

## PLANNING COMMITTEE

**Monday, 14<sup>th</sup> March 2022 at 1.35pm**

**Meeting to be held at The Council Offices, Belle Vue Square, Broughton Road, Skipton, North Yorkshire BD23 1FJ**

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

**Substitute Members:** Councillors Hull, Ireton, Madeley, Noland, Solloway and 1 vacancy (Independent).

**Please note the following advice in advance of the meeting:**

The Government temporarily removed the legal requirement for local authorities to hold meetings in person during the Covid-19 pandemic. All local authorities were given new powers to enable meetings to take place virtually. The Council's powers to hold remote meetings expires on 7 May 2021.

Whilst the return to face to face meetings provides significant challenges, the Council has undertaken a great deal of work to ensure that face to face meetings are delivered in a COVID safe environment.

Due to social distancing measures, spaces for public attendance are limited and so registration is essential to secure a place. Everyone who attends this meeting will be required to wear a face covering, unless exempt.

Council staff, elected members and members of the public are urged to take advantage of the national 'next step safely' campaign and access a free, rapid lateral flow test in advance of the meeting:

<https://www.nhs.uk/conditions/coronavirus-covid-19/testing/> Please note that whilst this is advised, it is not a requirement for entry to the meeting.

Anyone displaying Covid-19 symptoms is asked not to attend.

For more information email [committees@cravendc.gov.uk](mailto:committees@cravendc.gov.uk)

Thank you,  
Democratic Services

# AGENDA

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

1. **Apologies for Absence and Substitutes** – To receive any apologies for absence.
2. **Confirmation of Minutes** – To confirm the minutes of the meeting held on 14<sup>th</sup> February 2022.
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.

(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 16 where a matter arises at the meeting which relates to a financial interest of a friend, relative or close associate.

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

5. **Schedule of Plans** – The schedule is comprised of the following:
  - (a) Applications to be determined by the Committee.
  - (b) Enforcement – New complaints registered / complaints closed.

If Members have any queries regarding individual applications dealt with under the Scheme of Delegation or if they have any queries regarding an enforcement matter, then please contact Neville Watson, Planning Manager (Development Management) (E-mail: [nwatson@cravenc.gov.uk](mailto:nwatson@cravenc.gov.uk) or telephone: (01756) 706402).

6. **Any other items** which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act, 1972.
7. **Date and Time of Next Meeting** – Monday, 11<sup>th</sup> April 2022 at 1.35pm

## Agenda Contact Officer:

Vicky Davies, Senior Democratic Services Officer

E-mail: [vdavies@cravenc.gov.uk](mailto:vdavies@cravenc.gov.uk)

Tel: [07565 620973](tel:07565620973)

4<sup>th</sup> March 2022

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

**PLANNING COMMITTEE**

14 February 2022

**Present** – The Chair (Councillor Brockbank) and Councillors Brown, Handley, Heseltine, Ireton (substitute for Place), Lis, Morrell, Pringle, Rose, Shuttleworth and Sutcliffe.

**Officers** – Legal Advisor (Kings' Chambers, Manchester), Planning Manager, Senior Democratic Services Officer and Democratic Services and Scrutiny Officer.

**Apologies for Absence and Substitutes:** Apologies for absence were received from Councillors Harbron and Place.

**Ward Representatives:** Application 2021/23416/FUL Councillor Shuttleworth; Councillor Brown Applications 2021/23310/FUL and 2021/23450/FUL.

**Confirmation of Minutes:**

**Resolved** – That the minutes of the meeting held on 20 December 2021 were approved as a correct record, subject to a minor amendment.

Start: 1.30pm

Finish: 4.03pm

A short comfort break was taken at 2.41pm

PL.1062

**PUBLIC PARTICIPATION**

Councillor Eric Jaquin addressed the Committee regarding applications 23425 and 23455. He had already raised issues at the last meeting relating to HGV vehicular access to the development site at Aldersley Avenue, Skipton. On-site work had started and HGV's were already using the unauthorised route resulting in problems including cars having their wing mirrors clipped. He hoped that Councillors would report any usage of the wrong route to the planning enforcement team. The Planning Manager in reply stated that he would consider the points made and respond accordingly.

PL.1063

**DECLARATIONS OF INTEREST AND LOBBYING**

**a. Declarations of Interest** – There were no interests declared.

**b. Lobbying**

Councillor Brown was lobbied against applications 2021/23310/FUL and 2021/23450/FUL. Councillor Pringle was lobbied against application 2021/23450/FUL.

PL.1064

**PUBLIC PARTICIPATION**

The following individual addressed the Committee:

**Application 2021/23310/FUL -** Mr Midgley (Kildwick Parish Meeting)  
Mr Gaille (objector)

**Application 2021/23450/FUL –** Ms Catherine Gott (objector)  
Mr Ian Swain (agent for the applicant)

PL.1065

**PLANNING APPLICATIONS****a. Applications determined by Planning Committee**Permission Granted

**2021/23416/FUL – application for the construction of a detached garage and detached outbuilding at Laithe Barn, Low Lane, Halton East, BD23 6EH.** Members approved the application subject to the following 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 and drawings:
  - o Drawing No. P(00)-01 Rev A "Garage - Proposed Plans & Sections" received 19 October 2021;
  - o Drawing No. P(00)-02 Rev A "Garage - Proposed Elevations" received 19 October 2021;
  - o Drawing No. P(00)-03 Rev C "Outbuilding - Proposed Plans & Sections" received 19 November 2021;
  - o Drawing No. P(00)-04 Rev C "Outbuilding - Proposed Elevations" received 19 November 2021;
  - o Drawing No. P(00)-06 "Existing Site Plan" received 19 October 2021;
  - o Drawing No. P(00)-07 "Proposed Site Plan" received 19 October 2021;
  - o Drawing No. P(00)-08 Rev A "Proposed Site Layout" received 19 October 2021;and
  - o Drawing No. P(00)-09 Rev B "Location Plan" received 19 October 2021.

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 2012 to 2032 and the National Planning Policy Framework.

**During Building Works**

- 3 Prior to first use of the walling stone, a sample panel (measuring no less than 1 metre x 1 metre) demonstrating the type, texture, bond and pointing of the stonework shall be constructed on the site and be approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved panel and the materials detailed in the submitted application form.

Reason: To ensure use of appropriate materials which are sympathetic to the context in the interests of visual amenity and in accordance with the requirements of Craven Local Plan 2012 to 2032 Policies ENV1, ENV2 and ENV3 and the National Planning Policy Framework.

### Informatives

#### 1. Statement of Positive Engagement:

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

#### 2. Public Footpath and Bridleway - North Yorkshire County Council Public Rights of Way:

- i) There is a Public Right of Way or a 'claimed' Public Right of Way within or adjoining the application site boundary - please see the attached plan.
- ii) If the proposed development will physically affect the Public Right of Way permanently in any way an application to the Local Planning Authority for a Public Path Order/Diversion Order will need to be made under S.257 of the Town and Country Planning Act 1990 as soon as possible. Please contact the Local Planning Authority for a Public Path Order application form.
- iii) If the proposed development will physically affect a Public Right of Way temporarily during the period of development works only, an application to the Highway Authority (North Yorkshire County Council) for a Temporary Closure Order is required. Please contact the County Council or visit their website for an application form.
- iv) The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as an alternative route has been provided by either a temporary or permanent Order.
- v) It is an offence to obstruct a Public Right of Way and enforcement action can be taken by the Highway Authority to remove any obstruction.
- vi) If there is a "claimed" Public Right of Way within or adjoining the application site boundary, the route is the subject of a formal application and should be regarded in the same way as a Public Right of Way until such time as the application is resolved.
- vii) Where public access is to be retained during the development period, it shall be kept free from obstruction and all persons working on the development site must be made aware that a Public Right of Way exists and must have regard for the safety of Public Rights of Way users at all times.

Applicants should contact the County Council's Countryside Access Service at County Hall, Northallerton via [CATO@northyorks.gov.uk](mailto:CATO@northyorks.gov.uk) to obtain up-to-date information regarding the exact route of the way and to discuss any initial proposals for altering the route.

### Applications Refused

**2020/23310/FUL – application for barn conversion to form one dwelling off Grange Lane, Kildwick, BD20 9BZ. (Site Visit.)** The Planning Committee resolved to refuse the application against officer recommendation as having undertaken a site visit they regarded the barn in question was not

redundant and was, in fact a stable block that was capable of being used for that purpose. Additionally, as the development would be in the open countryside away from existing settlements, Members felt that the proposed development detracted from the open countryside views and did not contribute to the areas distinctive character and sense of place. The application was refused on the following grounds:

1. The proposal is not in accordance with Local Plan Policy as the requirements of Policy SP4k.c) cannot be met.
2. The proposal is not in accordance with Local Plan Policy ENV3c as the proposed development fails to maintain a sense of place.

