 80 of the NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt and that significant weight should be placed on the need to support economic growth, taking into account both local businesses needs and wider opportunities for development.
- 9.6 Paragraph 83 of the NPPF is supportive of sustainable rural tourism and leisure developments which respect the character of the countryside. Paragraph 84 also recognises that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements and in locations that may not be well served by public transport. In such instances, it is important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.
- 9.6 It can be seen that as the application seeks to provide new tourist accommodation the proposal is consistent with the NPPF and the relevant parts of Local Plan Policies EC3 and EC4. Therefore, subject to the development being compliant with policy ENV1, it should be considered acceptable in principle.
- 9.7 The proposal, which must be considered on its own merits and on the basis on which it has been submitted, is a tourism related proposal which, in its amended form, can be accommodated on the site in which its presence and operation would not have any significantly adverse impacts on the quality of the surrounding area. In coming to this view it is acknowledged that the application is a second phase to an extant planning permission for the holiday lodge development located

immediately adjacent to the application site. For this reason, it is considered that the principle of development has been established in this case and the assessment of this application must therefore be of the impacts the additional proposals would have. Specifically, the assessment must primarily consider the impacts of the proposed expansion of the holiday site by the additional 5 lodges and associated development which is proposed.

- 9.8 In addition to the above policy requirements a recent Ministerial Statement is of relevance to this application. On 14th July 2020 [Lord Greenhalgh](#) (Minister of State for Building Safety and Communities) said:

'The Nation's cultural and tourism industries are vitally important to the economy and the communities they serve. Many businesses in the sector have, and are continuing to face, severe disruption due to Covid-19. This Statement comes into effect immediately'.

In relation to caravan and holiday parks the statement continues:

'The Government also recognises that the tourism industry will need to be able to adapt to secure its financial future. In response to Covid-19 the majority of UK businesses closed in March 2020, including caravan and holiday parks. This has had a significant impact on the financial viability of over 2,200 businesses in this sector that employ around 46,000 staff. These parks are a mainstay of their local economies, providing employment and supporting local services and businesses.

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.

The National Planning Policy Framework already emphasises that planning enforcement is a discretionary activity, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Given the current situation, while local planning authorities must have regard to their legal obligations, they should not seek to undertake planning enforcement action which would unnecessarily restrict the ability of caravan and holiday parks to extend their open season.

Where local planning authorities consider it appropriate to require an application to vary relevant planning conditions (where for instance there is a risk of flooding or where parks are situated close to protected sites) 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'.

- 9.8 Whilst the statement is primarily concerned with existing caravan and holiday parks, and seeks to encourage relaxation of existing operating restrictions, it is clear that there is recognition of the importance of these facilities to the employment sector and to the rural economy and, with this in mind, the statement emphasises the need for the planning system to be supportive of local tourism businesses. Consequently, it is considered that there is a need to look upon this specific planning application favourably whilst also having regard to the potential impacts the development might give rise to as set out in the relevant Local Plan policies. These other matters are dealt with later in this report.

- 9.9 The nature of holidays in this country has become increasingly diverse, in location, in season, and in duration. Historically the use of a condition known as a 'seasonal occupancy' condition was routinely applied which sought to restrict use of holiday accommodation during particular times of the year. However, there have been significant changes in national policy and these types of conditions are now considered to be overly restrictive and to limit the potential for all year round tourism. As such

there is no longer a presumption against extensions of the holiday season at caravan/chalet/camping sites. This general approach has also been reinforced by the Ministerial Statement outlined above.

- 9.10 A condition has been attached which reinforces that the site is for holiday accommodation and not for permanent residential use, the condition also puts responsibility on to the site owner to maintain a register of users of the site and that the lodges shall not be used as a main or sole residence. It is recognised that the condition allows for the accommodation to be occupied by a single person or group for a longer period, but the condition proposed has now become the commonly adopted approach by Local Planning Authorities to enforce a holiday restriction and that it meets the tests set out in the NPPF.
- 9.11 In summary, the use of a condition with regards to the occupancy of the lodges meets the aims and objectives of the NPPF and would ensure that the use of the lodges remains as intended for holiday accommodation only. Therefore, whilst the proposal is considered acceptable in principle the key test is whether the development would cause harm to the character and appearance of the area, have an adverse impact on the amenity of neighbouring residents and highway safety which will now be considered.

Scale, design and visual impact of the proposed development.

- 9.12 Aside from the requirements of Local Plan Policy ENV1, which are outlined above, the application must also be considered against Policy ENV3.
- 9.13 Local Plan Policy ENV3: Good Design seeks to ensure that growth in Craven results in positive change which benefits the local economy, environment and quality of life, including health and wellbeing which is to be achieved using general design principles which include the following:

'Context

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

Ensuring Development is Accessible

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

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

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

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

9.14 In this case, the application site immediately adjoins an existing caravan park and would extend the linear row of holiday lodges along the roadside to adjoin the railway station and its car park located to the south. Following the amended proposals, which include a reduction in the overall number of lodges and enhanced landscaping, it is considered that the visual impact of the scheme has been considerably improved and is now acceptable. More specifically, the scale and overall design of the proposed development are considered to be respectful of the wider context of the site and will not, in officer's opinion, adversely affect the semi-rural character of the area to any significant degree. In coming to this view, it is noted that the application site forms disused and somewhat neglected land that was formerly used in connection with the adjacent railway. It is considered that the proposed holiday/leisure use represents the most appropriate and least disruptive use for the site and moreover, that the impacts would not be sufficiently harmful to warrant a refusal of planning permission in this case.

9.15 In conclusion, it is considered that due to the location, existing and proposed boundary treatments, the scale, design, appearance and the use of appropriate materials that the proposal would not result in any significant visual harm to the character of the surrounding area or to the nearby AONB. The proposal therefore accords with the requirements of Policies ENV1 and ENV3 of the Local Plan and national planning policy as set out in the NPPF.

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

9.16 The National Planning Policy Framework states that Local Planning Authorities should seek to achieve a good standard of amenity for all existing and future occupants of land and buildings. The General Development Principles of the Local Plan also state that all development should protect the amenities of neighbouring residents and occupiers.

9.17 The application site is located to the north west of the railway station at Clapham. To the north are residential dwellings, to the south is the railway line and then further afield open fields. To the north west is Phase 1 of the holiday lodges proposals. The nearest residential dwelling is located to the east of the site some 11m away (approximately) however, it is important to note that the lodges will not abut the site boundary nearest to the existing housing in order to reduce their potential impact on the street scene and neighbouring residential properties. There is also existing planting along the north western boundary which provides some screening and a buffer between the application site and the residential dwellings. Other residential dwellings located further south are stepped back from the highway by approximately 27m. It is therefore considered that overall there will be minimal direct impact on the existing housing.

9.17 With regards to any potential noise disturbance the Council's Environmental Health Officers were consulted on the proposal and have raised no objections in terms of potential noise pollution. However, if the Council receives a complaint and it transpires that a statutory noise nuisance was occurring this would be dealt with under the Environmental Protection Act 1990 legislation.

9.18 With regards to lighting, the proposals are for low level lighting to illuminate the access road within the site and that light pollution that could potentially emanate from the site would not be at any significant or unacceptable level.

