

PLANNING COMMITTEE

1.35pm on Monday 16th March 2020
Belle Vue Suite, Belle Vue Square Offices, Skipton

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

AGENDA

Comfort Break: Please note that a formal comfort break of 15 minutes may be taken at an appropriate point in the Committee's consideration of the Schedule of Plans.

1. **Apologies for absence and substitutes**
2. **Confirmation of Minutes** – 18th February 2020.
3. **Public Participation** – In the event that any questions/statements are received or members of the public wish to ask questions or address the Committee **in respect of matters not appearing on this agenda**, the public participation session will proceed for a period of up to fifteen minutes.
4. **Declarations of Interest** – All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

(Note: Declarations should be in the form of:

a “**disclosable pecuniary interest**” under Appendix A to the Council's Code of Conduct, or “**other interests**” under Appendix B or under Paragraph 15 where a matter arises at the meeting which relates to a financial interest of a friend, relative or close associate.

A Member of Council who has a disclosable pecuniary interest must leave the room and not take part in the discussion or vote. When declaring interests under Appendix B or Paragraph 15 of the Code, Members must move to the public seating area, not vote, and speak only if members of the public are also allowed to speak at the meeting.)

5. **Schedule of Plans** – Attached. The schedule is comprised of the following:
 - (a) Applications to be determined by the Committee.
 - (b) Details of applications determined by officers under the Scheme of Delegation.
 - (c) Enforcement - New complaints registered / complaints closed.

If Members have any queries regarding individual applications dealt with under the Scheme of Delegation, or if they have any queries regarding an enforcement matter, they are asked to consider contacting Neville Watson, Development Control Manager (email: nwatson@cravenc.gov.uk, telephone: 01756 706402)

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

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

Additional Information

The circulation of materials cannot be accepted during the meeting. Any additional information has to be submitted to the Case Officer in advance of the meeting by 12 Noon on the last working day before the meeting date.

Recording at Council Meetings

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, subject to

- (i) the recording being conducted with the full knowledge of the Chairman of the meeting; and
- (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact the Agenda Contact Officer (details above) prior to the start of the meeting. Any recording must be conducted openly and not disrupt proceedings.

Emergency Evacuation Procedure

In case of an emergency or if the alarm sounds, leave the committee room and leave the building using the nearest available door. The assembly point is in the main square at the front entrance. An officer will take a roll call at that point. Please do not leave without telling the Chairman or the Democratic Services Section's representative.

PLANNING COMMITTEE

18th February 2020

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

Officers – Planning Solicitor, Principal Planning Officer x2, Planning Officer x3 and Senior Democratic Services Officer.

Apologies for absence were received from Councillors Handley (substitute), Lis and Place.

Ward Representatives : Councillor Shuttleworth (Application 2019/20654/REM), Councillor Myers (Application 2019/20192/FUL), Councillor Moorby (Application 2019/20933/FUL) and Councillor Rose (Application 2019/21108/REM).

Start: 1.44pm

Finish: 6.28pm

Councillors Heseltine and Welch left the meeting at 4.43pm

Note: The Committee took a comfort break at 4.10pm.

The minutes of the Committee's meetings held on 21st January 2020 were confirmed and signed by the Chairman.

Duration of Meeting : In accordance with Council Procedure Rule 9, the Committee agreed that the meeting should continue beyond three hours.

Exclusion of the Public –

Resolved – That in accordance with the Council's Access to Information Procedure Rules, the press and public is excluded from the meeting to receive legal advice from the Council's Planning Solicitor in order for Members to come to an informed decision, that protects the Council's interests, in relation to Applications 2019/20611/FUL and 2019/21182/LBC on the grounds that it is not in the public interest to disclose Category 5 (information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) exempt information.

(Councillor Brown requested that it be recorded that he voted against the recommendation and Councillor Pringle abstained.)

Minutes for Report

PL.963

DECLARATIONS OF INTEREST AND LOBBYING

a. Declarations of Interest

Members were invited to declare any interests in the business before the Committee. Councillor Pringle declared an Appendix B interest in Application 2019/20933/FUL as he was employed part time by Craven Cattle Mart whom owned part of the land subject to the application. He did not speak or vote on the application thereon.

b. Lobbying

Application 2019/20933/FUL – The Chairman (Councillor Sutcliffe) and Councillors Brown, Morrell, Rose, Shuttleworth and Welch indicated that they had been lobbied against the application.

Application 2019/20654/REM – The Chairman (Councillor Sutcliffe) and Councillors Heseltine and Welch indicated that they had been lobbied against the application.

Application 2019/21234/FUL – The Chairman (Councillor Sutcliffe) and Councillors Brown and Shuttleworth indicated that they had been lobbied against the application.

PL.964

PUBLIC PARTICIPATION

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

Application 2019/20933/FUL: Ms Sophie Brown, Airedale NHS Foundation Trust (objector)
Andrew Crabtree (objector/for the objectors)
Shawn Hancock (agent for the applicant)

Application 2019/20654/REM: Councillor Vince Smith (Embsay with Eastby Parish Council)
Mr Brian Harris (objector/for the objectors)
Mr Ian Swain (agent for the applicant)

Application 2019/20192/FUL Mr Ian Swain (agent for the applicant)

Application 2019/21108/REM Mr Ian Lyle (agent for the applicant)

PL.965

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:

2019/20446/FUL 2 no. speculative light industrial units at Unit 3, Enterprise Way, Airedale Business Centre, Skipton BD23 2TZ. Approved with Conditions.

2019/20618/MMA Application for minor material amendment to allow submission of as-built drawings to replace approved plans listed in condition 2 to previous approval referenced 63/2014/15027 granted 01 September 2017 at Clitheroe Street Works, Clitheroe Street, Skipton. Approved with Conditions.

2019/20666/LBC Replacement of door and frames ADG - 02,03,06,07,30 and 32 at Malsis Hall, Malsis Drive, Glusburn, Keighley BD20 8FH. Approved with Conditions.

2019/20717/FUL Demolition and replacement of 'Keepers' Cottage' with new group accommodation (Use Class C1) for tourists, cycle storage, off street parking, access and associated works, Peel Green, Hellifield, Skipton BD23 4LD. Refused.

2019/20887/FUL Demolition of the Old Courthouse and construction of 4 storey building to provide nine (9) flats being a mixture of one and two bedroomed units at The Old Courthouse, Otley Street, Skipton BD23 1EH. Application Withdrawn.

2019/20903/HH Partially retrospective application for summer house in rear garden including roof alteration at West Lodge, West Marton, Skipton BD23 3JL. Approved with Conditions.

2019/20912/FUL Full planning application for the formation of a ten-pitch touring caravan and camping site and erection of facilities block at Thornton Hall Farm Visitor Centre, Colne and Broughton Road, Thornton in Craven, Skipton BD23 3TJ. Approved with Conditions.

2019/20916/FUL /Conversion of former school and presbytery to 7 dwellings, construction of 3 dwellings to the rear, demolition of later extensions and associated operations at former St. Stephens Roman Catholic Primary School, Gargrave Road, Skipton, BD23 1PJ. Approved with Conditions.

2019/20920/LBC Replace the main garage door and rear entrance door at Brigstone House, White Hill Lane, Lothersdale, Keighley, BD20 8HX. Approved with Conditions.

2019/21006/HH Retrospective application for retention of rear porch including amendment to roof at 2 Ashfield Cottages, Main Street, High Bentham, Lancaster. LA2 7HZ. Refused.

2019/21007/FUL to make a new agricultural entrance into a field on land to south of Gill Head Farm, Robin Lane, High Bentham, Lancaster. Application Withdrawn.

2019/21015/OUT Outline application for detached bungalow (access applied for with all other matters reserved) on site at Henbusk Lane, Newby, Lancaster LA2 8HS. Refused.

2019/21067/VAR Application for the removal of condition no. 12 (Garage Conversion) and vary condition no. 2 (Approved Plans) of planning approval referenced 42/2017/18080 granted 16 May 2017 at 1 St Aidans Court, Gisburn Road, Hellifield, Skipton BD23 4BQ. Approved with Conditions.

2019/21100/FUL Proposed agricultural workers dwelling on field known as Stonehead Brow, Cowling Hill Lane, Cowling. Refused.

2019/21107/LBC Proposed re-roofing, alterations to kitchen, house bathroom and other internal alterations; replacement of central heating system and all associated pipework; removal of external rendered chimney stack at Bankwell, Bankwell Road, Giggleswick, Settle, BD24 0AP. Approved with Conditions.

2019/21113/LBC Proposed external lighting at Halsteads Hall, Thornton in Lonsdale, Ingleton, Carnforth LA6 3PD. Approved with Conditions.

2019/21117/FUL Installation of air-conditioning equipment, external plant with external surrounding screen, for the production of cotton fabrics at Junction Mills, Skipton Road, Cross Hills, Keighley BD20 7SE. Application Withdrawn.

2019/21120/FUL Demolition of existing detached bungalow & replacement with new build detached bungalow at The Cottage, Lowground Farm, Eller Gill Lane, Elslack, Skipton BD23 3AR. Approved with Conditions.

2019/21125/HH Single storey rear extension and conversion of garage to kitchen and store at 9 Eller Mews, Skipton BD23 2TG. Approved with Conditions.

2019/21137/CND Application to discharge condition no. 3 (Ventilation) on planning permission referenced 2018/19739/COU granted 19 February 2019 at 9 Court Lane, Skipton BD23 1DD. Application Withdrawn.

2019/21142/HH Replace existing single glazed back door with double glazed wooden door at 6 The Green, Settle BD24 9HL. Approved with Conditions.

2019/21255/TCA T1: Conifer, Fell at Bailey Cottage, The Bailey, Skipton BD23 1UA. Approved Tree Works in Conservation Area.

2019/21144/HH Removal of damaged cement fibre wall and roof cladding and replacement with Juniper Green plastisol-coated trapezoidal steel sheet cladding - to two domestic workshop/store buildings. Stone Head Farm, Stone Head Lane, Cowling, Keighley BD22 0LZ. Approved with Conditions.

2019/21163/HH Two storey rear extension at The Willows, East Lane, Embsay, Skipton BD23 6QD. Application Withdrawn

2019/21181/LBC Demolition and replacement of Keepers Cottage with holiday accommodation (Use Class C1), cycle storage, off street parking, access and associated works at Keepers Cottage, Peel Green, Hellifield, Skipton BD23 4LD. Refused.

2019/21151/HH Proposed 2-storey rear extension to replace existing single-storey rear extension at 23 Ingleborough Park Drive, Ingleton, Carnforth, LA6 3AJ. Approved with Conditions.

2019/21160/FUL Roofing repairs to concert hall within Town Hall, High Street, Skipton, BD23 1AH. Approved with Conditions.

2019/21161/LBC Roofing repairs to concert hall within the Town Hall, High Street, Skipton, BD23 1AH. Approved with Conditions.

2019/21162/CND Application to discharge condition No. 5 (Materials) on planning permission 2019/20789/MMA site of former Methodist Church, Main Street, Farnhill, Keighley. DOC satisfactory.

2019/21170/OUT 2018/19981/FUL Outline application with all matters reserved for development of two detached dwellings in land to rear of Greenfoot. Jubilee Cross, Greenfoot Lane, Low Bentham, Lancaster LA2 7EQ. Refused.

2019/21174/FUL Change of Use of former offices and hairdressers to 6no residential (C3) flats, construction of first floor extension and alterations at 39 Main Street, Ingleton, Carnforth LA6 3EH. Application Withdrawn.

2019/21197/ OTHERS Prior approval notification for installation of a rooftop Solar Photovoltaic system at Tesco Stores Ltd., Craven Street, Skipton BD23 2AG. Prior Approval Not Required.

2019/21177/LBC Replacement of existing windows at Lane Head Laithe, Carleton Lane, Carleton, Skipton BD23 3HT. Approved with Conditions.

2019/21178/CND Application to discharge condition no. 5 (tree protection), no. 6 (surface water drainage), no. 7 (materials) and no. 10 (bins) of planning permission 2019/20266/MMA granted 17 May 2019 at Deep Spring, Grange Road, Farnhill, Keighley BD20 9AE. Approved with Conditions.

2019/21186/CND Application to discharge condition no. 4 (Materials) on planning permission referenced 2017/18477/FUL granted 17 January 2018 and condition no. 6 (Materials) on planning permission referenced 2017/18478/LBC granted 17 January 2018. Town Hall, High Street, Skipton BD23 1AH. DOC satisfactory.

2019/21187/HH One and a half storey side extension at Dairy Cottage, 6 Roundell Drive, West Marton, Skipton BD23 3UL. Approved with Conditions.

2019/21192/FUL Construction of 1 no. single storey dwelling house at The Greenhouse, Eshton Road, Gargrave, Skipton BD23 3PN. Refused.

2019/21203/TCA T1 Silver Birch. Reduce the tree all round by 1m at The Old Tannery, Matthew Lane, Low Bradley, Keighley BD20 9DF. Approved Tree Works in Conservation Area.

2019/21201/FUL Application for the siting of a temporary mobile home at Higher Sheep Wash Farm, Mill Lane, Rathmell, Settle, BD24 0JU. Approved with Conditions.

2019/21227/TPO T1 Ash. Repollard at 35 Hall Croft, Skipton BD23 1PG. Approved Tree Work under TPO.

2019/21206/VAR Application to vary condition 2 (approved plans - to substitute plan no 1382.P.9 with plan no 1382.P.9 Rev H to reflect the fact that there are no trees on site) and removal of conditions 6 (tree works) & 7 (tree protection) on application reference number: 2019/20377/FUL granted 03 July 2019 at The Dairy, Hammon Head Hall, Mewith, Bentham LA2 7AR. Application Withdrawn.