**2021/23450/FUL – application for the construction of a detached dwelling with associated off-street parking on land at Pennine Haulage Brow Garage, Rook Street, Lothersdale, BD20 8EH. (Site Visit.)** The Planning Committee resolved to refuse the application against officer recommendation as they deemed that the site was cramped and the proposed dwelling would add to that, failing to protect the amenity of the existing dwellings and residents. Parking on the site was limited and another dwelling would escalate off-site parking concerns. The application was refused on the following grounds.

1. The proposal is not in accordance with Craven Local Plan Policy ENV3e as the proposal fails to protect amenity of existing properties because of the cramped access.
2. The proposal is not in accordance with INF4d due to off-site parking concerns.

#### **b. Delegated Matters**

The Strategic Manager for Planning and Regeneration submitted a list of new and closed planning enforcement cases between 10 December 2021 and 2 February 2022.

#### PL.1065                    **QUARTERLY PLANNING PERFORMANCE MONITORING REPORT**

The Strategic Manager for Planning and Regeneration submitted a report informing the Committee of performance of the development management service during the quarter October to December 2021.

The Council's performance had been analysed against national indicators for planning applications together with information for quarter three regarding enforcement, appeals and the speed of validation of planning applications. The conclusion was that, over the past nine months, there had been improvement in performance, namely a 70% increase in the number of applications determined compared to the previous nine months; a fall of 34% in the backlog of undetermined applications between 30<sup>th</sup> June and 31<sup>st</sup> December 2021; and that the last quarter saw the speed of determination of non-major development applications had reached the Government's minimum target for the first time since the second quarter of 2020.

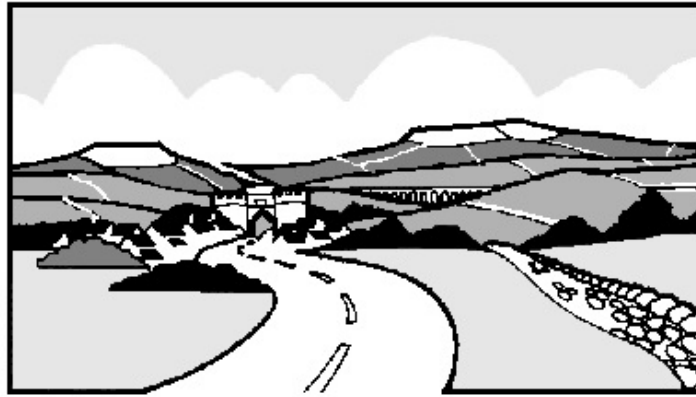
**Resolved** – That, the contents of the report are noted.

#### **Minutes for Decision**

There were no items for decision requiring confirmation by Council.

Date of Next Meeting: 14<sup>th</sup> March 2022.

Chairman.



# **CRAVEN**

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

## **PLANNING COMMITTEE AGENDA**

**DATE: 14th March 2022**

### **INDEX OF PLANNING APPLICATIONS**

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4.	2022/23640/FUL	Craven District Council	Lighting Equipment Sites For Skipton Heritage Action Zone. Zone 1: Victoria Square And 22 Sheep Street. Zone 2: Victoria Street. Zone 2 Zone 3: Hallams Yard And 2 Sheep Street & 60A High Street, Skipton.	38 – 43
5.	2022/23639/LBC	Craven District Council	Lighting Equipment Sites For Skipton Heritage Action Zone. Zone 1: Victoria Square And 22 Sheep Street. Zone 2: Victoria Street. Zone 2 Zone 3: Hallams Yard And 2 Sheep Street & 60A High Street, Skipton.	44 – 50

## REPORT TO PLANNING COMMITTEE ON 14th March 2022

**Application Number:** 2021/22977/FUL

**Proposal:** The construction of a new artificial grass pitch (AGP) with associated sports lighting, fencing & ancillary features

**Site Address:** Ermysteds Grammar School Gargrave Road Skipton BD23 1PL

**On behalf of:** Mr Wooley

**Date Registered:** 4th June 2021

**Expiry Date:** 30th July 2021

**EOT Date, if applicable:** 21st March 2022

**Case Officer:** Mr Jeff Sadler

### **SUMMARY**

Permission is sought for the provision of a high-quality, all-weather sports pitch, with associated infrastructure. The proposal would not impact unacceptably on biodiversity including site trees and would not give rise to localised flooding. Subject to enhancement measures there would be no significant adverse impact upon the setting of listed buildings or upon the character of the Conservation Area. Concerns relating to residential amenity as might arise from noise and disturbance and light pollution have been addressed and can be further mitigated. Control over the use of the site would be exercised through a Community Use Agreement which would in turn address concerns raised by Sport England in respect of Community Use. There are no highway or parking issues.

The application would comply with the Provisions of the NPPF and with the provisions of the Development Plan specifically Local Plan Policies SD1; SD2; ENV2; ENV3; ENV4; ENV6; ENV9; INF2; INF3; INF4 and INF7 and the Council's PPS SPD 2022. As such the proposal would represent an acceptable form of sustainable development that would meet the challenge of climate change and contribute positively to the standard and quantum of sporting and educational provision in this part of Craven. The application is recommended for approval subject to conditions.

#### 1. Site Description

- 1.1 The application site comprises a level grass turf sports pitch within the grounds of Ermysteds Grammar School. The site is rectangular in shape and measures 0.7674ha in area. Although there are informal lawned play areas within the school frontage the application site is the only formal playing field area within the school and lies to the north and rear of the principal school buildings, on an elevated plateau of land, above the ground level of the adjoining school buildings.
- 1.1 A narrow service road opening onto Raikes Road in the north-east corner of the site provides access to the application site for construction purposes. The formal access to the school is from Gargrave Road to the south of the school buildings.
- 1.2 Residential private housing, typically two-storey detached, lies to the west and north-west, of the application site beyond the school boundary and is accessed from Raikes Road. A mature tree belt dominates the northern site boundary adjacent to Raikes Road. There are a number of trees located



on grassed areas between the edge of the application site and the eastern and western boundaries of the school grounds.

- 1.3 A residential flat block for the 'over 50's' has recently been erected within convent grounds to the east of the site and adjacent to St Stephen's Church, a Grade II listed building. Hard surfaced playgrounds and tennis courts lie, between the southern edge of the pitch and the school buildings. Planning permission has recently been granted for erection of a gymnasium on part of the playground adjacent to the application site.
- 1.4 The complex of school buildings incorporates the original Ermysteds School building, a Grade II listed, Tudor style building, of 1871 provenance. The listed building has deep lawned frontages and an imposing facade onto Gargrave Road. Forecourt areas provides parking for 45 cars with some overflow capacity.
- 1.5 The site is designated in the Craven District Local Plan 2019 as Open Space, Civic Space, Sport and Recreation Facilities subject to Plan Policy INF3. The site also lies within Skipton Conservation Area.
2. Proposal
- 2.1 Full planning permission is sought for: The construction of a new artificial grass pitch (AGP) with associated sports lighting, fencing & ancillary features.
- 2.2 The AGP would comprise a Monofilament 3G World Rugby/FIFA compliant 50mm thick synthetic turf. The 3G would be laid above a 40mm thick shockwave base, Geotextile membrane and aggregate base. The aggregate base would provide storm drain storage.
- 2.3 There would be eight 15m tall lighting columns. The columns are shown as being hinged at the base for maintenance purposes and would be fully lowered during summer months and all other occasions when lighting would not be required. There is the option for telescopic alternatives.
- 2.4 Lighting would use modern energy saving LED luminaries and light-spill would be concentrated on the pitch and contained within site boundaries.
- 2.5 Catch Fence – The proposed pitch would be enclosed with a green coloured, powder-coated steel open-mesh fencing 4.5m high along the north and south sides of the pitch and 6.0m high along the east and west sides of the pitch.
- 2.6 The temporary haul road would spur off the existing internal haul road. Upon completion of the works, it would be removed, and the land reinstated as before.
- 2.7 Access to the site would be from Gargrave Road. The service road entrance off Raikes Road would be closed upon completion of the construction phase and would not be accessible to the public. It would remain in its current location to serve as a service road for maintenance purposes.
- 2.8 Parking would be in accordance with the current level of provision at the school which comprises 45 marked spaces with a modicum of overspill unmarked places. It is not envisaged that there would be a demand for car parking spaces specific to the facility during the school day, while community use car parking during the early evening would benefit from 'down-time' school use.
- 2.9 The application has been amended during the course of determination as follows:
  - The temporary haul road for construction traffic has been re-routed within the site to address concerns raised by the Tree Officer in respect of root protection areas;
  - Telescopic lighting columns are to be substituted in lieu of fixed height lighting columns in order to better address concerns relating to visual amenity;
  - The extent of community use has been reduced;
  - The hours of operation have been limited.