- 9.19 In conclusion, it is considered that the proposal would not cause any significant detrimental impacts on the privacy and amenity of any neighbouring properties. The proposal is therefore considered to accord with Local Plan Policy ENV3 and the objectives of the NPPF.
- Highways issues.**
- 9.20 Local Plan Policy INF4 relates to the parking provision and management of cars and other vehicles within new developments. The aim of this policy is to minimise congestion, encourage sustainable transport modes and reduce conflict between road users. Developments should provide safe, secure and convenient parking of an appropriate quantity, including the need for parking or secure storage for cars, cycles and motorcycles. Encouragement will be given to the increased use of low emission vehicles, including where appropriate the provision of electric vehicles charging points and the incorporation of SuDS.
- 9.21 Local Plan Policy INF7 refers to sustainable transport and highways. The spirit of the policy is that development should maximise opportunities to travel by non-car modes, reduce greenhouse gases and congestion and provide safe and accessible travel facilities, which avoid severe residual cumulative impacts relating to transport.
- 9.22 Local Plan Policy ENV12 relates to footpaths, bridleways, byways and cycle routes. The Council seeks to support proposals which avoid obstruction, diversion or confinement of existing footpaths, bridleways, byways and cycle routes, proposals which enhance the route, usability and amenity value, schemes which accommodate existing footpaths, bridleways, byways and cycle routes, particularly where they would provide new links to enhance the local network. Proposals will also be supported if they improve access for disabled people, create links between new development and the local network, create, enhance or extend national trails, enhance green infrastructure corridors, contribute to the creation of town or village loops, or include short, well-surfaced, stile free circuits available for wheelchair users and people with limited mobility.
- 9.23 The NPPF advises at paragraph 109 that development should only be prevented or refused on transport grounds where residual cumulative impacts of development are severe.
- 9.24 NYCC Highways has been consulted on the proposal and commented on 9th July 2019 raising no objections. However, they did recommend the attachment of a condition relating to the visibility splays at the entrance of the site in the interests of road safety. As this is an existing access that has been constructed to accommodate the phase 1 development and has been constructed to an adoptable standard it is not considered necessary to apply the condition.
- 9.25 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 the relevant policies of the Local Plan. The proposal also complies with the NPPF.
- 9.26 Conclusion
- 9.27 Paragraph 11 of the NPPF, which is reflected in Local Plan Policy SD1, advocates support for sustainable development and states that LPA's should be approving development proposals that accord with an up-to-date development plan without delay.
- 9.28 In this case it is considered that the proposed development represents sustainable development that meets the relevant policy criteria and can be undertaken, subject to appropriate planning conditions, without any loss of visual impact, adverse impacts, loss of highway safety or amenity issues. Accordingly, it is considered that the proposal is acceptable and should be approved.
10. Recommendation
- 10.1 Approve with Conditions

Conditions

Time Limit for Commencement

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

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

Approved Plans

- 2 This permission relates to the following plans:

Drawing No. 596.01 Location Plan
Drawing No. 596.02F Site Plan
Drawing No. 596.03A Proposed Plans
Drawing No. 596.04A Elevations
Drawing No. 596.05B Block Plan
Tree Survey Plan
Design and Access Statement
Confirmation of removal of pebble dash (received via email 11th June 2019)

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

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Craven Local Plan 2012 to 2032 and the National Planning Policy Framework.

Before you Commence Development

- 3 Development shall not commence until actual or potential land contamination at the site has been investigated and a Phase I desk study report has been submitted to and approved in writing by the local planning authority. Reports shall be prepared in accordance with current best practice.

Should further intrusive investigation be recommended in the Phase 1 report. Development shall not commence until a Phase II intrusive site investigation report has been submitted to and approved in writing by the local planning authority. The Phase II intrusive site investigation report shall be prepared in accordance with current best practice.

Should remediation be recommended in the Phase II Intrusive Site Investigation report, development shall not commence until a Remediation Strategy has been submitted to, and approved in writing by, the local planning authority. The Remediation Strategy has been submitted to, and approved in writing by, the local planning authority. The Remediation Strategy shall be prepared in accordance with current best practice. The approved remediation measures shall be implemented in accordance with the timescales in the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with an approved Remediation Strategy or unexpected significant contamination is encountered at any stage of the process, the local planning authority shall be notified in writing immediately. Revisions to the Remediation Strategy shall be submitted to, and approved in writing by, the local planning authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy, a Validation Report shall be submitted within agreed timescales to, and approved in writing by, the local planning authority. The Validation Report shall be prepared in accordance with current best practice. The site shall not be brought into use until such time as all the validation data has been approved in writing by the Local Planning Authority at the agreed timescales.

Reason: To enable the local planning authority to determine whether the site has been rendered 'suitable for use' and that contamination has been dealt with so as not to present significant environmental risks.

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

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

Reason: In order to ensure that no undue disturbance is caused to individual occupants by the transmission of airborne sound.

- 5 No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Before the Development is Occupied

- 6 Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company; and
- b. Arrangements for inspections and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Ongoing Conditions

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

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

- 8 The lodges 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 verify this information by evidence in the form of Council Tax bills or driving licences or similar. This information shall be made 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.

- 9 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the landscaping scheme for the site shown on the approved plans shall be carried out during the first planting season after the commencement of the development and the areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with the details shown on the approved plan. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of the Craven Local Plan policies ENV1, ENV3, ENV5 and EC4 and the National Planning Policy Framework.

Informatives

1. Demarcation Agreements

The area is former railway land and Restrictive Covenants apply as the land was sold on 18th July 1991 (as confirmed in Property Line Plans attached). The proposal area does not include any Network Rail land. Restrictive Covenants apply as the land was sold by the railway on 21st November 1988. To request formal consent to the development in accordance with the deeds the applicant will also need to contact PropertyServicesLNW@networkrail.co.uk - this will be in addition to any planning consent.

3m Gap

Network Rail requires that the developer includes a minimum 3 metres gap between the buildings and structures on site and the railway boundary. Less than 3m from the railway boundary to the edge of structures could result in construction and future maintenance works being undertaken on Network Rail land, and close to the railway boundary potentially impacting support zones or lineside cabling. All the works undertaken to facilitate the design and layout of the proposal should be undertaken wholly within the applicant's land ownership footprint including all foundation works. Network Rail requires a minimum 3m easement between structures on site and the railway boundary to ensure that we can maintain and renew our boundary treatments.

RAMS

The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to

be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Builder to ensure that no dust or debris is allowed to contaminate Network Rail land as the outside party would be liable for any clean-up costs. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer. The applicant /developer should submit the RAMs directly to:

AssetProtectionLNWNorth@networkrail.co.uk

Network Rail would request that a condition is included in the planning consent as follows:

"A method statement and risk assessment must be submitted to the council and Network Rail for review and agreement prior to works commencing on site."

REASON: To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway.