2019/21207/VAR Application to vary condition 2 (approved plans - substitute plan no 1382.P.2 with plan no 1382.P.2.(rev H) to reflect the fact that there are no trees on site) and removal of conditions 6 (tree works) & 7 (tree protection) of application reference number: 2019/20376/FUL granted 03 July 2019 at The Barn, Hammon Head Hall, Hollin Lane, Bentham, Lancaster LA2 7AR. Application Withdrawn.

2019/21208/LBC Listed building consent application for levelling of floors; covering dado panel to snug; re-pointing front garden wall at Well House, Bankwell Road, Giggleswick, Settle BD24 0AP. Approved with Conditions.

2019/21210/HH Two storey rear extension to terraced house at 12 Lingcrag Gardens, Cowling, Keighley BD22 0AN. Approved with Conditions.

2019/21215/MMA Minor material amendment of condition 1 (Approved Plans) of 2019/20266/MMA to add single storey extension to rear of the garage of plot 3 at Deep Spring, Grange Road, Farnhill, Keighley, BD20 9AE. Approved with Conditions.

2019/21218/VAR Application for variation of condition number 4 (window & door details) of application reference number 2019/20684/LBC granted 23 October 2019, to vary the condition to be post commencement and prior to the installation of windows and doors at Stable Croft Barn, Stott Fold Farm, Cowling Hill Lane, Cowling, Keighley BD22 0LR. Approved with Conditions.

2019/21220/DCA Demolition and clearance of the existing buildings with the exception of stone Mill building and its original extensions at Reward Manufacturing, Sackville Mills factory and premises, Sackville Street, Skipton BD23 2PS. Approved with Conditions.

2019/21222/HH Proposed rear extension at The Moorings, Chapel Hill, Skipton, BD23 1NL. Approved with Conditions.

2019/21223/HH Proposed conversion of garage for accommodation at Exmoor Bungalow, Shortbank Road, Skipton. BD23 2LQ. Approved with Conditions.

2019/21224/CND Discharge of Condition no. 3 (Airedale Drainage) of approved application 2019/20332/FUL granted 03 May 2019 on land off Carleton Road, Skipton. DOC satisfactory.

2019/21225/HH Single storey rear extension at Caedre, 21 Church Street, Settle, BD24 9JH. Approved with Conditions.

2019/21228/TCA T1 Hawthorn-Fell at 15 High Street, Burton in Lonsdale, Carnforth. LA6 3JU. Approved Tree Works in Conservation Area.

2019/21229/TPO Crown thin Beech tree closest to the road by 30% and remove limb overhanging the road. Crown thin 3 Beech by 20%. Remove Leylandii and small Sycamore on amenity land, Colne Road, Glusburn, Keighley. BD20 8QR. Split Decision.

2019/21231/MMA Minor material amendment to original planning consent reference 2019/20172/MMA for minor changes to the position of Plot 14 and amendments to the front elevations of Plots 14 and 15 with the introduction of oak framing. Station Works, Cononley Lane, Cononley, Keighley. Approved with Conditions.

2019/21233/FUL Renewal of temporary permission for 4 bay dog kennel previously approved under application 19/2016/17443 at Hill Top Farm, Coniston Cold, Skipton. BD23 4EA. Approved with Conditions.

2019/21236/TPO T1 & T2 Beech-Crown reduction by 25%. T1, T2 & T3 Beech-Crown thin by 25% at Taira House, Church Street, Gargrave, Skipton. BD23 3NE. Split Decision.

2019/21239/CPL Replacement of 3 front windows, 2 ground floor side windows and 4 upper-floor side windows like for like at 11 Gordon Terrace, Cononley, Keighley. BD20 8NQ. Split Decision.

2019/21240/HH Two-storey side extension at 2 Higher Hartley Street, Glusburn, Keighley. BD20 8QH. Approved with Conditions.

2019/21245/VAR Application to vary condition 2 (approved plans) of 32/2017/17711 to allow for a larger garage for eastern dwelling at Lingah House, Baxter Wood, Cross Hills, Keighley. Approved with Conditions.

2019/21246/HH Replacement of existing timber windows, French doors and entrance door with uPVC at Garland, Doctors Hill, Low Bentham, Lancaster. LA2 7DZ. Approved with Conditions.

2019/21284/AGRRES Prior notification for change of use existing agricultural barn to dwelling house (C3) at Crag Laithe, Close House Farm, Giggleswick, Settle. BD24 0EA. PN Refuse and Application Required.

2019/21256/ADV 1 no. illuminated logo sign, 1 no. illuminated hanging sign and 2 no. non-illuminated signs at United Co Operatives Late Shop, Main Street, High Bentham, Lancaster. LA2 7HE. Approved with Conditions.

2019/21258/TCA T1 Cherry - Removal of Higher Crown, Thin Out and Crown Lift at 21 Elm Tree Square, Embsay, Skipton. BD23 6RA. Approved Tree Works in Conservation Area.

2019/21259/CND Application to discharge condition no. 4 (Windows and Door Details) on planning permission 2019/20740/FUL granted 05 November 2019 at garage at Stainton Cotes, Moorber Lane, Coniston Cold, Skipton. DOC satisfactory.

2019/21266/AGRRES Change of use of agricultural building to a dwelling (Prior Notification Application) at Curlew Barn, Lothersdale, Keighley. PN Refused and Application Required.

2019/21263/FUL Conversion of agricultural barn to self contained holiday accommodation at Black Bank Farm, Black Bank Road, Austwick, Lancaster. LA2 8AH. Approved with Conditions.

2019/21265/CND Application to discharge condition 3 (highways) of 2019/20786/FUL at Unit 1 & 2 Union Business Park, Snaygill Industrial Estate, Skipton. BD23 2QR. DOC satisfactory.

2019/21270/TCA Crown reduction of 2 no. Sycamore and 1 no. Birch by 1 metre. Reduction and shaping of 1 no. Holly at Craglands, Farnhill, Keighley. BD20 9AL. Approved Tree Works in Conservation Area.

2019/21287/OFFRES Prior application notification for change of use from offices to 30 No. dwellinghouses at Cavendish House, 10A Newmarket Street, Skipton, BD23 2HN. Prior Approval Granted.

2019/21276/LHSHLD Prior approval notification for larger home extension for a replacement single storey extension with monopitch roof with 2 no. rooflights measuring 3.14m beyond the rear wall; 3.19m in height from ground level; 2.18m in height to eaves from ground level at 1 Harley Bank, Main Street, Low Bentham, Lancaster. LA2 7BU. PD HH Prior Approve Details.

2019/21278/TCA T1, Silver Birch – Fell at The Old Tannery, West Lane, Cononley, Keighley. BD20 8NL. Approved Tree Works in Conservation Area.

2019/21291/TPO 4 no. Sycamore-Fell. 1 no. Holly- Reduce to 2 metres high. 1 no. Wellingtonia- Crown lift to 4 metres via removal of secondary growth less than 100mm diameter at 1 Grassington Road, Skipton. BD23 1LL. Split Decision.

2019/21302/CND Application to discharge condition no. 6 (Boundary Treatments) on planning permission 2019/20573/FUL granted 01 August 2019 on land on the East side of Hayfield View, off Green Lane, Glusburn. BD20 8RT. DOC satisfactory.

2020/21313/MMA Minor material amendment to vary condition no. 2 (Approved Plans) on planning approval 17/2017/18073 granted 25 October 2017 at Carla Beck Farm, Carla Beck Lane, Carleton, Skipton. BD23 3BU. Approved with Conditions.

2020/21337/NMA Application for non-material amendment to planning appeal decision referenced APP/C2708/W/18/3210340 allowed 17 May 2019 to move visitor parking spaces to southern end of site so they are more accessible at Storage Depot, Kings Mill Lane, Settle. Non-material amendment approved.

b. Applications

Permission Granted

2019/20933/FUL application for residential development of 23 units and including amended vehicular access onto the A65 on land off A65, Kendal Road, Hellifield – subject to the conditions below as well as relevant S.106 Agreements in relation to public open space and affordable housing. Permission is also granted subject to conditions being included to ensure that a footpath from the site is created to the Gallaber footpath to create a link; the applicant is also required to provide details of the bin collection facilities to the satisfaction of the Council prior to occupation of the development and that the environmental conditions echo Policy ENV3 Paragraph T of Section 5 of the adopted Craven Local Plan relating to sustainable design and construction. The actual wording of the above mentioned additional conditions to be formulated by the Planning Manager.

Conditions

Time Limit for Commencement

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

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

Approved Plans

2 This approval relates to the following:

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

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

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

Ongoing Conditions

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

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Craven Local Plan Policy ENV3: Good Design and the National Planning Policy Framework.

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

The scheme shall include details of:

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

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

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

5 No development shall take place until either:-

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

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

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

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

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

7 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site, until the following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

a. Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:

- the proposed highway layout including the highway boundary
- dimensions of any carriageway, cycleway, footway, and verges
- drainage and sewerage system
- lining and signing
- traffic calming measures
- all types of surfacing (including tactiles), kerbing and edging.

b. Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:

- the existing ground level
- the proposed road channel and centre line levels
- full details of surface water drainage proposals.

- c. Full highway construction details including:
 - typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
 - when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
 - kerb and edging construction details
 - typical drainage construction details.
- d. Details of the method and means of surface water disposal.
- e. Details of all proposed street lighting.
- f. Full working drawings for any structures which affect or form part of the highway network.
- g. A programme for completing the works.

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

INFORMATIVE: In imposing the above condition it is recommended that before a detailed planning submission is made a draft layout is produced for discussion between the applicant, the Local Planning Authority and the Highway Authority in order to avoid abortive work. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition.

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

- 8 No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.
The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.

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

- 9 There shall be no access or egress between the highway and the application site by any vehicles other than via the existing access with the public highway at Kendall Road. The access shall be maintained in a safe manner which shall include the repair of any damage to the existing adopted highway occurring during construction.

Reason: In accordance with Policy ENV3 and in the interests of both vehicle and pedestrian safety and the visual amenity of the area.

- 10 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud,

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

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

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

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

- 12 Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:
- a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
 - b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
 - c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

Reason: In accordance with Policy ENV3 and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

Informatives

1. Broadband Connectivity

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

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

2. Charging Points

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

3. Hours of Construction

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

4. Noise

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

5. Statement of Positive Engagement:

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

2019/20192/FUL application for an extension to an existing building on land at Anchor Croft Farm, Hellifield Road, Gargrave, BD23 3NB. Subject to the conditions below and subject to a satisfactory landscaping and tree planting scheme being submitted in order to address the visual impact of the building and that the said scheme is agreed with the Planning Manager in consultation with Ward Councillors:

Conditions

Time Limit for Commencement

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

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

Approved Plans

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

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

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

Ongoing Conditions

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

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

Informatives

1. Statement of Positive Engagement:

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

2019/21108/REM reserved matters application for the approval of the partial layout (plateau/ground levels for employment units) of outline permission 2017/18136/VAR on land north of A629 and west of Carleton Road, Skipton - subject to the conditions below:

Conditions

Time Limit for Commencement

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

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

Approved Plans

- 2 This permission relates to the following plans:

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

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

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

Informatives

1. Adherence to approved plans/conditions

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

2. Statement of Positive Engagement:

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

Applications Deferred

Application 2019/20611/FUL application for part demolition and change of use of ‘granary’ buildings to create a holiday cottage (Use Class C3), glasshouse, extensions and alterations, parking and access at The Granary, Peel Green, Hellifield, BD23 4LD – on the advice of the Council’s Planning Solicitor the application is deferred to the next meeting of this Committee to enable the Council to receive further legal advice and clarification from Counsel in order to protect the best interests of the Council’s and ensure that the process by which this application is determined is correct. **(SV)**

2019//21182/LBC part demolition and change of use of granary buildings to holiday cottage (Use Class C3), glass house, minor extensions and alterations, parking and access – on the advice of the Council’s Planning Solicitor the application is deferred to the next meeting of this Committee to enable the Council to receive further legal advice and clarification from Counsel in order to protect the best interests of the Council’s and ensure that the process by which this application is determined is correct. **(SV)**

2019/20654/REM reserved matters application for residential development (submitted pursuant to approved planning reference 2017/18839/VAR that authorises the construction of housing on the site) on land at Shires Lane, Embsay, Skipton – the Committee was not satisfied with the information provided regarding the development including flood prevention and surface drainage, layout, appearance, design and landscaping. In addition, Members wanted confirmation that the flood alleviation scheme and drainage met with approval from the Local Lead Flood Authority before permission is granted. Members deferred the application until appropriate revised details are prepared and submitted, so that an informed decision on how the development would finally be, could be made, and that conditions relating to the previously approved outline permission should be listed with the conditions of this application not as an informative.

2019/21234/FUL application for the repair and extension to access bridge at Mill House, Bell Busk, BD23 4DU – deferred to the next meeting of this Committee in order to receive further details regarding structural calculations of the scaffolding and the position and height of the netting underneath the bridge. **(SV)**.

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

PL.966

PLANNING ENFORCEMENT

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period 13th January 2020 to 9th February 2020.

Minutes for Decision

- None -

Chairman.