- 2.10 The School has set out their Rationale for Development as below:
- 2.11 Outdoor Space – The School lacks usable outdoor space for much of the year. This refers to areas for both sport and recreational outdoor space at break and lunchtimes when pupils are sent out of classrooms for fresh air, exercise, and a break from lessons.
- 2.12 Outdoor Sports/Play Requirements are:
- Core Physical Education
  - Rugby and football
  - Extra-curricular training
  - School matches
  - Potential for others using the space/Recreational space at break and lunchtimes
- 2.13 Restricted Field Use – The School's largest grass area, the top field, is essentially waterlogged and out of use for some three months every winter. Better sports facilities on site would lead to increased participation in sport across the whole pupil cohort.
- 2.14 External Requirements – The majority of outdoor sport during the winter involves transporting pupils by coach to Sandylands which is inefficient and expensive.
- 2.15 School/Community Use Focus – The applicant maintains that community use is not the driver for the project and that the intention is not to develop or turn the school into a sports centre. The intention is only to provide local people with potential access to additional facilities outside of normal school hours.
- 2.16 Operational times - The applicant has submitted that their aim is to make the proposal sufficiently flexible and allow out of school hours usage to meet local demand which is expected to be between 18.00 to 21.00 Tuesday to Thursday, Saturday during the day and Sunday mornings. The running of 'summer camps' during the summer and easter holidays has also been suggested using 09.30 to 15.30 as potential 'windows'.
- 2.17 The applicant would welcome imposition of a Community Use Agreement (CUA) which would in turn seek to impose operational times.
- 2.18 The proposal is supported by the following documents:
- Design and Access Statement
  - Drainage Strategy
  - Flood Mapping/Drainage
  - Guidance Notes for the Reduction of Obtrusive Light
  - Lighting Impact Study
  - Light Spill Verification
  - Ecological Appraisal
  - Heritage Statement
  - Arboricultural Implications Assessment
  - Noise Impact Assessment

### 3. Planning History

- 3.1 Three applications that are considered material to this application are listed below:
- 3.2 2021/23548/FUL Approved 2022 'Construction of new gymnasium' at Ermysteds Grammar School.
- 3.3 63/2011/120823 Ful/LBC - Application Approved 2018 and recently implemented 'Change of Use and refurbishment of the former St Monica's Convent (To the east) including demolition of later addition extensions and 2 no. associated outbuildings, with proposed 3-4 storey new build extensions and 3-4

storey new build block within the grounds, to form parish meeting rooms adjacent to St Stephen's Church and 70 one, two and three bedroom age restricted residential apartments, with ancillary community facilities and communal lounge/dining room, 34 parking spaces and associated landscaped amenity areas'. Note: the residential blocks overlook the site to the east.

- 3.4 2021/23374/FUL 'Proposed extension to existing all weather changing rooms building to accommodate a Dedicated Gymnasium and Internal and External Climbing Walls and associated Bouldering Area, also incorporating a Cafe and two Meeting Rooms, together with associated Internal and External Alterations to the existing all-weather changing rooms building, at the Coulthurst Craven (Sandylands) Sports Centre, Engine Shed Lane, Carleton New Road, Skipton BD23 2AZ' – Application Pending - Note: Issues include objection from Environment Agency on flood risk grounds.

#### 4. Planning Policy Background

- 4.1 The National Planning Policy Framework (NPPF) July 2021, requires that determination of planning applications be made in accordance with the Development Plan and establishes that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted unless material considerations indicate otherwise.
- 4.2 The Development Plan for Craven District Council comprises the Local Plan 2012 to 2032 (Adopted 2019). In assessing this application, the following Local Plan Policies were considered relevant:
- Policy SD1: The Presumption in Favour of Sustainable Development.
  - Policy SD2: Meeting the Challenge of Climate Change.
  - Policy ENV2: Heritage
  - Policy ENV3: Good Design
  - Policy ENV4: Biodiversity
  - Policy ENV6: Flood Risk
  - Policy ENV9: Renewable and Low Carbon Energy
  - Policy INF2: Community Facilities and Social Spaces
  - Policy INF3: Sport, Open Space and Recreation Facilities.
  - Policy INF4: Parking Provision
  - Policy INF7: Sustainable Transport and Highways
- 4.3 National Policy and Guidance:
- PPF 2021 and associated National Planning Policy Guidance
- 4.4 Supplementary Documents and Legislation
- Planning (Listed Buildings and Conservation Areas) Act 1990
  - Skipton Conservation Area Appraisal
  - Craven's Playing Pitch Strategy (PPS) 2022

#### 5. Parish/Town Council Comments

##### 5.1 Skipton Town Council:

- 5.2 The Town Council has responded that – 'The benefit to pupils and young people in the wider community is recognised. However, there are concerns about the access road exiting at an already busy junction and how the impact on biodiversity will be mitigated. Also, the proposal to use until 9pm every day of the week including weekends is unacceptable to neighbouring residents.

- 5.3 Officer Note: The applicant has clarified that the access onto Raikes Road is to be used solely for construction and maintenance purposes and for use by emergency service vehicles; mitigation has been provided in respect of biodiversity; and in respect of neighbour amenity, the closing time of 9pm is to be reduced to 3 days a week.

#### 6. Consultations

##### 6.1 Tree Officer:

- 6.2 Following receipt of amendments, specifically, the re-alignment of the internal site access road, the Tree Officer has responded stating:
- 6.3 'If there is no encroachment into the RPA of T7 or any of the other Beech trees I have no objections to the application. Please can you condition that protective fencing is placed around the tree referenced as T9 to British standard 5837 2012. I would also recommend a tree planting plan for biodiversity gain and to screen the pitch from the houses and care home'.
- 6.4 NYCC Highways:
- 6.5 The Highways Officer has noted that the access is existing, that it is to be improved and that the required design standard for access in respect of visibility splays can be achieved. Imposition of Conditions and attachment of informative have been recommended.
- 6.6 Planning Gain Consultant:
- 6.7 Initial holding objection pending release of the PPS. Clarification sought relative to community use, implications of impact on other sports facilities, displacement of other sports such as cricket and athletics, and provision of parking and changing facilities.
- 6.8 Further to adoption of the Council's PPS, further comments will be presented to committee in addendum form.
- 6.9 Sport England:
- 6.10 Subsequent to initial objection, amendment and re-consultation, Sport England has withdrawn its objection subject to conditions. Their response is set out in detail below:
- 6.11 'Sport England has sought the views of the Football Foundation (FF) and the Rugby Football Union (RFU) who provided comments in Sport England's representation of the 21 September 2021. These National Governing Bodies for Sport act as Sport England's technical advisors in respect of their sport and their sport facilities'.
- 6.12 The comments of the FF have been summarised as:
- *We are comfortable that this would be a school led project that has no, or limited community usage as previously responded there is not a strategic need for a football specific 3G pitch in the area.*
- 6.14 The comments of the RFU have been summarised as:
- *The limited or no community use of the proposed AGP is not a concern for the RFU; and the supplementary information that the pitch would be constructed to World Rugby Regulation 22 specification provides some reassurance that rugby union will continue to be a key component of the school's sporting curriculum. However, retesting would still be required every 2no. years to ensure the continued use for rugby union activity.*
- 6.15 Sport England has reassessed this planning application in light of the additional information provided and the comments received by the FF and RFU above.
- 6.16 Craven Council's recently updated Playing Pitch Strategy (PPS) specifically refers to this planning application and concludes that the supply and demand data in respect of artificial grass pitches (AGPs) does not support a strategic need for additional AGPs in the south of the district. The PPS goes on to state this subsequently informs any future developments for example at Ermysteds Grammar School or the LMS ground.
- 6.17 Given the comments within the Council's PPS there is no strategic need for this proposed AGP. However, the strategic need considers the wider community use and community demand for AGPs as opposed to just curriculum use.

- 6.18 As set out in Sport England's representation of the 21 September 2021 in considering proposals for other indoor or outdoor sport facilities on playing field, Sport England will not object to such proposals if they are considered to meet exception E5 of the Playing Fields Policy which states: '*E5 The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.*'
- 6.19 Sport England's exception E5 does include the consideration of improvements to the delivery of sport and physical education on school sites.
- 6.20 The additional information provides more information in respect of the use of the proposed AGP in relation to the school. In particular:
- The School lacks usable outdoor space for much of the year. This refers to areas for both sport and recreational outdoor space at break and lunchtimes when pupils are sent out of classrooms for fresh air, exercise, and a break from lessons.
  - The School's largest grass area, the top field is essentially waterlogged and out of use for some three months every winter. Better sports facilities on site would undoubtedly lead to increased participation in sport across the whole pupil cohort.
  - The majority of outdoor sport during the winter involves transporting pupils by coach to Sandylands which is inefficient and expensive. To provide a working example, the School recently made a decision regarding timetabling where, from September with a larger number of pupils going into Year 9 and Key Stage 4, they will have to create an extra PE afternoon for a Year Group and, as things stand, an additional afternoon each week transporting pupils to/from Sandylands with associated incremental costs of coaches and pitch hire. The provision of a pitch at the School site would alleviate this external requirement.
  - Community use has never been the driver for the project. There is no intention or desire to make the School into a sports centre.
  - The design of the facility has been carefully shaped to comply with pertinent National Governing Bodies (NGB) guidance and performance requirements. The design includes a Rugby Regulation 22 approved shock pad to allow for a high quality of rugby use as well as football and other ball sports.
- 6.21 In addition to the above, the FF comment that they are comfortable that this would be a school led project that has no or limited community usage and the RFU comment that the limited or no community use of the proposed AGP is not a concern for the RFU.
- 6.22 The proposed AGP is clearly a school led proposal as opposed to one required by the community. Given the comments bullet pointed above, the proposal will assist the school in the delivery of sport and physical education on site and will also remove the requirement to transport pupils by coach to Sandylands which is inefficient and expensive.
- 6.23 3G AGPs are both expensive to construct and maintain and require a minimum amount of teams to make them financially sustainable. If too many are built it undermines the financial business plan and cause them to close. However, by limiting or restricting the community use, this will not undermine other existing ones in the area.
- 6.24 Having reconsidered the additional information and given the above, Sport England is satisfied that the proposal will deliver sport and physical education on site for the use by the school. Provided that community use is limited and restricted, as there is no strategic need for the wider community use of the proposed AGP, Sport England is satisfied that given the circumstances in respect of this planning application and the application site, the proposed meets Exception E5.