Fencing

The applicant will provide at their own expense (if not already in place):

- o A suitable trespass proof steel palisade fence of a minimum height of 1.8m adjacent to the boundary with the railway/railway land.
- o The fence must be wholly constructed and maintained within the applicant's land ownership footprint.
- o All foundations must be wholly constructed and maintained within the applicant's land ownership footprint without over-sailing or encroaching onto Network Rail's boundary.
- o The fence must be set back at least 1m from the railway boundary to ensure that Network Rail can maintain and renew its boundary treatments.
- o Existing Network Rail fencing, and boundary treatments, must not be damaged or removed in any way.
- o Network Rail will not allow any maintenance works for proposal fencing or proposal boundary treatments to take place on its land.
- o Proposal fencing must not be placed on the boundary with the railway.
- o Any fencing over 1.8m in height will require agreement from Network Rail with details of foundations and wind loading calculations submitted for review.
- o The fence should be maintained by the developer and that no responsibility is passed to Network Rail.

New residents of the development (particularly minors) may not be aware of the risks posed by accessing the railway. It would not be reasonable to require Network Rail to fund boundary works, fencing and boundary enhancements necessitated by outside party development adjacent to the railway.

A condition to be included in the planning consent as follows:

"Prior to occupation of the site the developer is to provide a suitable trespass proof fence adjacent to the boundary with the railway; the fencing details to be submitted to the council and Network Rail for agreement."

Reason: To protect the adjacent railway from unauthorised access

Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail land and its infrastructure or undermine or damage or adversely affect any railway land and structures.

- o There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land or under the Network Rail boundary.
- o All buildings and structures on site including all foundations / fencing foundations must be constructed wholly within the applicant's land ownership footprint.
- o Buildings and structures must not over-sail Network Rail air-space.
- o Any future maintenance must be conducted solely within the applicant's land ownership.
- o Rainwater goods must not discharge towards or over the railway boundary
- o Should the applicant require access to Network Rail land to facilitate their proposal they would need to approach the Network Rail Asset Protection Team at least 20 weeks before any works are due to

commence on site. The applicant would be liable for all costs incurred in facilitating the proposal and an asset protection agreement may be necessary to undertake works. Network Rail reserves the right to refuse any works by an outside party that may adversely impact its land and infrastructure.

- o Any unauthorised access to Network Rail air-space or land will be deemed an act of trespass.

Scaffolding

Scaffolding which is to be constructed within 10 metres of the Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffolding must be installed. The applicant / applicant's contractor must consider if they can undertake the works and associated scaffolding / access for working at height within the footprint of their land ownership boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, they must have a minimum 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.

This is to ensure that the safety of the railway is preserved, and that scaffolding does not:

- o Fall into the path of on-coming trains
- o Fall onto and damage critical and safety related lineside equipment and infrastructure
- o Fall onto overhead lines bringing them down, resulting in serious safety issues (this is applicable if the proposal is above the railway and where the line is electrified).

Network Rail would request a condition is applied as follows within the planning consent:

"Details of scaffolding works within 10m of the railway boundary, to be submitted to the council and Network Rail for agreement."

Reason - In the interests of protecting the railway and its boundary from over-sailing scaffolding.

Drainage proposals and Network Rail land

The NPPF states:

"178. Planning policies and decisions should ensure that:

- a) A site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability."

And

"163. When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere."

In order to comply with the NPPF, the applicant must ensure that the proposal drainage does not increase Network Rail's liability, or cause flooding pollution or soil slippage, vegetation or boundary issues on railway land. Therefore, the proposed drainage on site will include the following:

- o All surface waters and foul waters must drain away from the direction of the railway boundary.
- o Soakaways for the proposal must be placed at least 30m from the railway boundary.
- o Any drainage proposals for less than 30m from the railway boundary must ensure that surface and foul waters are carried from site in closed sealed pipe systems.
- o Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's land and infrastructure.
- o Proper provision must be made to accept and continue drainage discharging from Network Rail's property.
- o Drainage works must not impact upon culverts, including culverts/brooks etc that drain under the railway.
- o The developer must ensure that there is no surface or sub-surface flow of water towards the operational railway.
- o Rainwater goods must not discharge in the direction of the railway or onto or over the railway boundary.

NB: Soakaways can materially effect the strength of soil leading to stability issues. A large mass of water wetting the environment can soften the ground, and a build-up of water can lead to issues with the stability of Network Rail retaining walls/structures and the railway boundary. Network Rail does not accept the installation of soakaways behind any retaining structures as this significantly increases the risk of failure and subsequent risk to the travelling public.

If the developer and the council insists upon a sustainable drainage and flooding system then the issue and responsibility of flooding, water saturation and stability issues should not be passed onto Network Rail. We recognise that councils are looking to proposals that are sustainable, however, we would remind the council that flooding, drainage, surface and foul water management risk as well as stability issues should not be passed 'elsewhere', i.e. on to Network Rail land.

The drainage proposals are to be agreed with Network Rail and surface water drainage on the site should be removed by a closed sealed pipe system.

The HSE identifies railways as a Major Hazard Industry. An earthwork failure within a high-hazard area has the potential to result in a catastrophic accident with multiple fatalities or long-lasting environmental issues. It should be noted that where the actions of an adjacent landowner have caused a landslide on the railway the loss adjusters are likely to advise recovery of Network Rail costs from the 3rd party, which would include costs of remediation and recovery of costs to train operators. Many railway earthworks were constructed in the Victorian period and are susceptible to failure by water saturation. Water saturation leads to an increase in pore water pressure within the earthwork material. Please also note that railways, and former railway land adjacent to it, is considered as contaminated land due to historic use of railways, which can affect the suitability of infiltration drainage.

Network Rail would request that a condition is included in the planning consent as follows:

Condition:

"Prior to the commencement of the development details of the disposal of both surface water and foul water drainage directed away from the railway shall be submitted to the Local Planning Authority and Network Rail."

Reason: To protect the adjacent railway from the risk of flooding, soil slippage and pollution.

The Council must ensure that suitable arrangements are in place for the maintenance and renewal of all new/amended drainage for the life time of the development, to mitigate risk of flooding to any adjoining land.

Excavation and Earthworks and Network Rail land:

The NPPF states:

"178. Planning policies and decisions should ensure that:

a) A site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability."

In order to comply with the NPPF, the applicant will agree all excavation and earthworks within 10m of the railway boundary with Network Rail. Network Rail will need to review and agree the works to determine if they impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. Network Rail would need to agree the following:

- o Alterations to ground levels
- o De-watering works
- o Ground stabilisation works
- o Works to retaining walls
- o Construction and temporary works
- o Maintenance of retaining walls
- o Ground investigation works must not be undertaken unless agreed with Network Rail.
- o Confirmation of retaining wall works (either Network Rail and/or the applicant).
- o Alterations in loading within 15m of the railway boundary must be agreed with Network Rail.
- o For works next to a cutting or at the toe of an embankment the developer / applicant would be required to undertake a slope stability review.

Network Rail would need to review and agree the methods of construction works on site to ensure that there is no impact upon critical railway infrastructure. No excavation works are to commence without agreement from Network Rail. The council are advised that the impact of outside party excavation and earthworks can be different depending on the geography and soil in the area. The council and

developer are also advised that support zones for railway infrastructure may extend beyond the railway boundary and into the proposal area. Therefore, consultation with Network Rail is requested. Any right of support must be maintained by the developer.

Network Rail requests a condition is included in the planning consent as follows:

Condition:

"Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to the Local Planning Authority and Network Rail."

Reason: To protect the adjacent railway and its boundary.