CRAVEN

IN · THE · YORKSHIRE · DALES

D I S T R I C T

PLANNING COMMITTEE AGENDA

DATE: 16th March 2020

INDEX OF PLANNING APPLICATIONS

Item No.	Application Reference No.	Name of Applicant	Site Address	Page No's
1.	2019/21234/FUL	Mr Douglas Lampkin	Mill House, Bell Busk, BD23 4DU.	2 - 8
2.	2019/21073/FUL	Barnfield Construction Ltd	Locomotive Building, Engine Shed Lane, Skipton.	9 – 18
3.	2019/20463/REG3	Craven Barnfield Regeneration Ltd	Land To The North Of Airedale Avenue, Skipton.	19 – 49
4.	2020/21333/FUL	WW Hotels T/A Rendezvous	Tow Path To Rear Of, Rendezvous Hotel, Keighley Road, Skipton.	50 – 56

REPORT TO PLANNING COMMITTEE ON 16th March 2020

Application Number: 2019/21234/FUL

Proposal: Repair and extension to access bridge

Site Address: Mill House Bell Busk BD23 4DU

On behalf of: Mr Douglas Lampkin

Date Registered: 13th December 2019

Expiry Date: 7th February 2020

EOT Date, if applicable: 10th March 2020

Case Officer: Mr Mark Moore

The application has been called into planning committee by Councillor Sutcliffe due to the adverse impacts on the character and appearance of the conservation area. The application was deferred at the February Committee meeting pending submission of further information.

1. Site Description

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

2. Proposal

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

Officer note: Further to the original submission and following deferral at the February Planning Committee the applicant's agent has submitted structural calculations and a combined risk assessment and method statement. It has also been confirmed that the proposed works will be completed within 1 month of commencement.

3. Planning History

- 3.1 5/19/1 – Change of use of Wheel House Building of Old Mill to Cottage Dwelling, Mill House, Bell Busk. Approved 3rd September 1974.
- 3.2 5/19/8 – Conversion of The Mill House, Bell Busk, from one dwellinghouse to two dwellinghouses. Approved 30th July 1976.
- 3.3 5/19/19 – Conversion of old warehouse at Mill House, Bell Busk, to form detached dwellinghouse. Approved 27th June 1980.

- 3.4 19/2007/7090 – Re-build of rear extension and front porch and provisions of conservatory. Approved 28th February 2007.
- 3.5 19/2007/7307 – Rebuild of Mill House. Withdrawn 9th May 2007.
- 3.6 19/2007/7313 – Demolition of Mill House. Approved 21st May 2007.
- 3.7 19/2007/7640 – Detached dwelling. Approved 16th August 2007.
- 3.8 19/2010/10989 – Restoration of former mill building to be used in conjunction with Mill House for workshop, office and recreational use. Approved 25th July 2011.
- 3.9 19/2011/12241 – Discharge of conditions 4, 9, 10 and 11 of planning permission 19/2010/10989. Restoration of former mill building. Approved 9th March 2012.
- 3.10 2017/18733/HH – New detached garage. Approved 15th May 2018.
- 3.11 2018/19422/CND – Application to discharge condition no. 3 of original planning permission referenced 2017/18733/HH granted 15.05.2018. DOC satisfactory 9th August 2018.
- 3.12 2019/20703/FUL – Change of use from domestic store to distillery. Approved 27th September 2019.

4. Planning Policy Background

4.1 Craven Local Plan (2012-2032):

- SD1: The Presumption in Favour of Sustainable Development
- ENV1: Countryside and Landscape
- ENV2: Heritage
- ENV3: Good Design
- ENV12: Footpaths, Bridleways, Byways and Cycle Routes
- INF4: Parking Provision
- INF7: Sustainable Transport and Highways

4.2 National Planning Policy Framework (as amended 2019)

4.3 Planning Practice Guidance

5. Parish/Town Council Comments

5.1 Cowling Parish Council – Comments received 9th January 2020. The Council have no objection but would like to clarify that the scaffolding is only a temporary fixture while the new bridge is being built.

Officer note: The scaffolding will not be a temporary fixture; but is required to support the bridge itself, a condition has been added which requires the applicant to paint the structure black 6 months from the date of receiving a permission.

6. Consultations

6.1 Canal & Rivers Trust – Comments received 20th December 2019. The Canal & Rivers Trust state that this application falls outside the notified area for its application scale, the application was therefore returned as there are no requirements to consult them on this.

6.2 NYCC Highways – Comments received 2nd January 2020. There are no local highway authority objections to the proposed development.

6.3 CDC Environmental Health – No comments received within statutory timescales.

7. Representations

7.1 Site Notice – Expired 24th January 2020.

7.2 Press Notice – Expired 23rd January 2020.

7.3 Neighbour Letters – Expired 11th January 2020.

7.4 No representations have been received to date.

8. Summary of Principal Planning Issues

8.1 Principle of development.

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

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

8.4 Highways issues.

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 The Craven Local Plan 2012-2032 was formally adopted by the Council at its meeting on 12th November 2019 and, accordingly, has replaced the Craven District Local Plan 1999 as the statutory, adopted development plan for the District. Therefore, the Craven District Local Plan should guide decision making for the purpose of paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2 of the National Planning Policy Framework.

9.3 Local Plan Policy ENV1 seeks to ensure that the quality of Craven's countryside and landscape is conserved for future generations to enjoy; and that opportunities to restore and enhance the landscape are taken wherever possible. New development proposals that are not subject to national landscape designations (such as this site) will be expected to respect, safeguard, and wherever possible, restore or enhance the landscape character of the area. Proposals should have regard to the relevant Landscape Character Appraisal/Assessment, and specifically to the different landscape character types that are present in the plan area. Regard should also be had to the relevant profiled Natural England Character Areas and the North Yorkshire and York Landscape Characterisation Project (2011).

9.4 The policy goes on to state that the Council will support proposals that secure the restoration of degraded landscapes, in ways that also help to achieve biodiversity and heritage objectives. Proposals will also be supported if they secure the restoration, preservation, and where possible enhancement of the public rights of way network, including the improvement of existing public rights of way, the creation of new public rights of way and the promotion of disabled access to the countryside.

9.5 Local Plan Policy ENV1 also expects proposals to have minimum and appropriate exterior lighting, and for schemes to enable settlements to grow in ways that respect their form, distribution and landscape setting.

9.6 The application seeks to simply repair and replace the bridge that already exists on site. The changes are minimal and will provide a more suitable access for residents located on the east of the River Aire. It is in officers opinion that the quality of Craven's countryside and landscape will be conserved and that the proposals are acceptable in principle.

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

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

conservation. Where a proposed development would lead to substantial harm, local authorities should refuse consent, unless it can be demonstrated that the substantial harm is necessary to achieve substantial benefits that outweigh the harm (paragraph 195 refers).

- 9.8 Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policy ENV3 also carries this interpretation; this policy seeks to ensure that growth in Craven results in positive change, which benefits the local economy, environment and quality of life, including health and wellbeing. This will be achieved by following the general design principles such as; context, infrastructure, ensuring development is accessible, art and culture, designing out crime, shop fronts/advertisements, and sustainable design and construction.
- 9.9 However, paragraph 130 of the NPPF states that permission should be refused where development is of a poor design which fails to take the opportunities available for improving the character and quality of an area and how it functions. Furthermore, where the design of a development accords with clear expectations in plan policies, design should not be used as a valid reason to object to development by the decision maker.
- 9.10 The application proposes to repair and extend an existing bridge to allow for easier access to residential dwellings Mill House and Mill Lodge. The bridge currently used appears run down and in need of repair works. The materials proposed consist of walls made of random stone, tarmac road, stone lintels and plinth blocks. It is considered that the proposals would improve the appearance of the street scene and would not detract from the character of the conservation area.
- 9.11 In conclusion, the proposals are considered to be appropriate in size, scale and design in this location, and that they would not appear incongruous or overly dominant in the general context of the site. The proposals would repair an existing structure, and extend it to allow easier access for residents who live on the opposite side of the River Aire. It is in officer's opinion that the proposals would not have an unacceptable detrimental impact upon the character and appearance of the area and Bell Busk Conservation Area.

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

- 9.12 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.
- 9.13 This is echoed within Local Plan Policy ENV3 which states that development should protect the amenity of existing residents as well as creating acceptable amenity conditions for future occupiers. The policy also states that development should be able to demonstrate that they will secure a good standard of amenity for all existing and future occupants of land and buildings.
- 9.14 The application site is surrounded by residential dwellings to the east and north west. The properties most likely to be impacted by the proposals are Mill House and Mill Lodge (both owned by the applicant).
- 9.15 In conclusion, the proposals submitted seek to repair and extend an existing bridge, allowing for better access into the owners land. Whilst it is acknowledged that access into the site will be disrupted whilst works are undertaken, the properties located within the parcel of land to the east (of which the bridge provides access to) are all owned by the applicant. It is also considered that the proximity and scale of the development will not unacceptably detract from the existing living conditions and general amenities of any neighbouring occupiers in such a way that planning permission should be refused.

Highways issues.

- 9.16 Local Plan Policy INF4 relates to the parking provision of cars and other vehicles within new developments. The aim of this policy is to minimise congestion, encourage sustainable transport

modes and reduce conflict between road users. Developments should provide safe, secure and convenient parking of an appropriate quantity, including the need for parking or secure storage of cars, cycles and motorcycles. Encouragement will be given to the increased use of low emission vehicles, including where appropriate the provision of electric vehicle charging points and the incorporation of SuDS.

- 9.17 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.
- 9.18 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.
- 9.19 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.
- 9.20 The application proposes the repair and extension of the existing access bridge which leads to Mill House in Bell Busk. The bridge provides access to both Mill House and Mill Lodge and runs across the River Aire.
- 9.21 NYCC highways were consulted on this application and concluded that there are no local highway authority objections to the proposals. In conclusion, it is considered that the proposal accords with policy requirements of Local Plan Policies INF4, INF7 and ENV12, and the guidance contained within the NPPF, and is therefore considered to be acceptable in terms of highway safety.
- 9.22 Conclusion
- 9.23 Paragraph 11 of the NPPF, which is reflected in Local Plan Policy SD1, advocates support for sustainable development and states that LPA's should be approving development proposals that accord with an up-to-date development plan without delay. Furthermore, Local Plan Policy SD1 seeks to deliver sustainable growth, and states that Council's should take a pro-active approach and work co-operatively with people and organisations wishing to carry out development. Solutions should be met to secure sustainable development that meets relevant plan policies and can be approved wherever possible.
- 9.24 On balance, it is considered that there are no adverse impacts arising from the proposal that would significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 11 of the NPPF, and therefore planning permission should be granted.

10. Recommendation

- 10.1 Approve with Conditions

Conditions

Time Limit for Commencement

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

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

Approved Plans

2 This permission relates to the following plans:

Site Location Plan, received 13th December 2019;
Existing & Proposed Floor Plans, Elevations - Drawing No. 01, received 5th December 2019.
Structural Engineer's Report received 28th February 2020
Risk Assessment and Method Statement received 2nd March 2020.

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

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

Ongoing Conditions

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

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

Informatives

1. Statement of Positive Engagement:

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



Application Number: 2019/21234/FUL

Proposal: Repair and extension to access bridge

Site Address: Mill House Bell Busk BD23 4DU

On behalf of: Mr Douglas Lampkin

REPORT TO PLANNING COMMITTEE ON 16th March 2020

Application Number: 2019/21073/FUL

Proposal: 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

Site Address: Locomotive Building Engine Shed Lane Skipton BD23 1UP

On behalf of: Barnfield Construction Ltd

Date Registered: 18th November 2019

Expiry Date: 17th February 2020

EOT Date, if applicable: 28th March 2020

Case Officer: Andrea Muscroft

The proposal is referred to Planning Committee as the proposal has been submitted on behalf of the Council and so it is necessary to present the application to the Planning Committee for a decision.

1. Site Description

1.1 The application relates to an area approx. 0.6ha located within Sidings Industrial Estate. In Skipton Located on the site are a number of industrial units of differing scales and ages currently used by Craven District Council.

1.2 Vehicle access is directly off Engine Shed Lane.

1.3 The application site is located within an established industrial area on land identified by the EA as being within Flood Zone 2 with the exception of a small area located to the southwest of the site which lies within Flood Zone 3. The Craven SFRA 2016 report has also identified the small area located to the southwest of the site as being within Flood Zone 3a.

2. Proposal

2.1 The proposal is seeking approval for the demolition of the existing industrial unit for the construction of three business units with associated parking and turning areas.

2.2 Unit A (Annotated by Case Officer) would measure approximately 29.6m x 19.5m with a height to the eaves 7m and an overall height of 8.8m and would be constructed using horizontal/vertical and flat cladding under a profiled metal roof with roof lights. Windows/doors and shutters would consist of colour coated aluminium system.

2.3 Unit B (Annotated by Case Officer) would measure approximately 37.3m x 13.4m with a height to the eaves of 6.7m and an overall height of 8m would be constructed using similar materials to unit A.

2.4 Unit C (Annotated by Case Officer) would measure approximately 32m x 13.4m with a height to the eaves of 6.7m and an overall height of 8m would be constructed using similar materials to unit A.

2.5 The proposal would provide the following vehicle parking:

22 car parking spaces

32 light goods vehicle parking spaces

6 Motorcycle parking spaces

6 Disabled parking spaces

10 Cycle parking spaces

2.6 The boundary treatments would consist of colour coated paladin type security fence with landscape planting.

2.7 Hardstanding with regards to the existing/proposed access and egress would consist of Macadam and concrete.

2.8 The proposal would provide PV Solar panels to the roof slopes and electric charging points and be constructed to BREEAM (Building Research Establishment Environmental Assessment Method).

2.9 **Officer Note:** BREEAM is a sustainability assessment that is used to set standards for the environmental performance of building through design, specification and construction.