- 6.25 In light of the above, Sport England **withdraws its objection** to this planning application subject to the attachment of the following planning conditions (if the Council are minded to approve the planning application):
- 6.26 A condition is requested relating to pitch maintenance, in order to restrict the community use of the proposed AGP, as there is no strategic need, the following condition should be attached to the decision notice:
- 6.27 *'The 3G artificial grass pitch hereby approved shall only be used by the school in connection with the delivery of the national curriculum and bona fide extracurricular activities from the time it is first made operational.*  
*Reason: To prevent an oversupply of 3G artificial grass pitches within the Council's administrative area which in turn would lead to the viability of the artificial grass pitches stock and possible closure of some artificial grass pitches then in turn creating an undersupply of artificial grass pitches and to accord with policy'*
7. Representations
- 7.1 A site notice was posted, and letters sent to immediate neighbours. Further public consultations took place subsequent to amendments. At the time of writing, a total of 201 representations have been received, more than half of which are objections. Many representations have been received which represent multiple comments from the same individual. Comments can be summarised as follows:
- 7.2 Objections:
- 7.3 Loss of existing views – *No material loss of outlook, loss of views not a material consideration in planning terms.*
- 7.4 Would be located in the middle of a residential area – *the site is designated in the Local Plan for Sport and Recreation*
- 7.5 Would neither preserve or enhance the conservation area – *Mitigated by enhancement measures – benefits of development considered to outweigh harm. On balance not a turning issue.*
- 7.6 Detrimental effect on character of the area/green space – *Impact mitigated by enhancement measures and benefits of the scheme. On balance not a turning issue.*
- 7.7 Loss of natural habitat – *Existing grass pitch has very low biodiversity value.*
- 7.8 Impact on protected species, particularly bats – *Ecologist has determined that the impact upon bats would be acceptable – conditions to be imposed to enhance habitat/protection during construction.*
- 7.9 Noise and disturbance from intensification of use and extended hours of operation – *Acknowledged in principle but in accordance with noise report not so excessive as to be unacceptable and can be mitigated.*
- 7.10 Reduction in hours of use does not address amenity concerns – *Impact on amenity considered acceptable as supported by noise assessment – hours of operation and conditions of use to be reinforced by condition.*
- 7.11 Significant levels of light pollution and resultant impact on amenity and wildlife – *Lighting levels would not be subject to unacceptable 'overspill' - would fall within Guidelines and would be reinforced by condition.*
- 7.12 Parking inadequate/No additional parking or provision for drop-off – *No conflict with parking standards and no objection from NYCC Highways.*
- 7.13 Problems with flooding of existing pitch could be resolved through drainage of existing pitch. There is no need for artificial grass – *This is not subject to determination and would not address the School's requirements for a high quality, all weather playing field.*

- 7.14 A commercially orientated, revenue generating project – *rebutted by applicant, the project is primarily for the benefit of the school, opening the school facility to the community provides wider benefit, health and well-being. Not a planning issue.*
- 7.15 ‘Astroturf’ does not absorb water – *The AGP allows water to permeate to below surface storage.*
- 7.16 LEDs have a more significant adverse impact on moths and bats than sodium lighting – *Noted – not raised as an issue by Ecologist*
- 7.17 The site will compete with Sandylands – *Not a planning issue. No evidence to demonstrate competition with other facilities or to develop a strategic venue divorced from school use.*
- 7.18 This is a business venture – *Any commercial element intended to support development costs and operational overheads – Focus remains on provision of a high-quality school facility.*
- 7.19 No need for this development as facilities provided at Sandylands – *School has set out reasons why this alternative venue does not address their needs.*
- 7.20 Noise Report findings disputed – *No evidence provided. The noise report is considered to be robust with noise levels measured at considerable margins below threshold noise levels.*
- 7.21 Investment should be diverted to Skipton Academy adjacent to swimming pool – *Not applicable to this application.*
- 7.22 Unsustainable use of energy – *LED lighting most energy efficient option – School to be encouraged to incorporate sustainable energy measures.*
- 7.23 Support:
- 7.24 A year-round facility which should be supported – *Noted*
- 7.25 The school suffers from lack of usable outdoor space which this will address – *Noted*
- 7.26 The school has compromised on hours of operation in order to make the scheme acceptable – *Noted*
- 7.27 Would provide a high standard of conveniently-located, accessible facilities – *Noted*

## 8. Summary of Principal Planning Issues

- The principle of development
- The principle of community use
- Residential amenity
- Impact upon the character and appearance of the conservation area, and upon the setting of listed buildings.
- Highways Considerations – Access and parking
- Arboriculture
- Ecology and Biodiversity
- Energy and sustainable construction Climate change mitigation
- Other Matters (Adjoining development proposal).

## 9. Planning Analysis

### 9.1 **The Principle of Development**

- 9.2 National Planning Policy Framework (NPPF) 2021 reiterates that applications for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The NPPF establishes that the purpose of the planning system is to contribute to the achievement of sustainable development which seeks to meet the needs of the present without compromising the ability of future generations to meet their own needs, whilst having regard to social progress, economic well-being and environmental protection. This has been a long-standing objective of the NPPF since first iteration.

- 9.3 In accordance with the 2019 Local Plan as shown on Inset Map 1 for Skipton, the site is designated as an area for 'Open Space, Civic Space, Sport and Recreation Facilities' subject to Policy INF3. The site is used wholly for sporting activity associated with Ermysteds School, which accords with its designated use. The proposal seeks to broaden the context of site use to involve the community. As has been claimed in some representations, it does not fall to be considered as Local Green Space, a misconception perhaps arising from the extent of grassland cover.
- 9.4 The proposal does not seek a change of use, nor does it seek to establish substantial built development. The proposal retains the openness of the site, while the erection of lighting standards and 'catch' fencing, although constituting above surface-built development, does not have the bulk and massing associated with buildings and does not result in any significant loss of openness.
- 9.5 Policy INF3 states that Craven will promote health, wellbeing and equality by safeguarding and improving sport, open space and built sports facilities. This is to be achieved, by supporting proposals for new and improved standards of sporting provision. Having regard to the foregoing it is considered that the principle of the proposed development is acceptable subject to compliance with all other relevant provisions and policies in the Plan.
- 9.6 **The Principle of Community Use/Sporting Considerations**
- 9.7 Although the playing field is intended primarily for the benefit of the school, the proposal seeks to make the facility available for ancillary use by the wider community. This is central to the philosophy of sustainable development, which seeks to utilise resources to maximum advantage. Following objection from neighbours, concerned that the intensification of use and associated potential additional noise and disturbance together with the impact of artificial lighting, would result in loss of amenity, the applicant has significantly reduced the extent of community involvement and the hours of operation. Community Use at 'grass-roots' level however remains central to the proposal, albeit on an ancillary basis.
- 9.8 Sport England initially lodged objection to the scheme, giving the reasons that there was no 'strategic' need or demand for an Artificial Grass Pitch (AGP), that loss of grass sports pitches should be avoided (on the premise that there may be future demand for grass-based sports currently suffering from low demand), and that the proposal could jeopardise public investment into other sporting facilities. The Sports Council did not identify which other facilities were likely to be at risk and it may be questionable as to whether this should be considered a planning matter, particularly as the proposal is not seeking establishment of a Strategic facility.
- 9.9 Following clarification from the applicant that the principal beneficiary of the proposed development would be the school and detailed justification as to the nature and extent of the proposed activities, **the Sport Council has withdrawn their objection.** They have however sought to restrict Community Use through condition.
- 9.10 Given the proposed level of investment by the school and the prospect of the community being otherwise denied access to a high-quality all-weather sports facility, it is considered both appropriate to address this. It is recommended that the condition be amended as set out in this Report so as to include community use, subject to an overarching Community Use Agreement (CUA) which can monitor demand and respond accordingly. The applicant has agreed to imposition of a CUA condition. A Community Use Agreement is cited in Sport England Guidance as being an appropriate tool for addressing Community Use. A CUA would ensure that an element of community use would be retained in accordance with the terms of the application, while enabling a reasonable degree of control over such use by the Local Planning Authority.
- 9.11 Para 99 of the NPPF 'Open space and recreation' states that: 'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use'.