Trees

Proposals for the site should take into account the recommendations of, 'BS 5837:2012 Trees in Relation to Design, Demolition and Construction', which needs to be applied to prevent long term damage to the health of trees on Network Rail land so that they do not become a risk to members of the public in the future.

No trees shall be planted next to the boundary with the railway land and the operational railway, except for evergreen shrubs which shall be planted a minimum distance from the Network Rail boundary that is equal to their expected mature growth height. The vegetation planting must be in line with the attached matrix which has been agreed with the Tree Council. This is to prevent long term issues with leaf fall impacting the operational railway.

Parking / Hard Standing Area

Where a proposal calls for the following adjacent to the boundary with the operational railway, running parallel to the operational railway or where the existing operational railway is below the height of the proposal site:

- o hard standing areas
- o turning circles
- o roads, public highways to facilitate access and egress from developments

Network Rail requests the installation of suitable high kerbs or crash barriers (e.g. Armco Safety Barriers).

This is to prevent vehicle incursion from the proposal area impacting upon the safe operation of the railway.

BAPA (Basic Asset Protection Agreement)

As the proposal includes works which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

The applicant / developer should liaise directly with Asset Protection to set up the BAPA (form attached).

AssetProtectionLNWNorth@networkrail.co.uk

No works are to commence until agreed with Network Rail. Early engagement with Network Rail is strongly recommended.

Should the above proposal be approved by the council and should there be conditions, where the proposal interfaces with the railway (as outlined in this response) the outside party is advised that a BAPA (Basic Asset Protection Agreement) must be in place, in order for Network Rail to review and

agree the documentation and works outlined in conditions (and those areas covered by the discharge of conditions).

The applicant is advised that before the proposal progresses (should it be approved) they will be required to submit the development form to Network Rail's Asset Protection team and agree the BAPA before any works commence on site.

Permanent impacts of development are usually material considerations (such as the position of permanent structures, or drainage design etc) and where these are likely to occur, requests for planning conditions or scheme amendments are requested to protect the existing railway infrastructure from the impacts of the works on site and as a permanent arrangement. Controls on the temporary impact of construction to outside party land should also be picked up via building control, or in some cases a party wall surveyor.

2. Hours of Construction

The hours of operation during the construction phase of development and delivery of construction materials or equipment to the site and associated with the construction of the development hereby permitted should be limited to 0730 hours to 1800 hours on Monday to Fridays and 0730 hours to 1300 hours on Saturday. No work should take place on Sundays or Bank/Public Holidays.

3. Noise

The applicant needs to have regard to the BS8233:2014 Guidance on 'Sound Insulation and Noise Reduction for Buildings' which presents guideline noise levels for both inside and outside dwellings.

4. Network Rail has a duty to provide, as far as is reasonably practical, a railway free from danger or obstruction from fallen trees. Trees growing within the railway corridor (i.e. between the railway boundary fences) are the responsibility of Network Rail. Trees growing alongside the railway boundary on adjacent land are the primary responsibility of the adjoining landowner or occupier. All owners of trees have an obligation in law to manage trees on their property so that they do not cause a danger or a nuisance to their neighbours. This Duty of Care arises from the Occupiers Liability Acts of 1957 and 1984. A landowner or occupier must make sure that their trees are in a safe condition and mitigate any risk to a third party. Larger landowners should also have a tree policy to assess and manage the risk and to mitigate their liability.

5. Statement of Positive Engagement:

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



Application Number: 2019/20487/FUL

Proposal: Change of use of land from former Railway Goods Yard to 5 no. Holiday Lodges (Phase 2)

Site Address: Former Railway Goods Yard Clapham Station Clapham LA2 8ES

On behalf of: Adams Park Homes

REPORT TO PLANNING COMMITTEE ON 28th September 2020

Application Number: 2020/21310/FUL

Proposal: Two affordable homes & associated infrastructure

Site Address: Land At Lakeber Drive 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

This Application is brought before the Planning Committee because it is a Council Application.

1. Site Description

- 1.1 The site is currently an underuse garage site accessed off Lakeber Drive surrounded by existing housing. To the west housing is at a much higher level on land supported by a retaining wall. To the east is existing housing predominantly at the same level. The whole area slopes down from south to north from 117AOD to 113AOD with a gradient of 1:34.
- 1.2 Three existing properties have vehicular access to the rear of them, although no legal authority exists for these.

2. Proposal

- 2.1 The proposal is to create 2no x 1 bedroom properties consisting of an open plan living area at ground floor with a single bedroom and bathroom at first floor. Glazing is to the north and south gables with no windows facing existing properties, although there are velux windows proposed to the roof slopes. The walls would be rendered blockwork under a tile roof.
- 2.2 Two parking spaces would be created, and the existing vehicular access to the three properties, notwithstanding there being no legal authority for them, would be retained.
- 2.3 Surface water would be discharged to the public surface water drain, and foul water would be discharged to the public sewer.

3. Planning History

- 3.1 2009/9839 - Construction of 2no. Family dwellings with associated car parking – Withdrawn
- 3.2 2009/9943 - Outline application for Construction of 2no. Family dwellings with associated car parking (reserved matters approval sought for access and layout) (Re-submission of withdrawn application 08/2009/9839 – Refused 21 October 2009
- 3.3 2013/14196 - Residential development of two detached bungalows (all matters reserved) – Approved 11 March 2013
- 3.4 2014/15185 –Prior notification application for the demolition of three garages. Prior Notification not required
- 3.5 2019/15196 – 2 dwellings Withdrawn

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 with the following comment: *The Council has no objections to this application but requests that a local occupancy clause is applied to the houses.*

6. Consultations

- 6.1 The NYCC Highway Authority responded on 10 March 2020 citing *'There are no local highway authority objections to the proposed development.'*

7. Representations

- 7.1 A site notice dated 25 February 2020 was erected on site and 14 properties were notified by letter. 10 letters of representation have been received raising the following issues:
 - Close to adjoining properties
 - Inadequate access
 - Inadequate parking provision
 - Inadequate public transport provision
 - Loss of parking
 - Loss of privacy
 - Loss of light
 - Over development
 - Potentially contaminated land
 - Strain on existing facilities
 - Area does need cleaning up

- Bungalows would be better
- Area should be made into a carpark for Bentham
- Area should be a communal parking area for existing residents

8. Summary of Principal Planning Issues

8.1 The main issues are:

- Principle of Development
- Effect on living conditions with regard to privacy and loss of light
- Highway Safety, parking and access

9. Analysis

Principle of Development

- 9.1 The site is currently under used and there is a general view that something does need to be done with the site. There was an existing outline consent for 2 bungalows although this has now expired, but it was granted under the old Local Plan.
- 9.2 This proposal is within the Tier 2 settlement and Policy SP4 indicates that housing growth should be directed to such locations. The application seeks 100% affordable provision for two 1 bedroom dwellings which is supported by the Council's Strategic Housing. Whilst the Council as local planning authority cannot insist of affordable housing due it being below the required threshold, the Council as local planning authority can impose an affordable housing condition to reflect that permission is granted for what is being proposed and for the avoidance of doubt. The signing of a section 106 agreement would be outside the Council's control, as the Council as local planning authority is limited to the imposition of conditions in this instance by reason of location and scale of development.
- 9.3 In general terms, Strategic Housing has previously indicated the shortage of small residential units for affordable housing and this proposal would meet the housing mix requirements indicated under policy SP3. In response to a similar affordable housing scheme at Duke Street in High Bentham, Strategic Housing made the following comments:
- 9.4 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 interest 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.
- 9.5 It is noted that the Town Council seeks a local occupancy condition, however this would be beyond the scope of the Council to impose. Nevertheless, to qualify to be an occupant of the affordable housing units, any prospective occupant would have to meet local occupancy requirements even if no local occupancy condition was imposed.
- 9.6 The design reflects the local area and although details to improve biodiversity and green infrastructure are not provided, these can be required and controlled by conditions.
- 9.7 The proposal is within a Tier 2 settlement, with opportunity for use of transport other than the private car, however it does not indicate how communications connectivity is provided for the future but again this can be controlled by condition.