3. Planning History

3.1 5/63/502 – Outline application for the construction of vehicle workshop – Approved August 1977

3.2 5/63/502/A – Reserved Matters application for the construction of vehicle repair workshop – Approved May 1979

4. Planning Policy Background

4.1 Craven Local Plan 2012 – 2032

SP2: Economic Activity and Business Growth

ENV3: Good Design

ENV6: Flood Risk

EC1: Employment and Economic Development

INF4: Parking Provision

4.2 National Policy

The National Planning Policy Framework

Planning Practice Guidance

5. Parish/Town Council Comments

5.1 **Skipton Town Council** (6.12.2019): No objection

6. Consultations

6.1 **CDC Contamination Officer** (5.12.2019): The site has been identified as being at potential risk from the effects of contamination. For this reason, it is suggested that conditions are imposed ref the requirement of a Phase 1 Desk Study, a Phase II Intrusive Site Investigation Report, Remediation Strategy and a Validation Report to be undertaken at the relevant stages of development.

6.2 **CDC Environmental Health Officer** (11.12.2019): Suggest conditions relating to Dust Management Plan, Construction times and Asbestos removal to be imposed should permission be granted.

6.3 **Environment Agency** (17.12.2019): No objection to the proposed development, but the developer may wish to include measures to mitigate the impact of more extreme future flood events. Details regarding flood mitigation measures can be found at the following:

<https://www.gov.uk/government/publications/prepare-your-property-for-flooding>

Improving the Flood Performance of New Buildings - Flood Resilient Construction' (DCLG 2007)

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

6.4 **NYCC Highways** (10.2.2020): The highways authority has reviewed the additional information and conclude that the impact of the development on the road network in its new form will reduce. It is expected to generate 149 fewer two-way vehicle movements across the working day and will result

in reduced traffic movements at the junction of Engine Shed Lane and Carleton New Road. Visibility at this junction would also be improved. Consequently, the LHA recommends conditions relating to construction, access, turning, parking, precautions to prevent mud on the highway, construction management plan and on-site parking for materials and construction traffic during construction.

- 6.5 **NYCC Highways** (23.12.2019: Request further information before providing comment.
- 6.6 **NYCC Public Rights of Way Officer** (3.12.2019): Advises the applicant that if the proposed development will physically affect the PROW then an application to the LPA for a Public Path Order/Diversion Order will be required under S.257 of the TCPA 1990. If however, the impact on the PROW is temporary then an application to the Highway Authority for a Temporary Closure Order is required.
- 6.7 This is a summary of comments received. To view comments in full please visit the following link:
- 6.8 <https://publicaccess.cravencd.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>
7. **Representations**
- 7.1 Site Notice posted 29.11.2019
- 7.2 Press Notice published 28.11.2019
- 7.3 26 notification letters circulated.
- 7.4 No third-party representation received within the statutory consultation period.
8. **Summary of Principal Planning Issues**
- Principle of development
 - Visual impact of development
 - Highway implications
 - Flooding
 - Other matters
9. **Analysis**
- 9.1 **Principle of development**
- 9.2 Policy SP2 sets out the overall approach to be taken to secure and facilitate economic growth in Craven over the period to 2032. Policy EC1 sets out a positive context within which proposals for economic/employment uses are to be considered. The policy seeks to facilitate the delivery of economic development and employment proposals.
- 9.3 In this instance, the application site is located within an established industrial area as defined by the LP in which this form of development has historically been considered acceptable.
- 9.4 The current proposal is seeking the replacement of two existing industrial units with three purpose built industrial units. As such, the proposal would increase the employment generating opportunities from this established industrial site.
- 9.5 It is therefore considered that the proposal is complies with the requirements of LP policies and therefore the principle of development is considered acceptable subject to meeting the requirements of other relevant polices within the LP.
- 9.6 **Visual impact of development**
- 9.7 Policy ENV3 seeks to ensure that new developments provide positive change which benefits the local economy, environment and quality of life. To achieve this the policies sets out the design principles.
- 9.8 The NPPF also recognises the importance of good design in achieving sustainable development.

- 9.9 The current buildings on the site are of a significant age and in differing levels of decay and as a consequence are no longer fit for purpose. The proposal would see the replacement of these buildings with three separate industrial units of a similar scale and design to existing industrial units located to the east, west and south of the site. The units would also be constructed from materials present within the industrial estate.
- 9.10 The proposal also includes areas of hardstanding and soft landscaping along the southern boundary to the site. It is considered that these works given their low level nature within an industrial estate would not give rise to any visual harm.
- 9.11 It is therefore considered that the proposed industrial units in terms of scale, appearance and massing would be in keeping with the surrounding area. In addition, the proposal soft and hard landscaping is also considered appropriate. Consequently, it is considered that the proposal would have no adverse impact upon the visual amenity of the area.
- 9.12 **Highway implications**
- 9.13 Policy INF4 seeks to ensure proper provision and management of parking for cars and other vehicles and sets out how this will be achieved.
- 9.14 The application site currently has two accesses off Engine Shed Lane which lead into parking and turning areas associated with the existing industrial units. The proposal would see the creation of three industrial units with unit's B & C then sub divided to form six smaller industrial units.
- 9.15 The proposal would also provide a total of 70 parking spaces, turning and manoeuvring areas within the site. It is considered that this level of parking complies with the requirements of policy INF4.
- 9.16 NYCC Highways have been consulted and have no objection to the proposal. Consequently, it is not considered that the proposal would have an adverse impact upon the highway safety of the area.
- 9.17 **Flooding**
- 9.18 Policy ENV6 seeks to avoid and alleviate flood risk and sets out the criteria for achieving this. This approach accords with guidance contained within the NPPF.
- 9.19 The proposal was supported by a Flood Risk Assessment generated by Paul Waite Associates dated 19th November 2019 which concludes that the site is a low-medium risk of flooding from rivers and that it has a very low risk of surface water flooding. It also states that Suds techniques should be provided and that a drainage strategy shall utilise flow control devices and attenuation structures to manage the peak rate of surface water runoff from the development.
- 9.20 The EA were consulted but no comments have been received, however, the Council has been advised that the EA does not wish to be consulted on flood risk grounds for 'less vulnerable' development proposed in flood zone 2, unless the proposed development is a land or building used for agriculture or forestry, a waste treatment site, a mineral processing site, a water treatment plant, or a sewage treatment plant, none of which apply in this instance.
- 9.21 Notwithstanding this, EA standing advice is of relevance as the proposal is classified as a less vulnerable development that is acceptable in this location subject to developments complying with the EA's standing advice in relation to surface water management, access and evacuation and floor levels. The proposal would also need to meet the requirements of the approved building regulations Part H: drainage and water disposal requirements.
- 9.22 The development would not result in any changes to the existing ground floor levels and would incorporate evacuation measures. With regards to surface water management the proposal seeks to incorporate a suds drainage system. An appropriate condition is proposed to ensure the delivery and management of the proposed suds drainage system.
- 9.23 It is therefore considered that subject to the use of appropriate conditions with regards to the management of surface water the proposal would not result in any unacceptable increase in flooding that currently experienced. The proposal therefore accords with the requirements of the LP policy and guidance contained within the NPPF.

- 9.24 **Contamination.**
- 9.25 The site has been identified as having the potential for contamination by the Council Contamination officer who considers that whilst a Phase I Desk Study and associated reports are required, these can be conditioned and therefore it is considered that the proposal is acceptable in terms of contaminated land issues subject to conditions.
- 9.26 **Other Matters**
- 9.27 Sustainability – the construction of the buildings to BREEAM standard, Building Control Regulations L and the provision of PV Solar panels and electric charging points would meet the requirements of ENV criteria s.
- 9.28 **Conclusion and Planning Balance**
- 9.29 The proposal is for the replacement of two industrial units with three purpose built industrial units with two of these units then be sub-divided to form six additional units, giving a total of 7 units. External parking areas and turning areas would be provided via three accesses off Engine Shed Lane.
- 9.30 The site is within an established industrial area so the redevelopment of this site to provide 7 industrial units is in accordance with Policy EC1 of the Craven Local Plan to 2032. The scale, design and materials of the proposed industrial units would be similar to adjacent industrial units. This would ensure that the development does not result in any visual harm to the character of the area. The proposal raises no concerns with regards to access, parking, flooding or contamination and so it is considered to be a scheme that is acceptable in principle.
- 9.31 Accordingly, the development is considered to comply with the requirements of LP policies in respect of industrial development to support the economic growth and expansion of the district.
- 9.32 In the absence of any demonstrable harm from this development it is supported and recommended for approval subject to conditions.
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 beginning with the date of this permission.

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

Approved Plans

- 2 This permission relates to the following plans:

Location Plan dated 15th October 2019
Scheme Layout Plan 18850/50B dated 4th March 2020
Topographic Survey of Existing 1880/49 dated 15th October 2019
Depot Floor Plans and Elevations 1880/61 dated 15th October 2019
Unit Floor Plans 1880/62 dated 15th October 2019
Unit Floor Elevations 1880/63 dated 15th October 2019

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

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

Before you Commence Development

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

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

In the event that the Phase 1 desk study report identifies a need for further intrusive investigation then the development hereby approved shall not commence until a Phase II intrusive site investigation report has been submitted to and approved in writing by the local planning authority.

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

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

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

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

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

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

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

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

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

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

- 5 No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:
- a. the parking of vehicles of site operatives and visitors.
 - b. loading and unloading of plant and materials.
 - c. storage of plant and materials used in constructing the development.
 - d. erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate.
 - e. wheel washing facilities.
 - f. measures to control the emission of dust and dirt during construction.
 - g. a scheme for recycling/disposing of waste resulting from demolition and construction works.
 - h. HGV routing to avoid Skipton town centre.

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

- 6 Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:
- a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
 - b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
 - c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

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

During Building Works

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

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

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

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

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

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

- 10 There shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:
- a. tactile paving
 - b. vehicular, cycle, and pedestrian accesses
 - c. vehicular and cycle parking
 - d. vehicular turning arrangements
 - e. manoeuvring arrangements
 - f. loading and unloading arrangements.

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

Before the Development is Occupied

- 11 No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number 5:
- a.. are available for use unless otherwise approved in writing by the Local Planning Authority.

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

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

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

- h. The final surfacing of any private access within 2m metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
- i. Provision of tactile paving in accordance with the current Government guidance

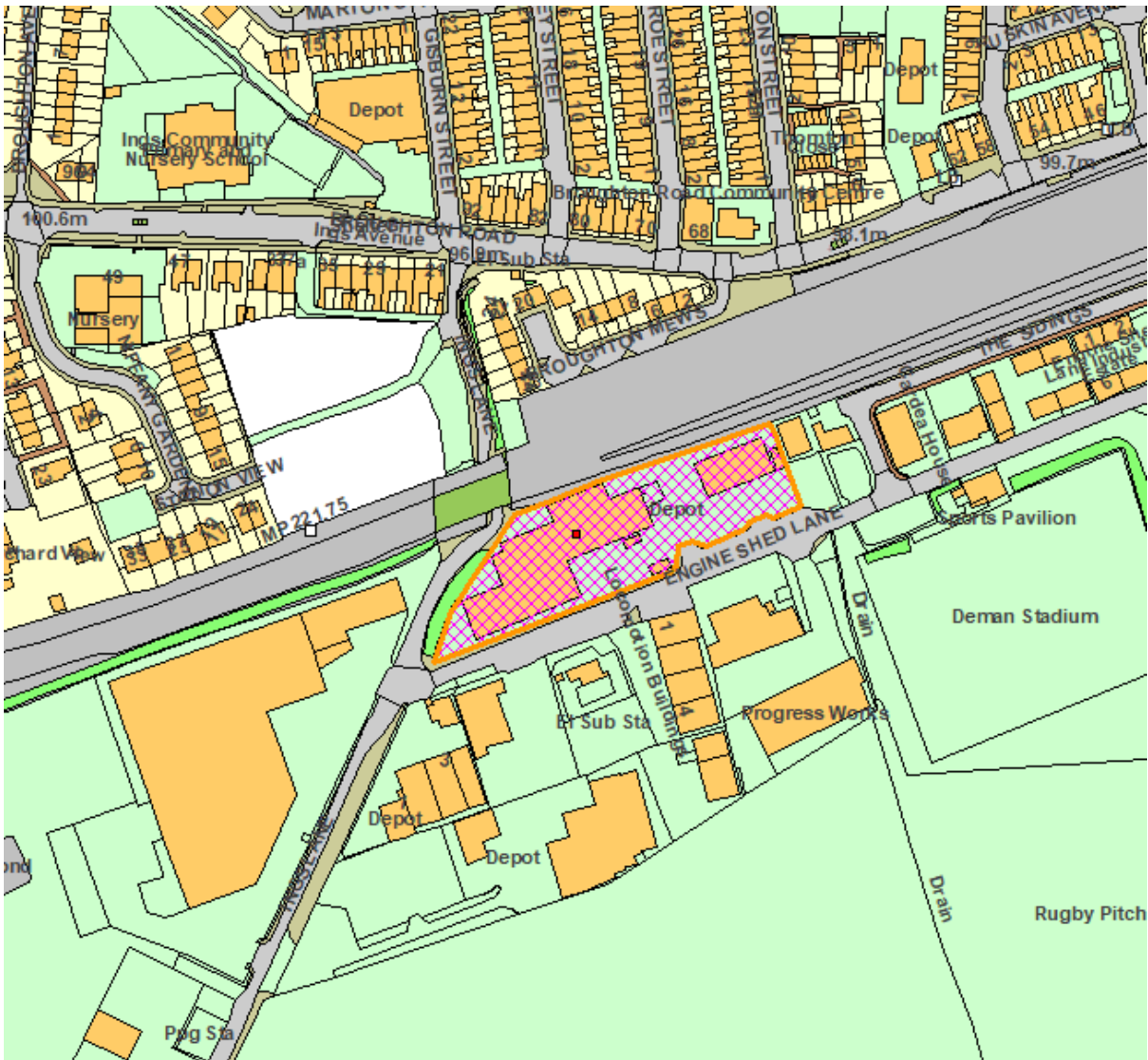
Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highways users and compliance with guidance contained within the National Planning Policy Framework.