- 9.12 In this instance the land is not being built on and would retain its sporting function, a better standard and quality of facility would be provided and the benefits of the *'alternative'* form of provision would outweigh the loss of the current use. On such basis it is considered that the proposal does not conflict with the aims and objectives of Para 99.
- 9.13 Although not alluded to in the initial consultation from Sports England, Para 98 of the NPPF is also considered relevant. Para 98 states 'Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, in order to deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.
- 9.14 The opening part of Para 98 seeks to promote the use of *'high quality open spaces for sport and physical activity'* for the benefit of the community. Craven's Local Plan Policy INF3 echoes this approach, and states that this will be achieved by a) *'Supporting proposals for the provision of new sport, open space and built sports facilities or for the improvement of existing sport, open space and built sports facilities, including facilities for temporary events, provided the proposals are of a scale in keeping with the location, are well located and accessible by different modes of transport including walking, cycling and public transport and accord with all relevant local plan policies and any relevant local plan policies'*.
- 9.15 Policy INF3 references Craven' Playing Pitch Strategy, Open Space Assessment and Built Sports Facilities Strategy 2016 (or any subsequent updates). A revised Playing Pitch Strategy (PPS) was adopted by Committee on the 31<sup>st</sup> January 2022. The strategy provides an up-to-date assessment of the current level of provision and sets out an approach for future provision.
- 9.16 The latest PPS has identified a need for an Artificial Grass Pitch (AGP) in the north of the district. However, there would appear to be no current initiative that would provide this. Although the PPS infers that there is limited demand in Skipton for an AGP, presumably as one currently exists at Sandylands, it would be unreasonable on such basis to deny the school a dedicated facility of their own.
- 9.17 Skipton Girls School, which lies just to the west and has very little in the way of on-site outdoor facilities is understood to make use of Ermysteds currently limited facilities. St Stephen's Primary School which lies just to the east of Ermysteds has expressed interest, stating *'As a neighbouring school with no playing fields, this new facility would provide our children with safe close-by access to excellent facilities. We therefore support the application'*.
- 9.18 The proposal would provide a valuable sporting resource for the benefit of the school and the local community. The proposal is considered to satisfy the aims and objectives of the Local Plan and National Planning Policy Framework and notwithstanding concerns expressed by Sport England it is considered that the Principle of Community involvement is acceptable.
- 9.19 **Residential Amenity**
- 9.20 Local Plan Policy ENV3 requires that development should protect the amenity of existing and future residents. The school grounds abut residential curtilages to the north, west and east. The Artificial Grass Pitch would be located more than 20m from the nearest residential curtilage. Given the authorised use of the land and the fact that only structures and not buildings are to be erected, there are no privacy issues. However, the potential exists for noise and disturbance as might be associated with intensification of use, and the potentially detrimental impacts arising from artificial light intrusion. There is in addition, the implications of noise and disturbance associated with the construction phase to be taken into account.
- 9.21 The authorised use of the land is as a sports pitch, without restrictions relating to the hours of operation. At present, the school would be entitled to utilise the existing pitch at any time of day or night throughout the year. The applicant will surrender this dispensation and under the terms of this

permission would adhere to the hours of operation as set out in the (amended) application and secured by condition.

- 9.22 A Noise Impact Assessment has been submitted. The assessment includes an Environmental noise survey to determine prevailing background noise levels. Noise Sensitive Receptors were placed at the side of residential properties 17m, 40m and 41m from the proposed AGP boundary. The tests were conducted having regard to the proposed hours of use as originally submitted, which have since been significantly scaled back. It is also noted that ambient background levels at the time of recording would have been lower than normal due to reduced activity following COVID restrictions. Noise modelling was carried out, taking into account, local topography and screening provision and a noise level contour map was produced. This shows that the development would generate noise at a level of 7-14db less than Sport England's recommended threshold levels. The assessment concluded that the likely impact of the proposed AGP would have a 'low observed adverse effect' at one monitoring point and 'no observed effect' at the other locations.
- 9.23 It can be concluded that projected noise levels would satisfy guideline levels laid down in the NPPF, Sports Council Guidance and World Health Organisation (1999) community guidelines.
- 9.24 **Heritage:**
- 9.25 The application site falls within Skipton Conservation Area and within the setting of two listed buildings.
- 9.26 Policy ENV2 states that Craven's historic environment will be conserved and, where appropriate enhanced, and its potential to contribute to the economic regeneration, tourism and education of the area fully exploited. In respect of Conservation Areas, ENV2c) states that proposals that would preserve or enhance the character or appearance of a Conservation Area, especially those elements which have been identified in a Conservation Area Appraisal as making a positive contribution to its significance, will be supported. In accordance with Policy ENV2f), proposals which help to secure a sustainable future for Craven's heritage assets are to be supported.
- 9.27 The site is flanked by a number of Beech Trees, which upon maturity can reach a height of 40m. Given that the columns would, when erected, reach a height of 15m, the columns would not dominate the skyline and would remain subservient to the surrounding tree cover. It is appreciated that against such a verdant backdrop, the columns could be viewed as an alien feature. However, given the slender profile of the lighting columns, unlike a building, they do not raise associated massing issues. The proposed catch-fencing would border the AGP. It would be durable and has been specified as green coloured open mesh. Having regard to the designated use of the land for Sport, the fencing would not appear out of character or anomalous.
- 9.28 Lighting column illumination would be directional and focused on the playing pitch surface. The columns would be lit only during sports matches and not/hardly at all during the summer months. This would be controlled through planning condition. Both the columns and the illumination would consequently not constitute a permanent visual feature, while light spillage would be minimal and controllable. The development lies within development limits and is located some distance within the urban fringe. As viewed from within the surrounding countryside, the lighting would be read in the wider context of Skipton's urban area. As such Craven's 'Dark Skies' Policy would not be unreasonably compromised.
- 9.29 Concerns have been expressed that the replacement artificial grass surfacing would be inappropriate in a conservation area. The AGP would not be exposed to wider public views and would only be visible from a limited number of adjoining curtilages. It would not appear anomalous within the context of a site used as a playing field within an educational establishment, particularly when designated as such within a Local Plan, and certainly no more so than for example, hard surfaced tennis courts. A programme of tree planting, secured by condition, would provide enhancement and screening and would help to counter any perceived detrimental impact on local character.
- 9.30 On balance, it is considered that the character of the Conservation Area would be preserved in accordance with Policy ENV2c).

- 9.31 Development would also fall within the setting of the listed building at Ermysteds which comprises the historical core of the school building complex. In this instance the listed building is screened from the proposed development by an assortment of later school buildings lying to the north. Accordingly, it is considered that the setting of the listed building and its special architectural and historic interest would not be unacceptably compromised by development. Ermysteds School, is one of the oldest educational establishments in the country and has a history that can be traced back to the C16th. Although a formal case has not been for enabling development, it is recognised that proposals that can support the long-term viability of a historic building can be a material consideration as referenced in Policy ENV2f).
- 9.32 The development would also lie within the setting of Grade II St Stephen's Church circa 1836. The Church and its historic graveyard lie nominally closer to the proposed development, than Ermysteds. Although there is a line of sight between the site and the listed building there are intervening boundary trees which particularly in summer afford effective screening. It is noteworthy that a residential apartment block has recently been erected on a former car park site within convent grounds, to the north of the church and east of the application site. The apartment block, by reason of proximity, massing and design is likely to have had a more significant impact on the setting of the Church than that of the development proposed at Ermysteds School. Having regard to the nature of the proposal and the requirement to reinforce tree planting along the eastern boundary of the school, it is considered that the proposal would give rise to less than serious harm to the setting of the listed building.
- 9.33 It is concluded that the impact of development would give rise to less than serious harm to the setting of the above designated assets and as such the requirements of the NPPF, associated Guidance and Local Plan Policy ENV2b) which seeks to conserve those aspects of a listed building which contributes to its significance, would be satisfied. In reaching this conclusion regard has been given to all material considerations in respect of heritage while having regard to the provisions of the Town Planning (Listed Buildings and Conservation Areas) Act 1990.
- 9.34 **Biodiversity:**
- 9.35 Section 41 of the Habitats and Species of Principal Importance (NERC Act 2006) is a material consideration in the planning process. Chapter 15, Para 170 of the NPPF encourages Local Planning Authorities to conserve and enhance biodiversity, while Policy ENV4 of the Local Plan requires that where possible, development should make a positive contribution towards achieving a net gain in biodiversity and to ensure that adverse impacts are avoided or satisfactorily mitigated.
- 9.36 A Preliminary Ecological Appraisal 2021 undertaken by a chartered ecologist was submitted with the application. The study set out to determine: The potential for protected species and/or habitats of importance within and surrounding the site; The presence of any designated sites within the surrounding area; How the proposed works might impact protected species and/or habitats of importance; How any impacts may be avoided, mitigated and/or ameliorated including recommendations for further survey work; and the Potential for enhancement of the site for protected species, habitats and biodiversity.
- 9.37 The study provided an assessment of the potential of the site relating to protected species including Bats, Birds, Badgers, Reptiles, and Amphibians. A desk study was undertaken having regard to data sources including records obtained from the North and East Yorkshire Ecological Data Centre (NEYEDC) which includes data of protected species and habitats of conservation interest within 2km of the survey site. A physical survey was subsequently conducted on 1<sup>st</sup> April 2021 having regard to likelihood of there being little biodiversity with the sports pitch, but potential within the land adjoining the sports pitch.
- 9.38 Given the location and nature of the site, focus was given to bats and the potential of trees to support bat roosts. In respect of designated sites, it was established that the nearest designated site, the NY Moors Special Area off Conservation (SAC) 2.8km from the site would be sufficiently distant so as not to be impacted by the proposal. In respect of non-statutory Local Wildlife Sites or Sites of Importance for Nature Conservation (SINC) both within 2km of the site, it was considered that the site would also be too remote to have any direct or indirect impact. However, given the similarity of habitat it was

considered that aerial species (birds and bats) may use the site in conjunction with the SINC. Concerns were not expressed in respect of site flora.