Living conditions

- 9.8 The proposed dwellings would be aligned north-south with windows being to the north and south gables, and no windows to the east or west elevations. The existing properties to the east and west of the proposed dwellings would not be directly overlooked, and the properties to the west on Lakeber Avenue whilst at a higher level would not be adversely affected by reason of existing boundary treatment, distance and oblique angles of view. Any detriment which might arise would not be significant, and would in any event not be sufficient to justify refusal of consent.
- 9.9 Concerns have been raised regarding loss of light, but again due to the separation distances, any harm would not be to any significant degree to warrant the withholding of consent.
- 9.10 The proposal does not readily provide any external amenity area for the proposed housing, nevertheless were the proposal for flats rather than houses, then no external provision would be provided in any event. The provision of houses rather than flats does enable better internal acoustic barriers to be provided.

Highway Safety, Parking and Access

- 9.11 The proposal provides for two car parking spaces for the two dwellings. The highway authority raises no objections to this provision, and does not raise any concerns about existing parking provision. Whilst there are some local residents' concerns, on balance there is reason to go against the clear advice from the highway authority. Whilst it is suggested there is a parking problem, the current application area is underused and local residents do indicate that some improvement is necessary.
- 9.12 There are three properties which highlight their access to the rear of their properties. Whilst it is not established whether the legality of those accesses exist, the proposal does not affect those in any event, but does not suggest any authorisation for the use of those of those three rear access routes.

Conclusion

- 9.13 The proposal by the Council would provide for much needed affordable housing even though the numbers fall below the required threshold to impose such requirements. Whilst there are concerns by local residents, overall the proposal does not give rise to such levels of harm to justify the withholding of consent, and subject to imposing conditions, the proposal accords with the policy requirements of the Craven Local Plan.

10. Recommendation

- 10.1 Approve with Conditions

Conditions

Time Limit for Commencement

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

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

Approved Plans

- 2 This permission relates to the following plans:

Drawing no. 1941 01 Rev A Received by the Council on 2 April 2020
Drawing no. 1941 02 Received by the Council on 3 January 2020
Drawing no. 1941 03 Rev A Received by the Council on 2 April 2020
Drawing no. 1941 05 Received by the Council on 3 January 2020

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

Reason: For the avoidance of doubt and to ensure 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 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

- 5 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.

- 6 Notwithstanding the plans approved under condition 2 (Approved Plans) of this permission, details for the improved biodiversity and expansion of green infrastructure shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in their entirety prior to the occupation of the dwellings and shall thereafter be retained.

Reason: To ensure an improvement to the environment to accord with policies ENV4 and ENV5 of the Craven Local Plan and the requirements of the NPPF.

- 7 Prior to the occupation of the dwellings hereby approved details of how the expansion of the communications infrastructure including Next Generation Access Broadband (or equivalent) will be supported shall be submitted to and approved in writing by the local planning authority which shall be implemented before the occupation of the dwellings and thereafter retained unless otherwise agreed in writing by the local planning authority.

Reason: to ensure the proposal accords with Policy INF5 of the Craven Local Plan and the requirements of the NPPF.

Informatives

1. Statement of Positive Engagement:

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

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.