Informatives

1. Your attention is drawn to the attached note relating to demolition and the requirements of The Building Act.
2. The applicant is advised that if the proposed development will physically affect the PROW then an application to the LPA for a Public Path Order/Diversion Order will be required under S.257 of the TCPA 1990 Act. If however, the impact on the PROW is temporary then an application to the Highway Authority for a Temporary Closure Order is required.

3. Hours of Construction

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



Application Number: 2019/21073/FUL

Proposal: 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

Site Address: Locomotive Building Engine Shed Lane Skipton BD23 1UP

On behalf of: Barnfield Construction Ltd

REPORT TO PLANNING COMMITTEE ON 16th March 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: 27th January 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.

1. Site Description

- 1.1 The application site is a triangular shaped parcel of land extending to approximately 2.48 hectares in area located to the southeast of Otley Road in the town of Skipton and forms one half of an allocated site for residential development.
- 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, to the south east is a new residential development (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 protected railway track beds and has been identified for housing within the Local Plan 2012 – 2032.
- 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. 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.

2.4 The proposal would provide a cycle/pedestrian path within the NW area of the site as well as providing two play areas.

2.5 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 the S106 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 new 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 Flood Risk Assessment and it is considered to comply with the Environment Agency's standing advice.
- 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 feint 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.cravencd.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 16 letters of representation within the statutory consultation period.

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.

Inadequate vehicular 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.

7.7 Drainage and Flooding

Strain on 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.

7.8 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?

Increase pressure on local amenities/services.

The development would will cause the house price to drop of No 11 Airedale Avenue.

7.9 **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.

7.10 Observations

Development should incorporate more green energy.

7.11 As a consequence of the publicity the Council also received one letter of representation from the NHS Airedale Foundation Trust.

7.12 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.

7.13 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.cravencd.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

Other issues

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 site has been identified for housing within the local plan ref: SK089 & SK090 with phase 2 (ref: SK089) coming forward at a later date. It is therefore noted that the principle of residential development of this site is supported by policies SP4 and SP5 of the Local Plan.

9.8 **Affordable Housing Provision.**

9.9 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.

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

9.11 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.

9.12 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.

9.13 A S111 legal agreement will be signed to secure the provision of housing.

9.14 **Open Space**

9.15 The application seeks approval for the construction of 53 dwellings. Consequently, the proposal triggers the requirements of Policy INF3 of the Local Plan.

9.16 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 S111 agreement.

9.17 **Heathcare**

9.18 NHS Airedale Trust has sought a contribution of £58,551.51 based on a formula with regards to this development.

9.19 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".

9.20 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".

9.21 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 is 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".

9.22 In conclusion, in the absence of any adopted policies the Council is not in a position to support such requests.

9.23 **Education Provision**

9.24 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.

- 9.25 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.
- 9.26 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.
- 9.27 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.
- 9.28 **Visual impact**
- 9.29 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.
- 9.30 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.
- 9.31 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.
- 9.32 **Layout, scale, appearance and landscaping.**
- 9.33 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.
- 9.34 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.
- 9.35 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.

- 9.36 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.
- 9.37 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.
- 9.38 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.
- 9.39 **Density and Mix of proposed development**
- 9.40 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.
- 9.41 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.
- 9.42 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.
- 9.43 The proposal therefore complies with the requirements of policy SP3 of the Local Plan and guidance contained within the NPPF.
- 9.44 **Amenity**
- 9.45 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.
- 9.46 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.

- 9.47 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.
- 9.48 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.
- 9.49 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.
- 9.50 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.
- 9.51 **Highway Issues**
- 9.52 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.
- 9.53 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.
- 9.54 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.”*
- 9.55 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.
- 9.56 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.

- 9.57 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.
- 9.58 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.
- 9.59 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.
- 9.60 Concerns have been raised with regard to the proposed works to the junction with Hurrs Road. The amendments requested to the existing visibility splays by NYCC Highways to the junction at Hurrs Road which is a current junction laid out without any road markings would improve the visibility sight lines at the junction above those that are currently available, and would formalise the junction. 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.
- 9.61 Concerns were also raised with regards to the proposed visibility splays at the Hurrs Junction that they would fall over third party land. Details submitted show that as a consequence of the improvements this would not be the case. Therefore, concerns over land ownership are not relevant to the consideration of this application.
- 9.62 Concerns were raised that no speed survey was undertaken with regards to the proposed works at 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.
- 9.63 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.
- 9.64 Comments have been received ref 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.

- 9.65 The proposal would provide a financial contribution towards the provision of highway improvements and thus complies with the policy INF7.
- 9.66 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.
- 9.67 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.
- 9.68 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.
- 9.69 As such, it is officer view that there are no highway grounds that could justifiably be used to oppose the development.
- 9.70 **Flooding & Drainage**
- 9.71 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.
- 9.72 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.
- 9.73 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
- 9.74 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.

- 9.75 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 paragraph 6.4 of this report.
- 9.76 As outlined above, a small section of the site lies within FZ2 and as such given that the EA considers this form of development appropriate, they do not normally wish to be consulted on such proposals. 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, for example;
- The ground levels have been raised to a level to provide flood resistance;
- 9.77 In conclusion, it is considered that the proposed development of this site combined with the proposed improvements and mitigation measures would not give rise to any unacceptable flood risk in the site or elsewhere.
- 9.78 Therefore, there are no grounds to resist permission based on flooding or drainage Issues.
- 9.79 **Biodiversity**
- 9.80 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.
- 9.81 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.
- 9.82 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.
- 9.83 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.
- 9.84 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.
- 9.85 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.
- 9.86 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.

- 9.87 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.
- 9.88 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 opinion is supported by NE who have raised no objections to the proposal.
- 9.89 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. The proposal therefore accords with the LP policies and guidance contained within the NPPF.
- 9.90 **Land and Air Quality**
- 9.91 Policy ENV7 seeks to safeguard and improve land quality by ensuring that grade 3 agricultural land is not developed where possible.
- 9.92 In this instance, the site has been classified as being grade 4 agricultural land. As such, the proposal complies with policy ENV7.
- 9.93 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.
- 9.94 **Water resources, water quality and groundwater**
- 9.95 Policy ENV8 seeks to safeguard and improve water resources.
- 9.96 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.
- 9.97 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.
- 9.98 **Renewable Energy**
- 9.99 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.
- 9.100 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.

9.101 **Other issues.**

9.102 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 potential increase in pollution.

9.103 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. 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.

9.104 The provision of green infrastructure would provide both improvements in biodiversity but would also help tackle climate change.

9.105 **Planning Balance and Conclusion**

9.106 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.

9.107 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.

9.108 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.

9.109 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.

9.110 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 designed to ensure that there would be no unacceptable loss of privacy or amenity to these adjacent residents or those located further away.

9.111 No adverse effects would arise with respect to ecology, flood risk that would significantly and demonstrably outweigh the scheme's benefits. Accordingly, the proposal is considered to represent sustainable development in accordance with relevant policies contained within the Local Plan the aims and objectives of the NPPF.

10. Recommendation

That subject to the completion of a planning obligation in accordance with the provisions of the S111 legal agreement of the Town and Country Planning Act (as amended) or equivalent 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 condition.

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.

10. Recommendation

10.1 New S106 Agreement Required

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-E-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-Proposed Floor Plans & Elevations Type E
- 15-D-Proposed 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- Lansdscape 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 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 guidance contained within 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 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 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 Craven Local Plan and guidance contained within 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 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 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 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.

Before the Development is Occupied

- 16 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.

- 17 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 Craven Local Plan and the National Planning Policy Framework.

- 18 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 guidance contained within the National Planning Policy Framework.

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

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

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

- 20 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.

Ongoing Conditions

- 21 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 (*Pyrs Communis*), Fir Trees - Pines (*Pinus*), Hawthorne (*Cretaegus*), Mountain Ash - Whitebeams (*Sorbus*), False Acacia (*Robinia*), Willow Shrubs (*Shrubby Salix*), Thuja Plicatata "Zebrina"

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 europeae*)

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.

11. 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.
12. 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.
13. 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 Rails infrastructure or railway land.

14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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
21. 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.
22. 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.

23. 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 the Highway Authority any proposals for alternating the route.

24. 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.

25. 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.

26. 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.

27. 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.

28. Charging Points

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

29. 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.

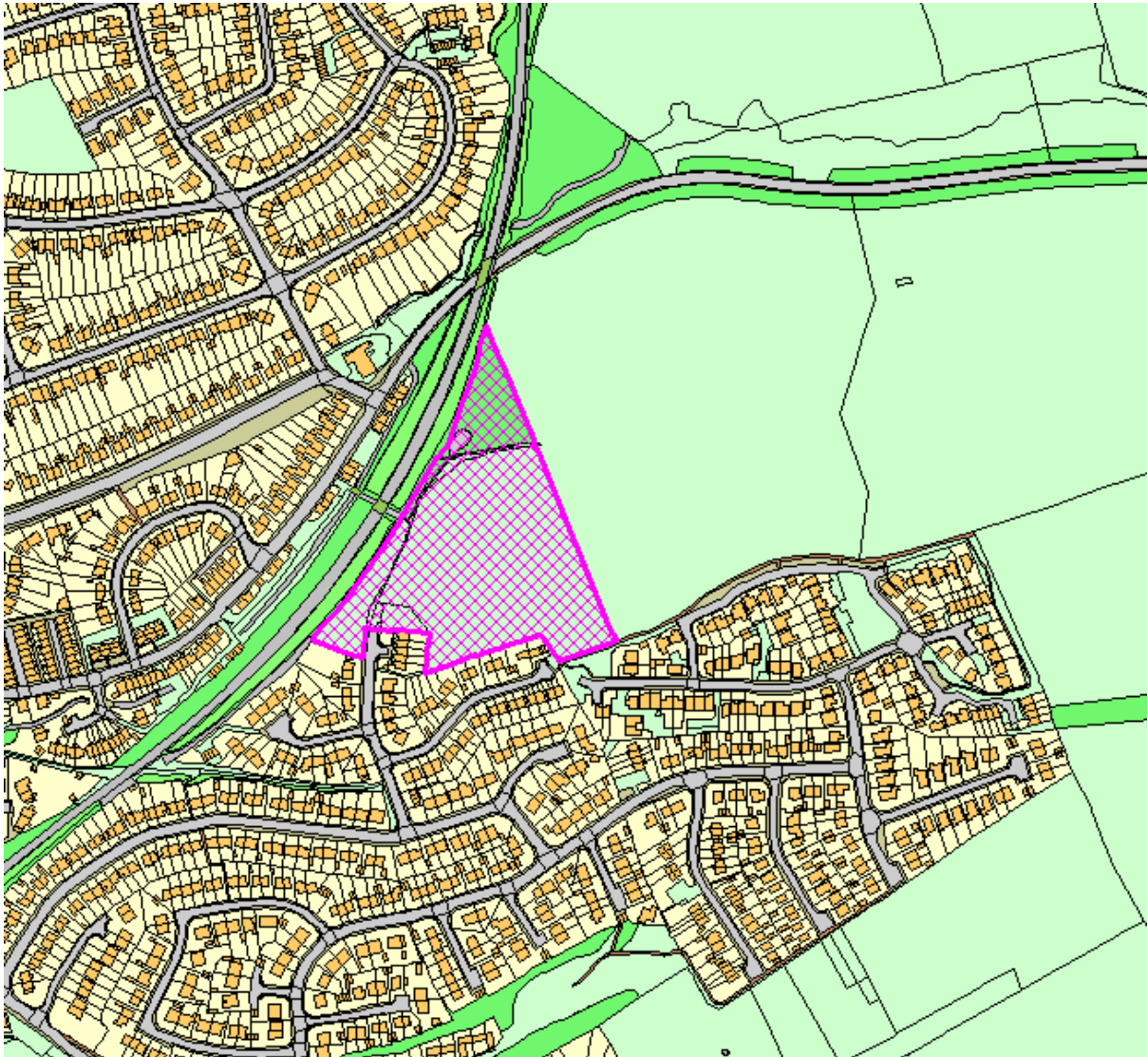
The District Council has produced a document, "Broadband Connectivity for New Developments in Craven - A Briefing Note for Developers" which provides a general introduction to broadband

connectivity in the District. The briefing note is available by emailing edu@cravendc.gov.uk or can be downloaded from the District Council website.

30. No new trees must be planted 5m either side of any public sewer centre-line.
31. 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

32. 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 16th March 2020

Application Number: 2020/21333/FUL

Proposal: 60 foot restaurant trip boat for tourist group dining, commercial company activities, local and tourist dining, exhibitions, product launches, private anniversaries etc. All carried out whilst cruising not whilst moored.

Site Address: Tow Path To Rear Of Rendezvous Hotel Keighley Road Skipton.

On behalf of: WW Hotels T/A Rendezvous

Date Registered: 15th January 2020

Expiry Date: 11th March 2020

EOT Date, if applicable:

Case Officer: Andrea Muscroft

This application is referred to Planning Committee as it was previously refused by Members July 2019 and thus it is considered necessary for consideration by Planning Committee on the revised scheme.