- 9.39 In respect of protected species, no evidence was found of badgers or hedgehogs. The habitat is considered unsuitable for reptiles, newts, invertebrates and the common toad and no further survey work or mitigation was considered necessary, although precautionary measures during the works are recommended for toads and hedgehogs. In respect of birds, no evidence was found of species listed on Schedule 1 of the Wildlife and Countryside Act and accordingly only avoidance mitigation during works would be necessary to prevent harm to bird nesting. Recommendations have been made in respect of habitat enhancement.
- 9.40 Given that the site is well connected to other areas of woodland, bat activity was considered likely. However, although a number of species were identified as being likely to be present in the locality, at the time no roosting activity was reported. Trees on site were considered to have low/negligible suitability for bats, lacking the features that might provide suitable roosting opportunities. Although five site trees were identified as having some degree of suitability, no additional survey of the trees was deemed necessary unless pre-empted by pruning or tree removal works.
- 9.41 Further survey work was recommended to determine the level of importance of habitat corridors which would in turn inform appropriate mitigation measures which could typically include: Retention and enhancement of the vegetated boundaries of the site; Restricted use along the boundaries during the construction phase of development; Controlled lighting in the operational phase of development to include lighting with lower UV output, baffles or timers to minimise light spillage.
- 9.42 The recommended survey work was undertaken in May, June and September of 2021. The findings indicated that the most important boundary of the site is to the west which provides a commuting route for bats. The northern boundary was measured as being of moderate value, the eastern boundary of low value and the southern boundary of negligible value. Spillage from the lighting is calculated as being no more than 5lux and the retention of a wide boundary to the west and north would ensure that areas of highest value for commuting and foraging bats would be retained. As bats hibernate over the winter months when lighting would be used, impact upon bats would be negligible. During the summer, when bat activity is pronounced, the emergence of bats would be later than the lighting cut-off time (9pm). Subject to implementation of the scheme as designed, the proposals would have little impact on commuting and foraging bats in the area.
- 9.43 Recommendations have been made to enhance bat roosting and bird nesting on site through the provision of roosting and nesting boxes attached to site trees and to implement precautionary avoidance mitigation in relation to hedgehogs and the common toad.
- 9.44 Subject to imposition of appropriate conditions that would mitigate the impact of development on protected species together with measures that would enhance site biodiversity, including tree planting, it is considered that the impact on protected species would be acceptable and that in this respect the proposal would accord with Policy ENV4 of the Local Plan.
- 9.45 **Trees**
- 9.46 No trees are proposed to be felled. There is the potential for adverse impact upon trees as might arise from construction traffic and in order to avoid harm to tree rooting systems, a number of options have been considered in respect of the optimum route for the haul road, bearing in mind that this would be a temporary provision, with the ground reinstated upon completion.
- 9.47 The Tree Officer has determined the most suitable access route and has recommended conditions to secure tree protection.
- 9.48 A landscaping scheme is to be submitted with tree planting to the east and west of the sports pitch with the intention of providing a satisfactory standard of screening. The landscaping would in addition enhance site biodiversity and is to be subject to condition.
- 9.49 **Drainage:**

- 9.50 A Drainage Strategy has been submitted. The document includes a topographical survey and desktop geological evaluation. A Ground Investigation Report was undertaken requiring a series of boreholes subsequently used for infiltration testing, which established that soil permeability is unsuitable for stormwater drainage filtration purposes. The lack of natural oversite drainage is reflected in the problems encountered by the school during wet weather months, making use of the pitch unviable for sporting activities.
- 9.51 Policy ENV6 seeks to avoid development in areas of flood risk and where possible seeks to incorporate sustainable drainage systems (SUDS) as an appropriate means of flood management. In this instance, the site lies within Flood Zone 1 and is consequently not susceptible to fluvial flooding. However, as a SUDS approach would not be feasible, in accordance with advice received from Yorkshire Water, it has been recommended that surface water may discharge by gravity to a public water sewer in Raikes Road.
- 9.52 A proposed Hydrobrake chamber linked to below pitch honeycomb aggregate storage has been proposed, which would limit discharge rates to 5/L sec. This rate of discharge accords with the standards required by North Yorkshire Lead Local Flood Authority (LLFA) and would accommodate the 1 in 100-year extreme storm events allowing for + 30% Climate Change event.
- 9.53 There are no groundwater contamination issues and the proposed drainage strategy is considered compliant with Policy ENV6.
- 9.54 **Highways – Access and Parking**
- 9.55 The existing access from the school grounds onto Raikes Road is to be widened and improved. The internal tarmac surfaced service road running along the eastern boundary of the site is to be utilised as a haul road for construction purposes with a spur off to access the playing field. Following completion of the works, disturbed ground is to be reinstated. The Highway Authority has recommended imposition of conditions in order to secure satisfactory pedestrian visibility splays. Carriageway visibility splays are deemed acceptable.
- 9.56 The existing service road is to be retained for future maintenance and will double as an emergency vehicle route when required. This will not be used as a public access, which is to be via the School frontage onto Gargrave Road.
- 9.57 There is existing parking provision within the frontage for a minimum of 45 cars. Given that that any evening and week-end community use will be during ‘down-time’ when the car park would not normally be used by staff, the parking quota is considered sufficient for purpose. The Highway Authority has not objected to the level of parking provision.
- 9.58 Policy INF4 addresses the need for development to provide safe, secure and convenient parking. The standard of parking that would be provided within the site is considered acceptable and would not result in overflow parking within adjoining streets and the public highway.
- 9.59 **Conclusion:**
- 9.60 The proposal relates to the provision of a high-quality all-weather sports pitch with associated infrastructure. The proposal would not impact unacceptably on biodiversity and would not give rise to localised flooding. Subject to enhancement measures and management controls there would be no significant adverse impact upon local heritage or upon the character of the Conservation Area. Concerns relating to residential amenity as might arise from noise and disturbance and light pollution have been addressed and can be further mitigated. Control over the use of the site would be exercised through a Community Use Agreement which would in turn address concerns raised by Sport England in respect of Community Use. There are no highway or parking issues. The application would comply with the Provisions of the NPPF and with the provisions of the Development Plan specifically Local Plan Policies SD1; SD2; ENV2; ENV3; ENV4; ENV6; ENV9; INF2; INF3; INF4 and INF7.
- 9.61 As such the proposal would represent an acceptable form of sustainable development that would seek to meet the challenge of climate change and contribute positively to the standard and quantum of sporting and educational provision in this part of Craven and is recommended for approval subject to conditions.

10. Recommendation

10.1 Approve with Conditions

Conditions

**Time Limit for Commencement**

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

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

**Approved Plans**

- 2 The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans and documents listed below, unless otherwise agreed in writing by the local planning authority.

NSEGS002E - Site Boundary Plan  
NSEGS006D - Drainage Plan  
NSEGS004C - Line Marking Plan  
NSEGS003D - Access Plan  
NSEGS009C - Proposed Sport Provisions  
NSEGS005D - Fencing Plan  
NSEGS007A - Cross Section  
21050-SK01B - Temporary Access Road  
Drawing - Floodlight mast  
Philips Lighting Optivision LED BVP528  
Drawing - HLS2156 LED REV2

Ecological Statement Ref V Webster March 2021  
13746 Drainage Strategy 03  
Guidance Notes for the Reduction of Obtrusive Light 2020  
AD88V3 Noise Report

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings.

- 3 Prior to commencement on site, the rooting systems of trees adjoining the site access road shall be protected in accordance with BS 5837:2005- Trees in Relation to Construction- Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA. Scale plans setting out detailed measures for the protection of trees to be protected during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include barrier fencing and/or ground protection materials to defend the Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees.

Reason: To protect retained trees during construction.