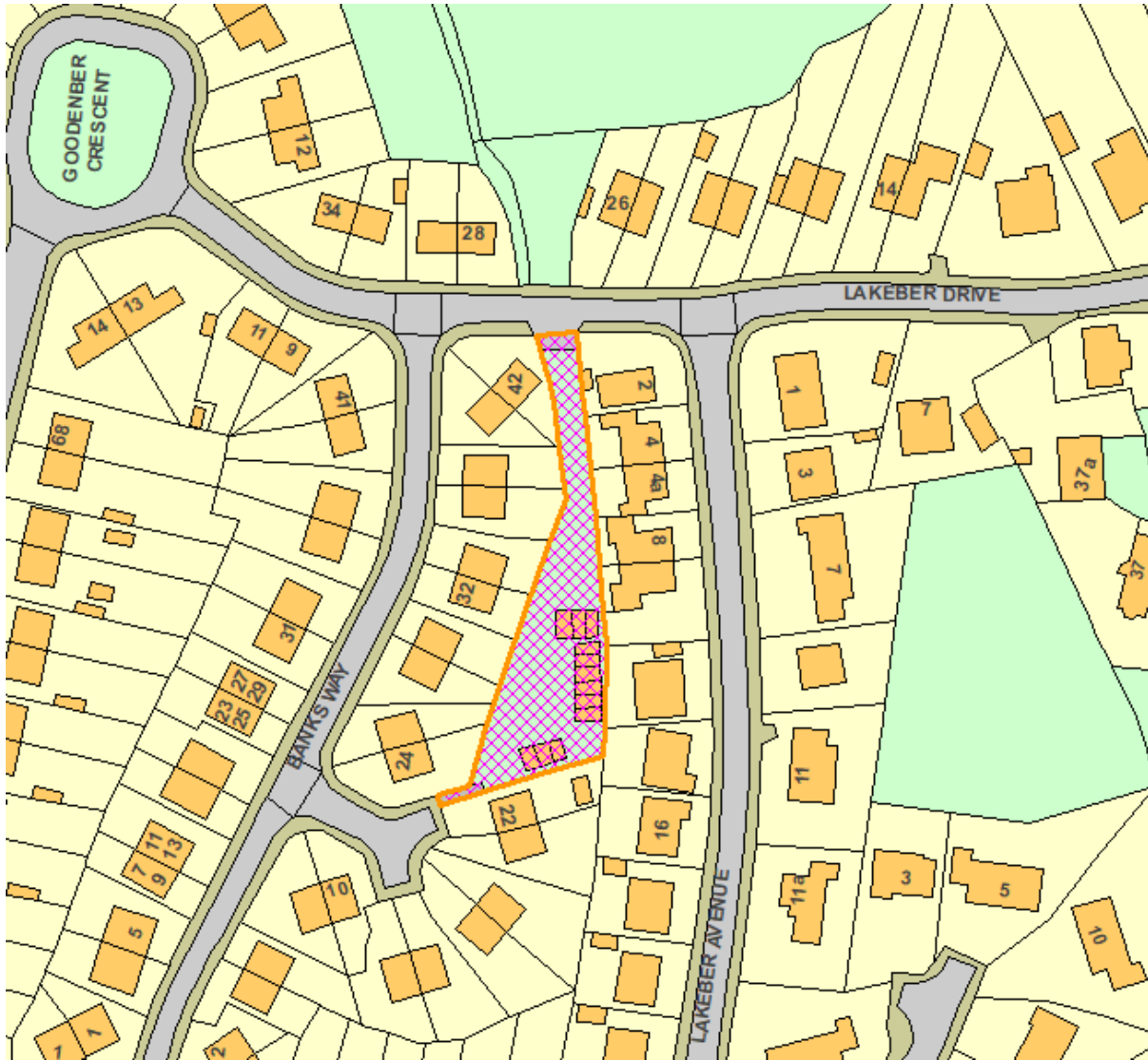
3. Broadband Connectivity

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

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

4. Adherence to approved plans/conditions

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

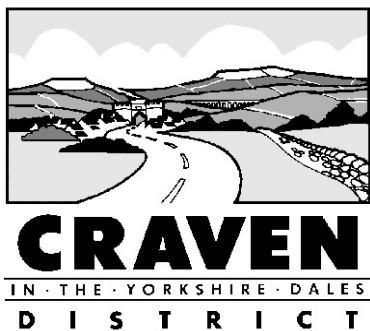


Application Number: 2020/21310/FUL

Proposal: Two affordable homes & associated infrastructure

Site Address: Land At Lakeber Drive, High Bentham

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 made between 21.08 and 17.09.2020