1. Site Description

- 1.1 The application relates to an area of water and canal towpath to the west of the Rendezvous Hotel.
- 1.2 To the north and east of the site is a small hamlet of residential dwellings, located to the south is a nursing home with industrial units to the west beyond Keighley Road.
- 1.3 The application site is located adjacent to the built up area of Skipton

2. Proposal

- 2.1 The proposal is seeking approval for the mooring of a 60ft restaurant trip boat (Sui Generis Use).
- 2.2 The proposal is similar to that refused under planning application in July 2019 (ref: 2019/20603/FUL) for the following reason:

The mooring and use of a licenced 60ft boat for functions associated with the Rendezvous Hotel within close proximity to existing residential dwellings would result in an unacceptable impact on the health and quality of life of existing occupants by the way of noise nuisance. The proposal would also have an adverse impact on the tranquil nature of the canal thus negatively impacting on the amenity of the canal for users of the canal. As such, the proposal is contrary to the requirements of saved Policy SRC11 of the Craven District (outside Yorkshire Dales National Park) Local Plan and paragraph 127 (f) of the National Planning Policy Framework which seeks to achieve a high standard of amenity for existing and future users.

- 2.3 **Officer Note:** Following the refusal the applicant re-entered into discussions with the Council to address concerns expressed by Council members, planning officers and environmental officers. As a consequence, the applicant has submitted a Unilateral Undertaking specifying the agreed conditions recommended by the environmental and planning officers.
- 2.4 The boat would be moored adjacent to the Rendezvous Hotel and would provide a travelling venue for executive dinners, weddings, functions etc.
- 2.5 The boat would cover a distance of approximately 4-5miles with the specified destination/turnaround being the canal basin in Skipton and Kildwick.

- 2.6 Proposed cruising time would be 3hrs max and would operate from 8.30 to 23.30hrs.
- 2.7 The boat would have an alcohol and music licence.
3. Planning History
- 3.1 2019/20099/FUL - 60-foot restaurant trip boat which will be mooring on the Leeds/Liverpool canal, adjacent to the Rendezvous Hotel, providing executive dinners, weddings, functions etc – Refused March 2019.
- 3.2 2019/20603/FUL – 60ft restaurant trip boat for tourist group dining, commercial company activities, local and tourist dining, exhibitions, product launching, private anniversaries etc. All carried out whilst cruising, not whilst moored. (Resubmission of previously refused application referenced 2019/20099/FUL) – Refused July 2019.
- 3.3 2019/20992/CPL - 60 ft restaurant and function boat. The boat will be used for private, tourist and commercial events to be carried out whilst cruising on the canal – Refused November 2019.
4. Planning Policy Background
- 4.1 **Craven Local Plan 2012 - 2032**
- SD1 – The Presumption in favour of sustainable development.
 - ENV1 – Countryside and Landscape.
 - ENV2 – Heritage
 - ENV3 – Good Design
 - ENV11 – The Leeds and Liverpool Canal.
 - ENV12 – Footpaths, bridleways, byways and cycle routes.
 - EC4 – Tourism
- 4.2 **National Policy**
- The National Planning Policy Framework
 - Planning Practice Guidance
5. Parish/Town Council Comments
- 5.1 Skipton Town Council: No objection
6. Consultations
- 9.25 **CDC Environmental Health Officer (03.02.20)**: The applicant must adhere to the 'covenants with the Council' as shown in Section 3 of the Unilateral Undertaking document dated 14.01.2020.
- 9.26 **CDC Legal Services**: At the time of compiling this report the proposed clauses within the Unilateral Undertaking (UU) submitted by the applicant are under review by the case officer and CDC Legal Services. The UU will be made available to members to view and will be summarised in the late information report when the application is referred to the Planning Committee.
- 6.1 **Canal Rivers Trust (12.02.20)**: No comment to make on the proposal. However, if planning approval is granted the applicant is reminded that consent from the Trust boating business section is required to allow for the mooring and operation of the proposed craft, as well as the installation of the 'service pod' shown on the submitted drawings. It is therefore requested that an informative is imposed advising the applicant that a mooring agreement is required prior to the commencement of operations.
- 6.2 **The above comments is a summary of comments received, to view comments in full click on the link below:-**
- <https://publicaccess.cravencdc.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

7. Representations
- 7.1 A Site Notice displayed within the surrounding area on the 31th January 2020.
- 7.2 A Press Notice published on the 30th January 2020.
- 7.3 In addition, 9 letters of notification were circulated directly to neighbouring properties. As a result of the publicity the Council received 4 letters of representation (3 objecting and 1 supporting).
- 7.4 **Amenity**
- Concern over the potential noise nuisance generated by the proposal.
- Concern over the potential impact on the residents of the nursing home which lies adjacent to the application site.
- Close to adjoining properties
- 7.5 **Highway issues**
- The existing car park is insufficient to meet the current needs of the hotel which leads to overspill. This then has a negative impact on neighbouring properties accessing the bridge to their residential properties located opposite the Hotel.
- 7.6 **Other**
- If approved can a condition be enforced that the boat passes by Craven Nursing Home no later than 8.30pm.
- General dislike of the proposal
- Supportive
- 7.5 If the applicant presents a UU undertaking in line with suggested conditions then one representation expresses support for the proposal.
8. Summary of Principal Planning Issues
- 8.1 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. The NPPF makes clear that, for decision taking, this means:
- Approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless;*
- The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole;*
- 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
 - Visual impact
 - Amenity issues.
 - Highways
9. Analysis
- 9.1 **Principle of development.**
- 9.2 Policy EC4 of the LP encourages sustainable tourism which helps to improve the economy, environment and quality of life. Of relevance are criteria c) and f) which support opportunities to bring tourism into new areas and securing additional knock on benefits.

- 9.3 The proposal would consist of the mooring of a 60ft x 14ft licensed boat which would travel between Skipton and Kildwick. In terms of the principle of development, the Rendezvous Hotel currently provides accommodation, visitor facilities and function suites which are appropriate uses within the building.
- 9.4 The proposed licensed boat would deliver a range of uses including wedding parties, executive dining, coach party day trips, family celebrations, corporate meeting and entertainment, exhibitions etc. In this way the proposed licensed boat would expand on the facilities currently available at the Rendezvous Hotel thus ensuring the continued growth and expansion of an existing business. The expansion, adaption and investment by local business is supported by local plan policies and national planning policy with paragraph 80 stating that planning decisions should help create the conditions in which businesses can grow.
- 9.5 In conclusion, it is considered that the expansion and diversification of the existing business to meet a growing demand for its services accords with the guidance contained within the NPPF and therefore the principle of development is considered acceptable.
- 9.6 **Visual impact**
- 9.7 Policy ENV3 of the LP seeks to ensure that new development respects the character and appearance of the surrounding area. Policy ENV12 also seeks to ensure that new developments avoid obstruction, diversion or confinement of existing footpaths.
- 9.8 In this instance, the proposed use of the boat would be contained within the boat which has been designed to both meet the business needs but to be visually attractive in terms of its overall design.
- 9.9 The proposal also seeks permission for works to the towpath to allow for a service pod located to the west of the towpath and two service access points on the canal bank.
- 9.10 It is not considered that these proposed works would give rise to any adverse visual impacts given their limited scale and as such the proposal complies with the requirements of ENV3 of the LP and guidance contained within the NPPF.
- 9.11 **Amenity issues.**
- 9.12 Policy ENV11 states that development which would have an adverse impact on the amenity of the canal by virtue of noise, odour or visual impact would not be supported.
- 9.13 Paragraph 127 (f) of the NPPF advises that decisions should ensure that developments create places that are safe, with a high standard of amenity for existing and future users.
- 9.14 The setting and the character of the canal varies from a highly rural environment alongside the Rendezvous Hotel travelling towards Kildwick to a more urban environment through Skipton. Another key characteristic of the area is the generally quiet/tranquil atmosphere that exists when moving between the application site and the outer areas of Skipton and in the opposite direction towards Kildwick.
- 9.15 Located to the south east of the canal is a small hamlet of residential dwellings at a separation distance starting from 36m with a nursing home located to the north at a separation distance of approx. 64m with a further isolated dwelling to the southeast of the application site.
- 9.16 The proposal would not cause any loss of overlooking or privacy as a result of the operational licensed boat. However, whilst the proposal would not result in any unacceptable loss of privacy there remains the issue of noise nuisance.
- 9.17 When visiting the site, it was noted that the area benefits from very low ambient background noise due to screening by the hotel. Although, it is accepted that background noise generated from traffic travelling along the Keighley Road can be heard, this is generally low level and to an extent, rhythmical and insulated by the hotel. Conversely, the boat would not be screened to neighbouring properties at its departure point where the arrival and departure of 60 people 7 days a week between 8.30am to 23.30pm who could linger outside of the boat, holding loud conversations, laughing and joking would result in unacceptable sporadic peak noise disturbance which due to its unpredictably,

would harm the amenity for local residents and for users of the canal. The provision of unrestricted amplified music would also give rise to noise problems for nearby residents and other users of the canal. These impacts would not be limited to just adjacent to the hotel but also as the boat travels down into Skipton, through Bradley and down into Kildwick residents along the canal would also be adversely affected by the proposal.

9.18 As a consequence of these issues and concerns raised by the Council's Environmental Health team and by the Police, discussions were held with the applicant who has subsequently submitted a Unilateral Undertaking agreement which sets the following:

Reduction in operating hours

Limitation of individuals on the bow or stern of the boat between 8.30 – 23.30hr except;

No individuals on the bow or stern of the boat after 20.30hr when travelling in either direction between Snaygill Swing Bridge and Snaygill Stone Bridge;

All barge hatches and side, stern and bow doors on the boat to remain closed between the hours of 20.30 – 23.30hr

Noise limiter to be install with decibel levels agreed with CDC Environmental Team;

No illumination to be used in built up areas and;

No smoking permitted on the boat.

9.19 In addition, the applicant has stated that individuals entering or leaving the boat would not be allowed to linger outside of the boat, instead they would be guided into the hotel at the end of the trip.

9.20 In light of the UU agreement and the statement by the applicant the CDC Environmental Heath have not objected to the proposal.

Officer note: The above is a summary of the draft UU clauses put forward by the applicants and are subject to further discussion and review. A revised UU will be reported to the Planning Committee for its consideration.

9.21 In conclusion, it is considered that subject to agreement on clauses within the UU that are sufficient to ensure the privacy and amenity of neighbouring properties and properties located along the route of the canal the application can be recommended for approval. In addition, the restriction of individuals outside of the boat, and the closing of hatches etc and the installation of a noise limiter would ensure that the residents of the adjacent Nursing Home would not experience any adverse impacts from the boat as it travels past the Nursing Home in the evening.

9.22 As such, the proposal complies with the requirements of the LP and guidance contained within the NPPF.

9.23 **Highways issues**

9.24 The proposal would utilise the existing parking arrangements for the Hotel and access onto Keighley Road.

9.25 As such, the proposal does not compromise the access or parking arrangements or highway safety and complies with guidance contained within the NPPF.

9.26 **Conclusion**

9.27 The application relates to a 60ft restaurant trip boat with associated works to the canal to provide service points located to the rear of the Rendezvous Hotel.

9.28 The proposed external alterations to the canal are limited in scale and would not give rise to any adverse visual impacts. The impact on neighbouring properties and the residents of the adjacent Nursing Home have been considered and it is concluded that due to the appropriate conditions which would mitigate any potential impact arising from the development would not have an

unacceptable impact on amenity sufficient to refuse this application. The proposal would also not have an adverse impact on highway safety. Therefore, the application is recommended for approval.

9.29 Recommendation

9.30 Consideration be deferred and the Planning Manager in consultation with the Chairman be authorised to approve the application conditionally subject to the submission of a satisfactory Unilateral Undertaking to address the operations (time, noise etc) of the boat.

10. Recommendation

10.1 New S106 Agreement Required

Conditions

Time Limit for Commencement

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

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

Approved Plans

2 This permission relates to the following plans and documents:

Unilateral Undedrtaking dated 12th February 2020
Location Plan received 14th January 2020
Block Plan P001 recieved 14th January 2020
Route map of cruises received 14th January 2020
Drawings received 14th January 2020

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

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interest of policies contained within the Craven Local Plan to 2032 and National Planning Policy Framework.