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

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20611/FUL	Wellock Property Limited	Granary Peel Green Hellifield Skipton BD23 4LD	Part demolition and change of use of 'granary' buildings to create a holiday cottage (Use Class C3), glasshouse, extensions and alterations, parking and access.		15.09.2020
2019/21002/FUL	Craven District Council	Aireville Park Gargrave Road Skipton BD23 1UD	Proposed Gallow Syke Flood Water Storage Scheme - Including: replacement culvert entrances, lay-by area and access track.	Approve with Conditions	28.08.2020
2019/21096/FUL	Bollywood Cottage	Bollywood Cottage 60 - 62 High Street Gargrave Skipton BD23 3LX	Application for upgrade to existing extractor and ventilation	Approve with Conditions	14.09.2020
2019/21182/LBC	Wellock Properties Ltd	The Granary Peel Green Hellifield Skipton	Part demolition and change of use of granary buildings to holiday cottage (Use Class C3), glass house, minor extensions and alterations, parking and access		15.09.2020
2020/21311/FUL	Craven District Council	Land At Duke Street High Bentham Lancaster	Four affordable homes & associated infrastructure	Approve with Conditions	15.09.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21321/FUL	Wenningdale Leisure	Bentham Golf Club Robin Lane High Bentham Lancaster LA2 7AG	Change of use of land for the siting of 6 high quality camping pods, access road and parking spaces and landscaping.	Approve with Conditions	10.09.2020
2020/21368/OUT	Mr K Downs	Land Off Carla Beck Lane Carla Beck Lane Carleton Skipton	Outline Application to create 5 dwellings with all matters reserved	Refuse	24.08.2020
2020/21443/MMA	Seddon Homes Limited	Former Malsis School Colne Road Glusburn Keighley BD20 8DS	Minor material amendment to condition no. 2 (Approved Plans) on application referenced 2018/20020/MMA granted 11 June 2019 to allow amendments to the approved site layout	Approve with Conditions	27.08.2020
2020/21468/FUL	Mr Elliott Exley	Fairmount Starkey Lane Farnhill Keighley BD20 9AW	Demolition of bungalow and the construction of two houses with associated parking areas (resubmission of application referenced 2018/19738/FUL)	Refuse	02.09.2020
2020/21469/FUL	Mr & Mrs Kevin Woodhouse	Netherbank High Street To New Road Burton In Lonsdale Carnforth LA6 3PF	Demolition of existing bungalow and replacement with new dwelling. change of use to extend domestic curtilage.	Approve with Conditions	16.09.2020
2020/21475/CND	Burley Developments Ltd	Land Adjacent No. 55 Green Lane Glusburn Keighley	Application to discharge condition no. 6 (Tree Protection) of planning application referenced 2018/19949/OUT and condition no. 3 (Parking Provision) of planning application referenced 2019/21121/REM	DOC satisfactory	25.08.2020
2020/21484/FUL	Mr & Mrs Calvert	High Calebs Barn Cawder Lane Skipton BD23 2TD	Detached dwelling, landscaping, and solar panels installation.	Refuse	15.09.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2020/21570/TPO	Darren Fisher	Bailiffs Court Hainsworth House Farm Kildwick Keighley BD20 9AD	T1, T2, T3 Sycamore - Fell	Refuse Tree Work under TPO	17.09.2020
2020/21578/FUL	Mrs Francina van de Geest	Burnlea Barden Road Eastby Skipton BD23 6SN	Change of Use of Burnlea to a separate dwelling and retrospective permission for a pitched roof	Refuse	11.09.2020
2020/21612/CND	SKIPTON PROPERTIES LTD	Park Cottage 12A Hayfield View Glusburn Keighley BD20 8RT	Application to discharge condition no. 3 (Surface Water Drainage) on planning application referenced 2019/20573/FUL granted 31st July 2019	DOC satisfactory	25.08.2020
2020/21615/TPO	Mr Green	The Balgray West Lane Sutton-in-Craven Keighley BD20 7AS	T1 Oak - fell.	Refuse Tree Work under TPO	17.09.2020
2020/21619/FUL	John Marshal & Son	Bentham Hall Low Bentham Road High Bentham Lancaster LA2 7HS	Demolition of barn and construction of agricultural building	Approve with Conditions	11.09.2020
2020/21620/CND	CSR Developments Ltd	4 Gill View Ingleton Carnforth LA6 3FU	Application to discharge condition no. 2 (Boundary Treatments), no. 3 (Hard Landscaping Works) and no. 5 (Soft Landscaping) on planning application referenced 2018/19708/MMA granted 07/11/2018	DOC satisfactory	03.09.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2020/21626/TPO	Mr Tosney	Herdwick House West Lane Sutton-in-Craven Keighley BD20 7AS	T1 Oak - fell.	Split Decision	17.09.2020
2020/21635/CND	GTEC Property Holdings Limited	The Dairy Hammon Head Hall Hollin Lane Mewith Bentham	Application to discharge condition no. 7 (Tree Protection) on planning permission referenced 2019/20377/FUL granted 03 July 2019	Conditions complied with	25.08.2020
2020/21637/TPO	Mrs Sheldon	1 Beanlands Drive Glusburn Keighley BD20 8PZ	T1 Lime - fell.	Refuse Tree Work under TPO	17.09.2020
2020/21638/TPO	Mr & Mrs Vincent Wilkinson	Caravan Parkfield Nurseries Chapel Hill Skipton BD23 1UH	T1 Willow - fell.	Approved Tree Work under TPO	17.09.2020
2020/21641/FUL	Mr James Roberts	Land North Of B6480 Bentham Lane Bentham Lancaster LA2 7AJ	Change of use of agricultural grassland for the siting of 8 no. high quality glamping pods, a recreational and utility building, retention of an existing structure for use as a management suite and associated site works.	Approve with Conditions	10.09.2020
2020/21649/TPO	Andy Busfield Tree Services	10 Park Wood Close Skipton BD23 1QW	T1 Holly - repollard. T2 Yew - repollard.	Approved Tree Work under TPO	17.09.2020
2020/21664/TPO	Mr Sebastian Fattorini	Skipton Castle The Bailey Skipton BD23 1AW	T1 Horse Chestnut - fell.	Approved Tree Work under TPO	17.09.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2020/21665/TPO	Mrs Adele Oliver	32 Brook Street Skipton BD23 1PP	T1 Lime - Remove branches growing through telephone wires and remove epicormic growth.	Approved Tree Work under TPO	17.09.2020
2020/21660/FUL	Ribble Rivers Trust	Weir Adjacent To Settle Sewage Treatment Works Downstream Of The Road (A59) Settle	Partial removal of weir on the River Ribble	Approve with Conditions	17.09.2020
2020/21668/HH	Mr Liam Walsh	6 Roundell Drive West Marton Skipton BD23 3UL	Side extension	Approve with Conditions	21.08.2020
2020/21676/HH	Mr Mark Foster	3 Marton House Church Lane East Marton Skipton BD23 3LP	Replacement of 5 no. windows	Approve with Conditions	28.08.2020
2020/21677/LBC	Mr Mark Foster	3 Marton House Church Lane East Marton Skipton BD23 3LP	Repair of 1 no. window and replacement of 5 no. windows	Approve with Conditions	28.08.2020
2020/21678/FUL	St Alkelda's Church PCC	St Alkedas Church Church Street Giggleswick Settle BD24 0BE	Proposed installation of solar panels on the south aisle roof of the church	Approve with Conditions	21.08.2020
2020/21683/TPO	Mr P Scott	2 Pine Close Granville Street Skipton BD23 1PR	T1 Maple- fell.	Approved Tree Work under TPO	17.09.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2020/21684/CND	Ryan Homes And Developments	Land Off Dick Lane Cowling Keighley BD22 0JY	Application to discharge condition no. 6 (Landscaping details) on planning permission 2019/20427/FUL granted 25 September 2019	DOC satisfactory	25.08.2020
2020/21706/TPO	C/o Agent	Peel Barn Peel Green Hellifield Skipton BD23 4LD	T1 Scotts Pine - fell.	Refuse Tree Work under TPO	17.09.2020
2020/21688/FUL	Mr & Mrs Neil Robinson	On Land To Rear Of Westfield House Matthew Lane Low Bradley Keighley BD20 9DF	New detached dwelling	Approve with Conditions	24.08.2020
2020/21690/FUL	Partingtons Holiday Centres	Tarn Caravan Park Stirton Skipton BD23 3LQ	Full application to allow 12-month holiday occupation at Tarn House Caravan Park	Approve with Conditions	15.09.2020
2020/21703/MMA	Pinnacle View Homes	Site North Of Glen Royd Woodside Lane Cononley Keighley BD20 8PE	Minor material amendment of APP/C2708/W/19/3228674 (2018/18988/FUL) to allow triple garage	Approve with Conditions	11.09.2020
2020/21697/TPO	Mr K Parkin	High Street Cottage 23 High Street Ingleton Carnforth LA6 3AD	T1 Beech - crown thin by 10% shorten 2 long limbs over garden. T2 Beech - crown thin by 10%.	Refuse Tree Work under TPO	17.09.2020
2020/21705/HH	Mr Adam Brewster	35 Broughton Grove Skipton BD23 1TL	Two storey side and rear extension to form a Granny annex	Approve with Conditions	01.09.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2020/21701/TPO	Tree Peaks	Land Adj To No 3 Moorgarth Ingleton Carnforth	T1 Sycamore - crown lift.	Approved Tree Work under TPO	17.09.2020
2020/21714/HH	Mrs Jane Goddard	36 Station Road Cross Hills Keighley BD20 7DT	Creation of parking area, dropped kerb and access to Station Road, Cross Hills	Approve with Conditions	02.09.2020
2020/21713/HH	Mrs Charlotte Harwood	34 Station Road Cross Hills Keighley BD20 7DT	Creation of parking area, dropped kerb and access to Station Road, Cross Hills	Approve with Conditions	07.09.2020
2020/21719/LBC	Network Rail Infrastructure Ltd	Hellifield Station Station Road Hellifield Skipton BD23 4HP	Canopy repairs to the platform canopy structure	Approve with Conditions	17.09.2020
2020/21726/CPL	Mr J Capstick	24 Goodenber Road High Bentham Lancaster LA2 7JD	Application for Certificate of Lawful development for proposed erection of a single storey rear extension	Approve Cert. Lawful Devt	21.08.2020
2020/21740/CND	Bellway Homes Ltd - Yorkshire Division	Land North Of A629 And West Of Wyvern Way Skipton	Application to discharge condition no. 27 (Remediation Scheme) of planning permission referenced 2017/18136/VAR granted 16 March 2018	DOC satisfactory	15.09.2020
2020/21774/S106	Miller Homes	Land Off Skipton Bypass To The Bailey Skipton	Proposed modification to Section 106 Agreement relating to amendment to affordable housing aspects	Variation to existing S106 Agreement	24.08.2020
2020/21772/HH	Mr Leslie Shoebridge	Sylva Garrs Cam Lane Thornton In Craven Skipton BD23 3SX	Side extension	Approve with Conditions	25.08.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2020/21777/HH	Mr Pat Page	8 Collinge Road Cowling Keighley BD22 0AG	Two storey and single storey extension	Approve with Conditions	04.09.2020
2020/21778/CND	Mrs Rachel Stuttard	Huntworth Farm Buck Haw Brow To Huntworth Giggleswick Settle BD24 0DJ	Application to discharge condition no. 3 (Bats) on planning permission referenced 2020/21466/HH granted 28 April 2020	DOC satisfactory	25.08.2020
2020/21783/HH	MR & MRS R SLINGER	Millwood Bentham Moor Road High Bentham Lancaster LA2 7EX	Garage side extension	Approve with Conditions	10.09.2020
2020/21800/MMA	Mr & Mrs Vincent Wilkinson	Parkfield Nurseries, Caravan Chapel Hill Skipton BD23 1UH	Minor-material amendment to Condition no. 2 (Approved Plans) on planning application referenced 2019/20890/FUL granted 25 October 2019 to allow minor adjustments to the roof areas only	Approve with Conditions	24.08.2020
2020/21797/HH	A Alam	17 Regent Road Skipton BD23 1AT	Two storey side and rear and single storey rear extension	Approve with Conditions	10.09.2020
2020/21816/CPL	Mr/Mrs T Mahmood	2 Pendle Street Skipton BD23 1SN	Rear dormer extension	Approve Cert. Lawful Devt	04.09.2020
2020/21820/NYCC	NYCC Planning Services	Bradleys Both County Primary School Skipton Road Low Bradley Keighley BD20 9EF	Consultation on planning application for the purposes of the retrospective planning application for the retention of an existing prefabricated classroom unit Y568 (95.6 sq. metres) for a further 6 years on land	Approve with Conditions	20.08.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2020/21799/LBC	Dr. J. A. Farrers Discretionary Will Trust	Nutta Farm Clapham Lancaster LA2 8HN	Installation of painted timber windows into existing openings following removal of steel windows; insertion of lead damp tray	Approve with Conditions	27.08.2020
2020/21803/CND	Vistry Partnerships	Land Off A65 Kendal Road Hellifield Skipton	Application to discharge condition no. 14 (refuse collection) of planning permission referenced 2019/20933/FUL granted 11 March 2020	DOC satisfactory	27.08.2020
2020/21804/CND	Vistry Partnerships Yorkshire Ltd	Land Off A65 Kendal Road Hellifield Skipton	Application to discharge condition no. 7 (Highways - Road and Footway Layout) on planning permission referenced 2019/20933/FUL granted 11 March 2020	DOC satisfactory	27.08.2020
2020/21814/HH	Mr T Mahmood	2 Pendle Street Skipton BD23 1SN	Construction of front dormer window and alterations	Approve with Conditions	04.09.2020
2020/21806/HH	Mr Ian Cranston	25 Gainsborough Court Skipton BD23 1QG	Two storey extension and alterations to existing garage	Approve with Conditions	17.09.2020
2020/21815/HH	Mr & Mrs Richard Purnell	The Pines 3 Cawder Ghyll Skipton BD23 2QG	Single-storey rear extension	Approve with Conditions	02.09.2020
2020/21821/FUL	Platinum Stairlifts Limited	Unit 10 Riparian Court Riparian Way Cross Hills Keighley BD20 7BW	Retention of portacabins for a temporary period of 18 months	Approve with Conditions	16.09.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2020/21822/LBC	Rosemary & Co	Carr Head Hall Carr Head Lane Cowling Keighley BD22 0LD	Proposed re-positioned entrance gate and enclosure of land owned by Carr Head Hall (Retrospective)	Approve with Conditions	21.08.2020
2020/21823/HH	Mr & Mrs Matthew Pullan	5 Burnside Avenue Skipton BD23 2BN	Single storey rear extension	Approve with Conditions	02.09.2020
2020/21838/HH	Mr Anthony Detoef	27 Elmore Terrace Keighley Road Cross Hills Keighley BD20 7RX	Single storey rear extension and two storey side extension	Approve with Conditions	02.09.2020
2020/21842/CND	Vistry Partnerships Yorkshire Ltd	Land Off A65 Kendal Road Hellifield Skipton	Application to discharge Condition no 3 (External Materials) of Planning Permission referenced 2019/20933/FUL granted 11/03/2020.	DOC satisfactory	27.08.2020
2020/21876/FUL	Mr Kevin Banks	Adjacent 43 Brook Street Skipton BD23 1PP	Construction of detached house adjacent 43 Brook Street, Skipton	Refuse	11.09.2020
2020/21856/CND	Ms Katie Williams	86 Otley Road Skipton BD23 1HG	Discharge condition 3 (mud prevention), condition 4 (highways), condition 5 (surface water drainage) and condition 9 (bat/bird box details) of 2019/21017/FUL	DOC satisfactory	11.09.2020
2020/21882/PNAG	Mr Neil Smith	Pemberton Farm Ingleton Carnforth LA6 3DS	Erection of a portal frame agricultural building for machinery, hay and straw storage	Prior Approval Not Required	25.08.2020
2020/21880/LHSHLD	Mrs S Herpe	25 Hall Close Sutton-in-Craven Keighley BD20 7NW	Prior approval notification for single storey rear extension measuring 3.30 metres beyond the rear wall; 3.50 metres in height from ground level and 2.26 metres in height to eaves from ground level	PD HH Prior Approve Details	04.09.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2020/21926/PNAG	Mr T Middlemiss	Land To North East Cranberry Farm West Lane Sutton-in-Craven Keighley	Erection of agricultural building	Prior Approval Not Required	14.09.2020