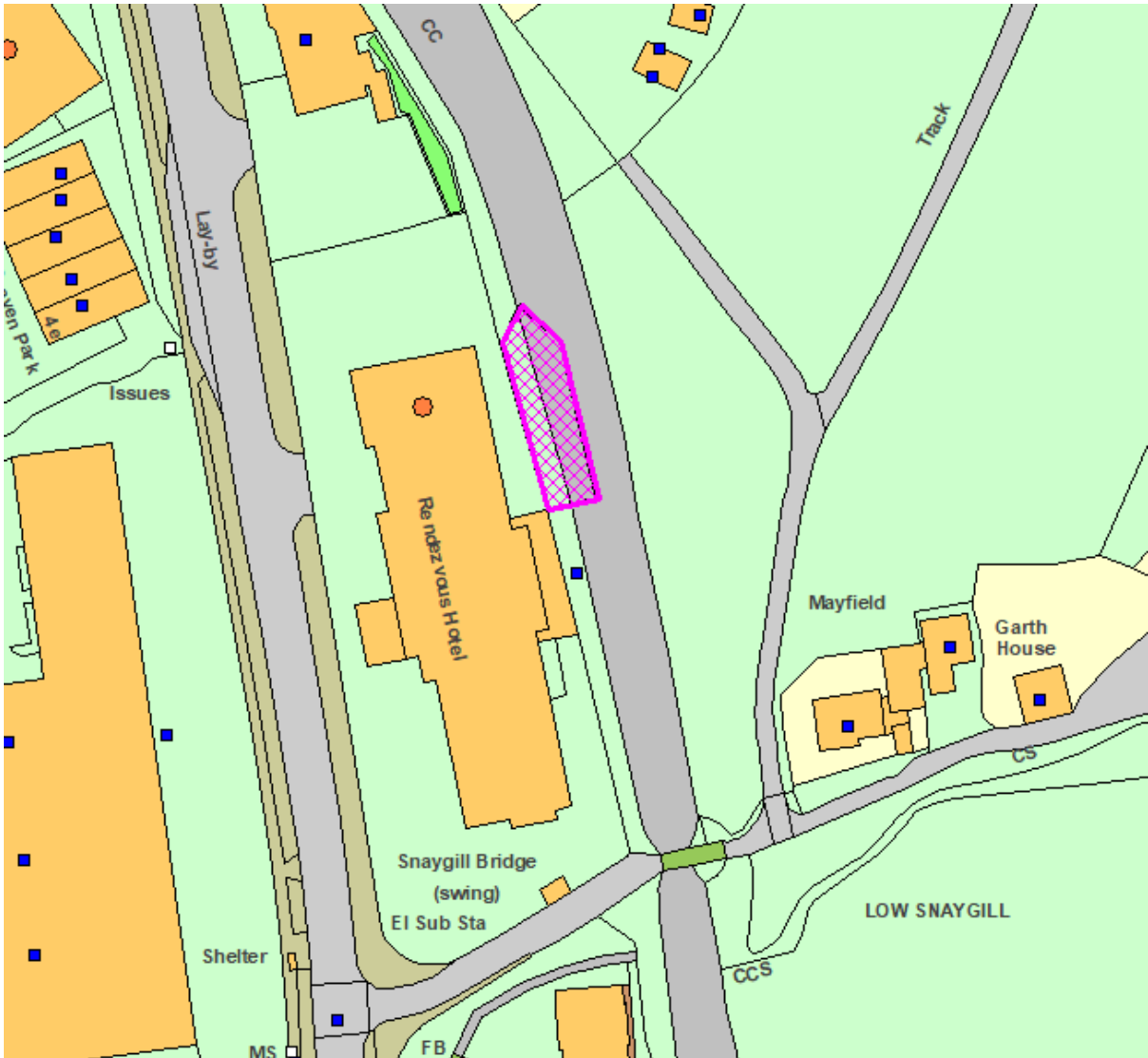
Informatives

1. Adherence to approved plans/conditions

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

2. Statement of Positive Engagement:

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



Application Number: 2020/21333/FUL

Proposal: 60 foot restaurant trip boat for tourist group dining, commercial company activities, local and tourist dining, exhibitions, product launches, private anniversaries etc. All carried out whilst cruising not whilst moored.

Site Address: Tow Path To Rear Of Rendezvous Hotel Keighley Road Skipton

On behalf of: WW Hotels T/A Rendezvous

DRAFT

DATED

12/02/2020

**PLANNING OBLIGATION BY WAY OF UNILATERAL UNDERTAKING UNDER
SECTION 106 OF THE TOWN & COUNTRY PLANNING ACT 1990 RELATING
TO A 60FT BOAT AND MOORING AT THE RENDEZVOUS HOTEL
KEIGHLEY ROAD SKIPTON BD23 2TA**

WW HOTELS LIMITED

savage **crangle** ^{sc}
solicitors

15 High Street Skipton BD23 1AJ
Telephone: 01756 794611

CONTENTS

CLAUSE

1.	Interpretation.....	1
2.	Statutory provisions.....	2
3.	Covenants with the Council	3
4.	Release.....	3
5.	Local land charge	4
6.	Notices	4
7.	Third party rights.....	4
8.	Governing law	5

THIS DEED is dated

- (1) W W HOTELS LIMITED incorporated and registered in England and Wales with company number 05238518 whose registered office is at Rendezvous Hotel Keighley Road Skipton BD23 2TA **Owner**

BACKGROUND

- (A) The Council is the local planning authority for the purposes of the TCPA 1990 for the area in which the Property is situated.
- (B) The Owner owns the Property.
- (C) The Owner has made the Planning application for the Use.
- (D) The Owner intends to use the Property pursuant to the Planning Permission.
- (E) In accordance with the Council's requirements the Owner gives this undertaking to perform the obligations set out in this deed.

AGREED TERMS

1. INTERPRETATION

The following definitions and rules of interpretation apply in this deed.

1.1 Definitions:

Council: Craven District Council of Belle Vue Square 1 Broughton Road Skipton BD23 1FJ.

Use: the use of the Property as a restaurant and events venue whilst navigating the Leeds – Liverpool Canal together with works to form a serviced mooring at The Rendezvous Hotel Keighley Road Skipton BD23 2TA as described in the Planning Application.

Property: the 60ft boat and mooring at The Rendezvous Hotel Keighley Road Skipton BD23 2TA.

Planning Application: an application for planning permission registered by the Council on 14th January 2020 under reference number 21333/FUL.

Planning Permission: the planning permission to be granted by the Council in respect of the Planning Application.

TCPA 1990: Town and Country Planning Act 1990.

Working Day: any day which is not a Saturday, a Sunday, a bank holiday or a public holiday in England.

- 1.2 Clause headings shall not affect the interpretation of this deed.

- 1.3 A **person** includes a natural person, corporate or unincorporated body (whether or not having separate legal personality).
- 1.4 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.
- 1.5 Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.
- 1.6 A reference to any party shall include that party's personal representatives, successors and permitted assigns.
- 1.7 A reference to the Council shall include the successors to its respective statutory functions.
- 1.8 Unless the context otherwise requires, a reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.
- 1.9 Unless the context otherwise requires, a reference to a statute or statutory provision shall include any subordinate legislation made from time to time under that statute or statutory provision.
- 1.10 A reference to **writing** or **written** excludes faxes and e-mail.
- 1.11 References to clauses are to the clauses of this deed.
- 1.12 Any words following the terms **including, include, in particular, for example** or any similar expression shall be construed as illustrative and shall not limit the sense of the words, description, definition, phrase or term preceding those terms.
- 1.13 Where an obligation falls to be performed by more than one person, the obligation can be enforced against every person so bound jointly and against each of them individually.

2. STATUTORY PROVISIONS

- 2.1 This deed constitutes a planning obligation for the purposes of section 106 of the TCPA 1990, section 111 of the Local Government Act 1972 and any other enabling powers.
- 2.2 The obligations contained in clause 3 of this deed are planning obligations for the purposes of section 106 of the TCPA 1990 and are entered into by the Owner with the

intention that they bind the interests held by those persons in the Property and their respective successors and assigns.

2.3 This deed shall come into effect on the date of grant of the Planning Permission in respect of Application Number 21333/FUL.

2.4 The obligations contained in clause 3 of this deed are enforceable by the Council in accordance with section 106 of the TCPA 1990.

3. COVENANTS WITH THE COUNCIL

The Owner covenants with the Council:

(a) Operating hours

to ensure that no customers or patrons shall be on the boat outside the hours of 08.30am and 23.30pm other than on special occasions such as New Year's Eve.

(b) Open drinks vessel

i) to ensure a maximum of 10 customers or patrons are allowed on the bow or stern of the boat between the hours of 08.30am and 11.30pm excepting that:-

ii) customers or patrons shall be not allowed on the bow or stern of the boat after 8.30pm when travelling in either direction between Snaygill Swing Bridge and Snaygill Stone Bridge.

(c) Barge hatches capable of being opened

to ensure that all barge hatches and side, stern and bow doors on the boat remain closed between the hours of 8.30pm and 11.30pm other than to allow entry and egress to the bow or stern of the boat.

(d) Noise limiter

to install a noise limiter with decibel levels agreed by the Council Environmental Health Department and retained thereafter.

(e) Illumination

to ensure that no flood lights are used in built-up areas

(f) Non-smoking

to ensure that smoking is not permitted on the boat.

4. RELEASE

No person shall be liable for any breach of an obligation, restriction or covenant contained in this deed after parting with all of its interest in the Property, except in respect of any breach subsisting prior to parting with such interest.

5. LOCAL LAND CHARGE

This deed is a local land charge and shall be registered as such by the Council.

6. NOTICES

6.1 A notice to be given under or in connection with this deed must be in writing and must be:

- (a) delivered by hand; or
- (b) sent by pre-paid first class post or other next working day delivery service.

6.2 Any notice to be given under this deed must be sent to the relevant party as follows:

- (a) to the Council at: Belle Vue Square 1 Broughton Road Skipton BD23 1FJ marked for the attention of Neville Watson; and
- (b) to the Owner at: The Rendezvous Hotel Keighley Road Skipton BD23 2TA marked for the attention of Malcolm Weaving;

or as otherwise specified by the relevant person by notice in writing to each other person.

6.3 Any notice given in accordance with clause 6.1 and clause 6.2 will be deemed to have been received:

- (a) if delivered by hand, on signature of a delivery receipt provided that if delivery occurs before 9.00 am on a Working Day, the notice will be deemed to have been received at 9.00 am on that day, and if delivery occurs after 5.00 pm on a Working Day, or on a day which is not a Working Day, the notice will be deemed to have been received at 9.00 am on the next Working Day;
- (b) if sent by pre-paid first class post or other next working day delivery service at 9.00 am on the second Working Day after posting.

6.4 A notice given under this deed shall not be validly given if sent by e-mail.

6.5 This clause does not apply to the service of any proceedings or other documents in any legal action or, where applicable, any arbitration or other method of dispute resolution.

7. THIRD PARTY RIGHTS

A person who is not a party to this deed shall not have any rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this deed.

8. GOVERNING LAW

This deed and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.

This document has been executed as a deed and is delivered and takes effect on the date stated at the beginning of it.

Executed as a deed by W W HOTELS
LIMITED acting by a director in the
presence of:-

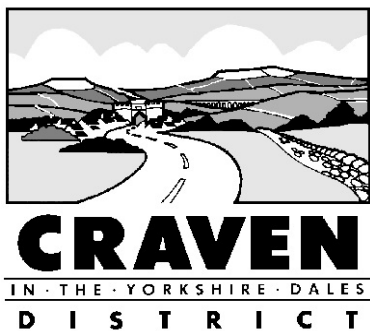
Director



...
SIGNATURE OF WITNESS

NAME OF WITNESS .

ADDRESS OF WITNESS *Rendezvous Hotel*
Keighley Road
SLIPTON
BD23 2TA



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

(Main Switchboard) Telephone: 01756 700600

Craven District Council - List of Planning Decisions from 06 February to 05 March 2020

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

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20194/FUL	Mr P Barker	Land At Anchor Croft Farm Hellifield Road Gargrave Skipton BD23 3NB	Erection of new steel portal framed building.	Approve with Conditions	12.02.2020
2019/20192/FUL	Mr P Barker	Land At Anchor Croft Farm Hellifield Road Gargrave Skipton BD23 3NB	Extension to existing building and associated landscaping.	Approve with Conditions	28.02.2020
2019/20193/FUL	Mr P Barker	Land At Anchor Croft Farm Hellifield Road Gargrave Skipton BD23 3NB	Erection of new steel portal framed building.	Application Withdrawn	12.02.2020
2019/20574/FUL	Mr Havid Hillam	Unit 1 Paget Hall 15 Church Street Gargrave BD23 3NE	Erection of one 3 bedroom dwelling with integral garage.	Refuse	05.03.2020
2019/20758/FUL	Cobbydale Hospitality Ltd	Former Barclays Bank Plc Main Street Cross Hills	Change the use of the building from A2, to a bar/restaurant A3/A4 with associated works	Approve with Conditions	19.02.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/20873/FUL	Permahome	Richard Thornton Lodge A687 Burton In Lonsdale LA6 3JZ	Part demolition of school classrooms; change of use of school building to a residential care and educational facility; alterations to access.	Approve with Conditions	14.02.2020
2019/20874/LBC	Permahome	Richard Thornton Lodge A687 Burton In Lonsdale LA6 3JZ	Part demolition of school classrooms; change of use of school building to a residential care and educational facility; alterations to access.	Approve with Conditions	14.02.2020
2019/20893/FUL	Trustees Of The 1988 Broughton Settlement	Chapel Flat Broughton Hall Broughton Lodge Broughton Skipton BD23 3AE	Use of Broughton Hall for private functions including corporate and tourism uses in conjunction with the use of the Hall as a family residence.	Approve with Conditions	13.02.2020
2019/20917/LBC	Skipton Properties Ltd	Former St Stephens Roman Catholic Primary School Gargrave Road Skipton BD23 1PJ	Conversion of former school and presbytery to 7 dwellings, construction of 3 dwellings to the rear, demolition of later extensions and associated operations	Approve with Conditions	07.02.2020
2019/21000/CPE	R N Wooler & Co. Ltd	Park Place Park Lane Carleton Skipton	Application for Certificate of Lawful Development to confirm that works have lawfully commenced on planning application referenced 17/2016/17039	Application Withdrawn	26.02.2020
2019/21014/FUL	Trustees of Frank Wade Will Trust	Low Barn High Bradley Lane High Bradley Keighley BD20 9EX	Conversion of barn to dwelling and construction of detached garage, accessed from existing access track off High Bradley Lane	Approve with Conditions	28.02.2020
2019/21121/REM	Burley Developments	Shay Green Adjacent 55 Green Lane Glusburn Keighley BD20 8RU	Approval of reserved matters following outline consent referenced 2018/19949/OUT granted 13 February 2019 for construction of detached house and garage.	Approve with Conditions	07.02.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21108/REM	Henry Boot Development Limited	Land North Of A629 And West Of Carleton Road Skipton	Reserved matters application for the approval of the partial layout (Plateau/Ground levels for employment units) of outline permission 2017/18136/VAR	Approve with Conditions	24.02.2020
2019/21140/REM	Mesrs Clark	Pendle Street Garage Broughton Road Skipton BD23 1SS	Approval of matters reserved in outline consent referenced 63/2016/17196 granted 11 November 2016 for demolition of existing workshops and construction of 7 no. houses	Approve with Conditions	18.02.2020
2019/21133/FUL	Dean Simpson	Railway Inn Main Street Cononley BD20 8LS	Side extension for staired access to first floor and porch extension to public house	Approve with Conditions	10.02.2020
2019/21169/LBC	Cobbydale Hospitality Ltd	Former Barclays Bank Plc Main Street Cross Hills	Listed building consent for change the use of the building from A2, to a bar/restaurant A3/A4 with associated works	Approve with Conditions	19.02.2020
2019/21155/LBC	Mr J Lawson	2 Pinderbridge Mews Cross Street Skipton BD23 2AH	Change front door from timber to composite retaining the same characteristics as previous for security reasons	Application Withdrawn	14.02.2020
2019/21156/VAR	Keyhaven Homes Limited	Land At North Parade Skipton BD23 2ST	Application for removal of conditions 9, 10 and 11 and the re-wording of conditions 4, 5, 6, 8, 12, 19, 21 and 22 of application reference number 2018/19441/VAR granted 01 November 2019.	Approve with Conditions	06.02.2020
2019/21194/HH	JE Hodkinson	Green Ends Farm High Street Ingleton LA6 3AQ	Single storey rear extension	Approve with Conditions	27.02.2020
2019/21204/CND	Termrim Construction Ltd	Land To The South Of Burnside Crescent Skipton North Yorkshire BD23 2BJ	Discharge of Conditions 9 (NYCC Construction Method) and 12 (NYCC Visibility Splays) of approved application 2019/20736/VAR granted 22 October 2019	DOC satisfactory	27.02.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21209/FUL	Mrs S J Sugden	Land To NE Of High Pole Farm Pole Road Sutton-in-Craven	Proposed agricultural building and access track to highway	Approve with Conditions	28.02.2020
2019/21211/CND	n/a	Land To The South Of Burnside Crescent Skipton	Discharge of Conditions 2 (NYCC site), 3 (Excavation works), 4 (NYCC groundworks), 5 (Splays), 6 (NYCC estate road), 15 (Foul drainage), 16 (Airedale Drainage) and 17 (YW Outfall Rates) of approved application 2019/20737/VAR	Split Decision	06.02.2020
2019/21217/CND	Pinnacle View Homes	Land To North Of Glen Royd Woodside Lane Cononley Keighley	Application to discharge condition 3 (materials), 5 (drainage), 6 (highways) and 8 (landscaping) of APP/2018/18988/FUL	Split Decision	20.02.2020
2019/21279/COU	Mr Ogden	Black Bicycle 8 Station Road High Bentham Lancaster LA2 7LF	Partial change of use from retail area to additional residential area (resubmission of 2019/21003/FUL, withdrawn 18 November 2019)	Approve with Conditions	10.02.2020
2019/21309/FUL	Mr S Humphreys	21 Duke Street Settle BD24 9DJ	Change of Use from ground floor retail to residential to be incorporated with floors above to form one single dwelling house and reinstatement of original residential frontage	Application Withdrawn	28.02.2020
2019/21248/HH	Mr & Mrs Bryan Barry And Lilian M Taylor	56 Robin Lane High Bentham Lancaster LA2 7AG	Replacement timber window frames, doors and conservatory with UPVC. Replacement garage door.	Approve with Conditions	03.03.2020
2019/21260/HH	Mr & Mrs Bairstow	Cranberry Cottage West Lane Sutton-in-Craven Keighley BD20 7AY	Proposed Single Storey Side Extension	Approve with Conditions	13.02.2020

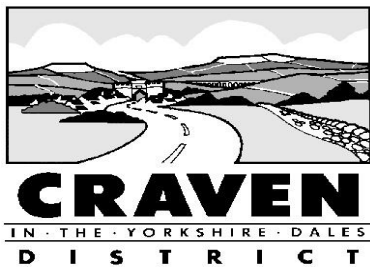
Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21262/HH	Mr & Mrs Mathers	Withens Low Bentham Road High Bentham Lancaster LA2 7BN	Part garage conversion and first storey extension.	Approve with Conditions	18.02.2020
2019/21272/LBC	HSBC Corporate Real Estate	HSBC 61 High Street Skipton BD23 1DW	Replacement of 1no. existing external ATM sign with 1no. new external ATM sign.	Approve with Conditions	11.02.2020
2019/21281/ADV	HSBC Corporate Real Estate	Hsbc Market Place Settle BD24 9EN	Replacement of 1no. existing external ATM sign with 1no. new external ATM sign.	Approve with Conditions	11.02.2020
2019/21282/VAR	Mr & Mrs David Allonby	2 Lower Crikle Barn East Marton Skipton BD23 3JD	Application to vary condition 3 of 2019/20802/HH to allow zinc roof	Approve with Conditions	06.02.2020
2019/21285/FUL	Mr Ian Derbyshire	27 High Street Gargrave Skipton BD23 3RA	Construction of single storey annexe	Approve with Conditions	18.02.2020
2019/21300/OFFRES	Mrs Lucy Lawson	58 Main Street High Bentham Lancaster LA2 7HY	Change of use from offices to one bedroom ground floor flat (Prior Notification).	PN Refuse and Application Required	18.02.2020
2019/21293/FUL	Mr Peter Fawcett	Agricultural Building Site West Of The A65 Hellifield	Erection of an Agricultural Building	Approve with Conditions	13.02.2020
2019/21294/CND	Mr S Abbey	High Laithe Farm Keighley Road Skipton BD23 2TB	Application to discharge condition no. 3 (sewage details) and no. 4 (external materials) on planning permission referenced 63/2017/17761 granted 15 June 2017	DOC satisfactory	17.02.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2019/21295/NMA	Mr Gregory Thorpe	High Kettlesbeck Austwick Lancaster LA2 8AW	Non-material amendment to planning consent reference 49/2005/5372 granted 11 July 2005. Reduction in floorplan, window and roof amendments.	Non-material amendment approved	06.02.2020
2019/21297/HH	Mr & Mrs Ridsdale	5 Rockwood Close Skipton BD23 1UG	Proposed single storey rear extension	Approve with Conditions	02.03.2020
2019/21301/FUL	MGR Hotels Ltd	Building Adjacent Herriots Hotel Known As South View Broughton Road Skipton BD23 1RT	Change of use from vacant residential property to form additional bedroom accommodation for adjacent hotel.	Approve with Conditions	19.02.2020
2019/21305/HH	Ms Amanda Ryder	52 Regent Drive Skipton BD23 1AY	Two storey side extension	Approve with Conditions	21.02.2020
2019/21306/FUL	Mr Berry	Land At The Acres Sutton-in-Craven Keighley BD20 7AT	Proposed bungalow	Application Withdrawn	26.02.2020
2019/21307/HH	Ms S Bennet	10 Raines Garth Giggleswick Settle BD24 0EQ	Single storey rear extension and rear dormer loft conversion	Application Withdrawn	10.02.2020
2020/21312/FUL	Mr & Mrs Phillip	Land At Gisburn Road Hellifield Skipton BD23 4LA	Single Dwelling and access.	Approve with Conditions	27.02.2020
2020/21315/HH	Mr & Mrs Daryl Swales	7 King Edward Street Sutton-in-Craven Keighley BD20 7ET	Proposed dormer windows	Approve with Conditions	11.02.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2020/21316/LBC	North Craven Building Preservation Trust	The Folly Victoria Street Settle BD24 9EY	Urgent strengthening of the Museum Office & Archive Room Floor. New second floor fire door, retrospective application. New blackout blinds to the ground floor Parlour.	Approve with Conditions	19.02.2020
2020/21326/HH	Mr George R. Barrett	Ravenstone House Salt Pie Farm Albert Street Sutton-in-Craven BD20 7HU	Extension to existing porch and 2 retrospective canopies	Approve with Conditions	11.02.2020
2020/21325/CND	Mr Geoff Storey	The Folly Spring Rise Draughton Skipton BD23 6DY	Application to discharge condition no. 3 (Materials) on planning permission 2019/20658/HH granted 14 August 2019	Application Withdrawn	25.02.2020
2020/21332/VAR	Mr Richard Pryke	Land To North Of Chapel Hill Skipton	Application to vary condition 3 (Construction and Traffic Management) of previously approved application referenced 2018/19367/FUL and granted 21st December 2018.	Approve with Conditions	14.02.2020
2020/21334/HH	Mr Christopher Sharp	74 Moorview Way Skipton BD23 2JW	Proposed first floor extension and garage conversion	Approve with Conditions	19.02.2020
2020/21342/VAR	Mr And Mrs McLean	11 Greenroyd Court Sutton-in-Craven Keighley BD20 7NY	Vary condition 4 (materials in accordance with approved plans) of 2018/19825/HH to allow UPVC windows	Approve with Conditions	03.03.2020
2020/21345/HH	Mr David Ball	5 The Bailey Skipton BD23 1AP	Wall alterations, construction of wall with fence, removal of existing walling and removal of tree	Approve with Conditions	03.03.2020
2020/21374/NMA	Esh Construction Ltd	Land North Of A629 And West Of Carleton Road Skipton	Non-material amendment to planning application 2018/19563/REM granted 22 November 2019	Refuse	24.02.2020

Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2020/21422/ NYCC	NYCC Planning Services	The A59 At Kex Gill From The West Of The Junction With North Moor Road And Blubberhouses	NY/2019/0191/ENV: Consultation on Planning application accompanied by an Environmental Statement for the construction of a 3.9 km long two-way, single lane (with overtaking lanes) carriageway realignment on the A59 between the west of North Moor Road and Blubberhouses. The realignment is located north of the existing A59 and incorporates modifications to the junctions at North Moor Road, Hall Lane and Church Hill. The existing road from Blubberhouses to Botham's Farm and Paradise will be downgraded, reduced in width and will function as a private access and public right of way for part of the length; the existing road from Paradise to where Footpath 15.14/4/1 joins the existing A59 will be removed and returned to moorland habitat as part of the Special Areas of Conservation and Special Protection Areas. Associated works include the diversion of Hall Beck watercourse, landscaping, environmental mitigation, new culverts, 100m long retaining wall, SuDs drainage including two attenuation basins, replacement signage, construction of two underpasses, diversions to, and increase of 1,526m of Bridleways and Public Right of Ways	No observations	14.02.2020
2020/21385/NMA	Mr & Mrs Andrew & Deborah Steane	Eastby House Barden Road Eastby Skipton BD23 6SN	Non material amendment on planning permission 2018/19737/HH granted 18 January 2019 for replacement of window in east elevation of single storey extension with glazed door in same position and internal alternations to ground floor layout	Non-material amendment approved	27.02.2020

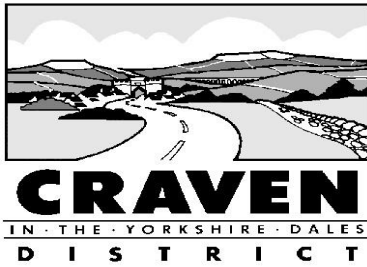
Application Number	Applicant	Location	Proposal	Decision	Date of Decision
2020/21388/ PNAG	Mr John Dodgson	Agricultural Building Souber Dairy Newton Hall To Marton Road Bank Newton Skipton	Steel portal frame building to extend the storage for livestock feeds (Prior Notification)	Prior Approval Not Required	25.02.2020
2020/21382/CPL	Mrs Laura Livesley	42 Crofters Mill Sutton-in-Craven Keighley BD20 7EW	Single storey rear extension	Refuse Cert. Lawful Development	21.02.2020
2020/21408/NMA	GI Hopley Ltd	1, 2, 3 And 4 Roselea Hesley Lane Rathmell Settle BD24 0LG	Non-material amendment on application referenced 59/2007/8005 granted 30 July 2008	Application Withdrawn	03.03.2020



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

Planning Committee Report of Cases Closed
From 09/02/2020 to 01/03/2020

Enforcement Reference	Date Received	Date Closed	Reason for Closure	Alleged Breach	Site Address	Ward
ENF/03133/2019	7th August 2019	10th February 2020	Breach Resolved	Large amount of surface water run off	Otter Rise Bankwell Road Giggleswick Settle	Penyghent



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

Planning Committee Report of New Cases Registered
From 09/02/2020 to 01/03/2020

Enforcement Reference	Alleged Breach	Site Address	Ward
ENF/03214/2020	1) Is the development being built in accordance with the approved plans - parking spaces?	Site Of Former Methodist Church Main Street Farnhill Keighley	Aire Valley With Lothersdale
ENF/03215/2020	Alleged development not being carried out in accordance with the approved plans	Clough Head Farm West Lane Sutton-in-Craven Keighley BD20 7BA	Sutton-in-Craven
ENF/03216/2020	Alleged fence being constructed to rear of house	17 Regent Road Skipton BD23 1AT	Skipton East
ENF/03218/2020	Live/work units allegedly not being used in accordance with planning permission	The Grange Gisburn Road Hellifield Skipton BD23 4LE	Hellifield And Long Preston
ENF/03219/2020	Alleged commencement of development before discharging conditions of planning approval referenced: APP/2018/18988/FUL	Land To North Of Glen Royd Woodside Lane Cononley Keighley	Aire Valley With Lothersdale
ENF/03220/2020	Alleged unfinished driveway causing flooding of drains and highway	North Of 43 Springfield High Bentham Lancaster LA2 7BE	Bentham