Planning Committee Report of New Cases Registered **21-08-2020 to 17-09-2020**

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03300/2020	Installation of a black chimney at the side of the property.	126 Main Street Cononley Keighley BD20 8NR	Aire Valley With Lothersdale
ENF/03301/2020	Alleged unauthorised change of use of land.	Tatterthorn Farm Ingleton Carnforth Lancaster LA6 3DS	Bentham
ENF/03302/2020	Alleged unauthorised erection of buildings being let out.	Mill Cross Farm Cowling Hill Lane Cowling Keighley BD22 0LP	Cowling
ENF/03303/2020	Alleged unauthorised extension of agricultural building.	Pemberton Farm Ingleton Carnforth LA6 3DS	Ingleton And Clapham
ENF/03304/2020	Alleged unauthorised erection of large black building housing gym equipment and creation of hardstanding	Highgate Barn Gaylands Lane Earby BB18 6JR	West Craven
ENF/03305/2020	Alleged unauthorised erection of fence.	21 Brown Bank Terrace Skipton Road Cross Hills Keighley BD20 7DR	Glusburn
ENF/03306/2020	Exterior walls painted blue	Fountain Cottage 31 Main Street Ingleton Carnforth LA6 3EH	Ingleton And Clapham

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03307/2020	Installation of non-approved glazing and cladding- Not in accordance with planning ref: 2020/21524/HH.	14 Brook View Carleton Skipton BD23 3EX	West Craven
ENF/03308/2020	Development not being built in accordance with planning application ref: 2018/19475/FUL and Conditions no. 3,4 and 5 have not been discharged.	Former Coal Yard Adjacent To Leeds-Liverpool Canal Ings Lane Bradley BD20 9EL	Aire Valley With Lothersdale



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Planning Committee Report of Cases Closed **21-08-2020 to 17-09-2020**

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/03129/2019	26th July 2019	7th September 2020	Retrospective Planning	1) Rear elevation constructed with the patio doors nearest the footpath and the window nearest to number 9 2) Construction of raised decking to the rear	Rowan House 9A Black Abbey Lane Glusburn Keighley	Glusburn
ENF/03151/2019	2nd September 2019	7th September 2020	Retrospective Planning	1) Alleged air conditioning units being placed on roof. 2) Alleged flashing neon lights. 3) Alleged live music in breach of condition 8 of planning approval 2018/19739/COU. 4) Opening of upstairs windows.	9 - 11 Court Lane Skipton BD23 1DD	Skipton North

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/03156/2019	13th September 2019	7th September 2020	No Breach	Site operators and contractors parking on Robin Lane.	Former High Bentham CP School Main Street High Bentham Lancaster LA2 7JU	Bentham
ENF/03171/2019	7th October 2019	7th September 2020	No Breach	Site access being used before highways conditions have been discharged.	Land Off Carla Beck Lane Carleton In Craven Skipton BD23 3BU	West Craven
ENF/03178/2019	1st November 2019	7th September 2020	No Breach	Alleged development not built in accordance with the approved plans	111 Hurrs Road Skipton BD23 2JF	Skipton East
ENF/03186/2019	5th November 2019	7th September 2020	Retrospective Planning	Alleged unauthorised flue/chimney	1 Runley Mill Lane Settle BD24 9LF	Settle And Ribble Banks
ENF/03269/2020	18th June 2020	11th September 2020	No Breach	Permanent structure erected and tree removed.	2 Shady Lane Cononley Keighley BD20 8NJ	Aire Valley With Lothersdale
ENF/03294/2020	7th August 2020	4th September 2020	Permitted Development	Alleged unauthorised construction of outbuilding	29 Northfields Avenue Settle BD24 9JR	Settle And Ribble Banks