- 4 Prior to commencement of Development a Construction Management Plan shall be submitted to the Local Planning Authority for their approval. The approved scheme shall be implemented upon commencement of development and maintained throughout the construction cycle.

Reason: In the interests of highway safety, amenity and public health.

### **During Building Works**

- 5 Measures for the protection of protected species and for enhancement of their habitat shall be implemented in accordance with Approved Document Ref: Ecology Statement, V Webster, March 2021.

Reason: In the interest of Biodiversity and to accord with Local Plan Policies

- 6 There must be no access or egress by any vehicles between the highway and the application site at Ermysteds Grammar School , Gargrave Road, Skipton, BD23 1PL until visibility splays providing clear visibility of 2.0 metres x 2.0 metres measured down each side of the access and the back edge of the footway of Raikes Road have been provided. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety.

- 7 Prior to first use of the development hereby approved, the drainage scheme as shown on Approved Drawing Ref: 'NSEGSOO6D Drainage Plan' and as specified within Approved Document Ref: 'Waterco Drainage Strategy June 2021' shall have been completed to the satisfaction of the Local Planning Authority. No discharge of surface water shall take place into the public system until construction of the above mentioned drainage system has been completed as approved and inspected.

Reason: To provide a satisfactory standard of surface water drainage and to prevent localised flooding as a result of the development in accordance with Policy ENV6 of the Craven District Local Plan 2019.

- 8 Prior to first use of the development hereby approved, the applicant shall submit a lighting strategy to the Local Planning Authority for their subsequent approval. The strategy should set out. Details and procedures relative to the operation of the luminaires so as to facilitate a satisfactory standard of timing, sequencing and dimming having regard to the requirements of individual sporting disciplines, and the need to avoid unnecessary light pollution and energy wastage and by so doing protect the environment and the amenity of neighbouring occupiers; Details of a programme for the planned maintenance of the luminaires to ensure that there is no divergence from the approved lighting spillage plan; The lighting shall be operated only in accordance with the approved details.

Reason: In order to ensure a satisfactory standard of artificial lighting in accordance with Policy ENV3 of the Craven District Local Plan 2019.

- 9 Prior to first use of the development hereby approved a landscape plan shall have been submitted to, and approved in writing by, the Local Planning Authority. The plan shall show in detail tree and shrub planting necessary to secure a high standard of biodiversity enhancement and screening of residential properties. Planting should be concentrated to the west, north west and east of the Sports Pitch and the approved scheme should be implemented no later than the first planting season following first use of the approved development. Trees and shrubs should be fast growing native species unless otherwise agreed with the Local Planning Authority. Should any of the planting die or be otherwise

adversely affected during the first 5 years of planting, the trees/shrubs shall be replaced with similar species in the first available planting season.

Reason: In the interests of visual amenity and biodiversity in accordance with policies ENV3 and ENV4 of the Craven District Local Plan 2019.

- 10 Prior to first use of the development hereby approved, a Community Use Agreement (CUA) shall be submitted to and approved by the Local Planning Authority. The agreement shall include details of pricing policy, optimum hours for community use, access by non-educational establishments, community clubs and sporting bodies and shall include details of management responsibilities and a mechanism for review. Community use shall thereafter accord with the terms and conditions of the approved agreement.

Reason: To secure well managed and safe community access to, and flexible use of, the schools sports facilities by the wider community whilst having due regard to the amenity of the occupiers of surrounding residential properties in accordance with Policy ENV3 of the Craven District Local Plan.

- 11 The temporary haul road shall upon practical completion of the development be removed and the land reinstated to its former condition subject to a scheme of enhancement that in accordance with Condition 9 (landscaping) of this permission.

Reason: So as to avoid the retention of unnecessary hard surfacing in the interests of landscape quality and biodiversity.

- 12 The development must not be brought into use until the access to the site at Ermysteds Grammar School , Gargrave Road, Skipton, BD23 1PL has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works" published by the Local Highway Authority and the following requirements: The crossing of the highway verge and/or footway must be constructed in accordance with the approved details and/or Standard Detail number E60 -URBAN INDUSTRIAL CROSSING and the following requirements.

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

o Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway must be constructed in accordance with the approved details shown on drawing (TO BE SUBMITTED) and maintained thereafter to prevent such discharges.

o The final surfacing of any private access within 15 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

o Measures to enable vehicles to enter and leave the site in a forward gear.

All works must accord with the approved details.

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 highway users.

- 13 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority prior to the development being brought into use. The plan shall include a survey of existing trees showing sizes and species and indicate which (if any) it is requested should be removed and shall show in detail all proposed tree and shrub planting, treatment of paved areas, and areas to be grassed or finished in a similar manner.

Reason: In the interests of visual amenity in accordance with policies in the Craven Local Plan.



## Ongoing Conditions

- 14 Outside of school hours the sports facility shall operate in accordance with the following times unless otherwise authorised under the terms of the Community Use Agreement.

Mondays - No use  
Tuesdays - 1700 to 2100  
Wednesdays - 1700 to 2100  
Thursdays - 1700 to 2100  
Fridays - No use  
Saturdays - 0900 to 1700  
Sundays - 1000 to 1300

Reason: To ensure that the facility does not impact unacceptably on the amenity of the area in accordance with Policy ENV3 of the Craven District Local Plan 2019.

- 15 Before the artificial grass pitch is brought into use, a Management and Maintenance Scheme for the artificial grass pitch including a maintenance schedule, details of any certification and testing, measures to ensure the replacement of the surface of the Artificial Grass Pitch within a specified period and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the artificial grass pitches.

Reason: To ensure that the new facilities are maintained and remain fit for purpose, and thereby continue to ensure sufficient benefit of the development to sport and to accord with Policy INF3 of the Craven District Local Plan 2019.

## Informatives

1. Statement of Positive Engagement:

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

2. This certificate applies only to the development described in the First Schedule and to the land specified in the Second Schedule, as indicated on the following plans:

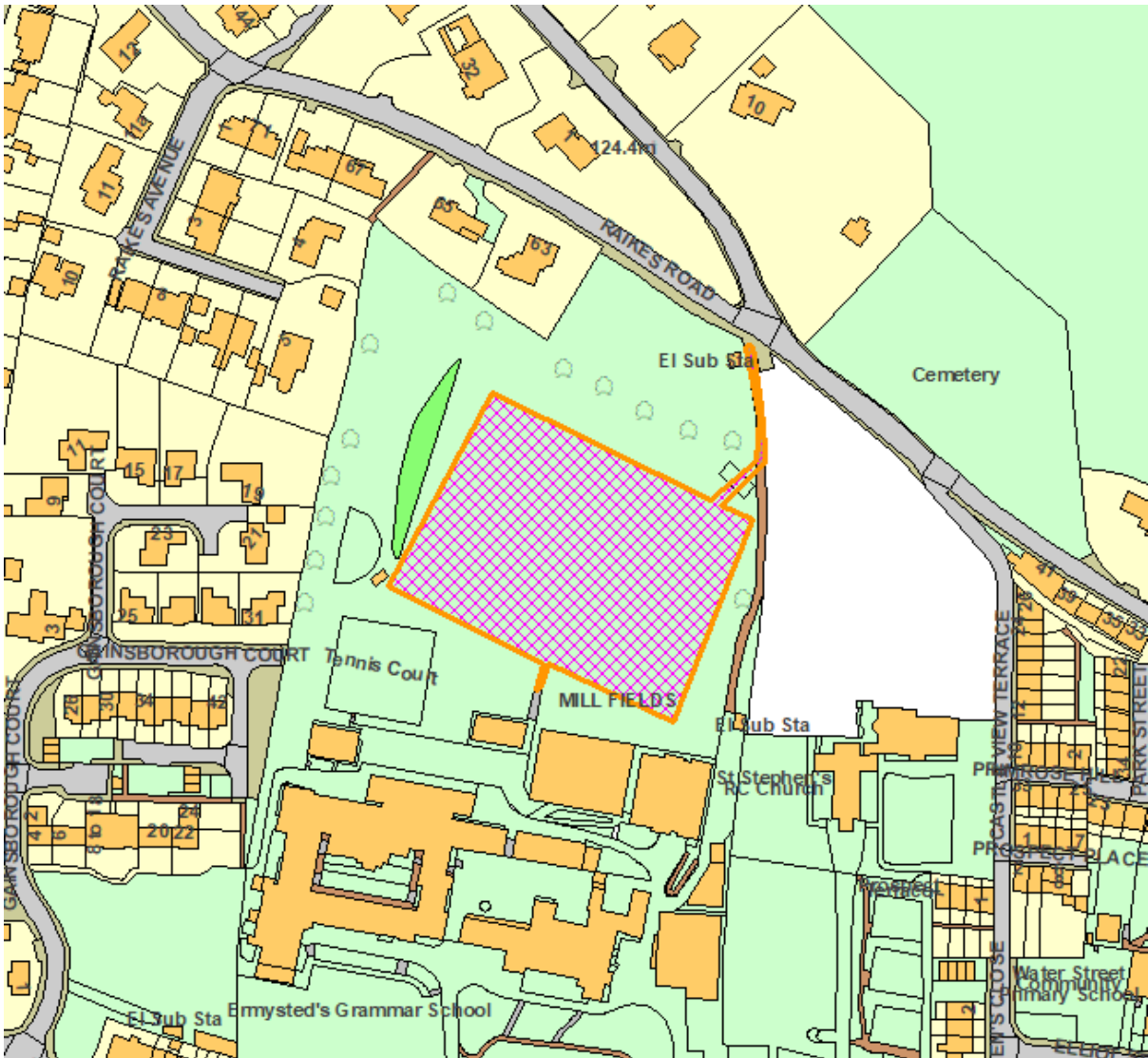
Drawing no. \*\*\*\*\*

Drawing no. \*\*\*\*\*

Any development which is materially different from that shown on the above plans, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the Local Planning Authority.

3. Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site:  
[https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification\\_for\\_housing\\_\\_\\_ind\\_est\\_roads\\_\\_\\_street\\_works\\_2nd\\_edition.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification_for_housing___ind_est_roads___street_works_2nd_edition.pdf)

The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.



**Application Number:** 2021/22977/FUL

**Proposal:** The construction of a new artificial grass pitch (AGP) with associated sports lighting, fencing & ancillary features

**Site Address:** Ermysteds Grammar School Gargrave Road Skipton BD23 1PL

**On behalf of:** Mr Wooley

## REPORT TO PLANNING COMMITTEE ON 14th March 2022

**Application Number:** 2021/23599/REM

**Proposal:** Reserved matters in connection with 2021/22523/OUT sought for scale, appearance of the dwelling, layout and landscaping of the site.

**Site Address:** Land To North Of Garden Close Glusburn

**On behalf of:** Mr & Mrs Mick Matthews

**Date Registered:** 7th January 2022

**Expiry Date:** 4th March 2022

**EOT Date, if applicable:**

**Case Officer:** Andrea Muscroft

### **SUMMARY**

**Application has been referred to the March Planning Committee by Councillor Barratt on the grounds of design and scale.**

In determining the current reserved matters application, it is important to note that the outline consent (2021/22523/OUT) forms the starting point for relevant considerations. The outline consent established the wider principle of the development including the detailed matter of access to the site from the A6068. The outline consent also attached a number of planning conditions which will need to be discharged in due course with many of these relevant to the 'detail' of the development.

In terms of 'Appearance and Scale' the proposal is considered to create a visually attractive development incorporating an appropriate mix of materials (including stone) and design features. The scale of the development and gable features are considered sympathetic to the style and vernacular character of surrounding area.

With regards to 'landscaping', it is noted that conditions attached to the Outline will secure several benefits. Details submitted as part of the reserved matters application indicate an attractive green area is proposed within the site. Subject to the further details which can be controlled by condition, the development of the site offers opportunities to achieve a biodiversity gain.

In terms of 'layout' the details submitted would create a development which relates well to surrounding area. Together with the biodiversity improvements, this would lead to a positive development in these respects.

Several other matters which do not strictly fall under the umbrella of any reserved matters are also noteworthy and the applicant has made positive attempts to address climate change.

Officers have sought to address the concerns raised by residents and in this instance, taking into account all relevant factors, the benefits would strongly outweigh any harm created and therefore the planning balance weighs heavily in favour of granting the reserved matters.

As outlined above, the development accords with those policies of the Local Plan relevant to the consideration of the reserved matters application and thus is recommended for approval subject to appropriate conditions.

1. Site Description
  - 1.1 This Reserved Matters Application site relates to a parcel of land that is currently used as a residential garden which was granted outline consent ref: 2021/22523/OUT for the construction of a single dwelling. The site is accessed via Garden Close, in Glusburn. To the west, east and south the site is surrounded by residential dwellings, to the north is a garden area and further north there are more residential dwellings.
  - 1.2 The application site is located within the 'main built-up area' of Glusburn, and a small portion of the site to the south is located within Flood Zone 2.
2. Proposal
  - 2.1 The proposal is seeking Reserved Matters approval for appearance, landscaping, layout and scale in accordance with Condition 2 of the outline permission.
  - 2.2 **Officer Note:** The scope of a Reserved Matters approval is governed by Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. In which it limits reserved matters to issues of access, appearance, landscaping, layout, and scale **only**.
  - 2.3 The High Court in Pearl, R (on the application of) v Maldon District Council & Anor [2018] EWHC 212 (Admin) also set out the limitations and procedural obligations for local planning authorities in considering approval of reserved matters.
  - 2.4 In this instance, access was considered at outline stage and therefore is **not** for consideration with regards to this application.
  - 2.5 The proposed dwelling would consist of a 5-bedroom detached dwelling split over three levels.
  - 2.6 The proposed application site shows private amenity areas to the west and north of the dwelling with three parking spaces located to the southwest of the site and turning areas to the south.
  - 2.7 A bin store would be located to the southeast corner of the site.
  - 2.8 Landscaping is proposed on the site with turfed areas to the west and north of the dwelling with additional tree planting along the western boundary.
  - 2.9 **Officer Note:** The means of access to the completed development off the A6068 has been fixed as part of the outline planning permission ref: 2021/22523/OUT and cannot, therefore, be altered at reserved matters stage.
  - 2.10 **Officer Note:** The wider impacts of the proposed mixed development on matters such as highway safety, flooding, drainage, SUDS, have been considered and either found acceptable or details were reserved by condition.
3. Planning History
  - 3.1 5/32/703 – Residential development at land to the east of Green Lane, Glusburn. Refused 23rd March 1999.
  - 3.2 2019/21179/OUT - Outline application with all matters reserved for one detached house accessed from Garden Close – Refused March 2020
  - 3.3 2021/22523/OUT - Outline application for the construction of detached dwelling, all matters reserved with the exception of highways – May 2021
4. Planning Policy Background
  - 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states '*if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise*'. This is recognised in Paragraph 11 of the National Planning Policy Framework ('NPPF'), with Paragraph 12 stating that the NPPF does not change the statutory status of the development plan as the starting point for decision making.

- 4.2 The July 2021 NPPF replaced the February 2019 NPPF, first published in March 2012. The NPPF does not change the status of an up-to-date development plan and where a planning application conflicts with such a plan, permission should not usually be granted unless material considerations indicate otherwise (Paragraph 12). This application has been considered against the 2021 NPPF.
- 4.3 Annex 1 of the NPPF outlines how it should be implemented:
- '219... existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).'*
- 4.4 The development plan for Craven includes the Craven Local Plan 2012 to 2032 (November 2019) ('LP'). The relevant LP policies to the determination of this application are:
- ENV3: Good Design
- INF4: Parking Provision
- 4.2 National Policy
- The National Planning Policy Framework 2019
- Planning Policy Guidance
- 4.3 Other documents of relevance
- The NYCC Interim Parking Guidance
5. Parish/Town Council Comments
- 5.1 Glusburn Parish Council: No comments received within the statutory consultation period.
6. Consultations
- 6.1 CDC Contamination Officer: No contaminated land implications.
- 6.2 NYCC Highways: In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters:
- Parking swept paths are acceptable.
- 6.3 Consequently, the LHA recommends conditions ref parking spaces.
- 6.4 Yorkshire Water (27.1.2022): Objection to the approval of the RM application. Prior to the determination, the drainage strategy needs to be agreed by all parties to ensure that the most sustainable drainage principles are followed.
- 6.5 **Officer note:** Yorkshire Water were consulted on the 8<sup>th</sup> of April 2021 with regards to seeking comments on the acceptability of the outline application ref: 2021/22523/OUT – no comments were provided by Yorkshire Water prior to the determination of that application.
- 6.6 **Officer Note:** Notwithstanding the lack of comment from Yorkshire Water. Details relating to foul and surface water disposal are controlled by a condition imposed on the outline permission (no.6).
- 6.7 To view comments please click on the link below:
- 6.8 <https://publicaccess.cravencdc.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>
7. Representations
- 7.1 26 Notification letters circulated.
- 7.2 6 letters of third-party representation were received. Comments have been summarised below:
- 7.3 **Visual**
- Scale and design of dwelling out of character

- 7.4 **Amenity**  
Concern over loss of privacy
- 7.5 **Highway**  
Access point onto a busy road
- 7.6 **Officer Note:** Matters of highway safety was considered at the outline stage and deemed to be acceptable and cannot be introduced at this (reserved matters approval) stage  
Alternative roadway, entrance/exit should be considered.
- 7.7 **Officer Note:** The means of access to the completed development off the A6068 has been fixed as part of the outline planning permission ref: 2021/22523/OUT and cannot, therefore, be altered at reserved matters stage.
- 7.8 **Nonmaterial planning considerations**  
Proposal contrary to Policy SP3
- 7.9 **Officer Note:** A reserved matters application may not revisit issues of principle. Planning permission has already been granted at the outline stage, subject to various conditions.  
Remaining land could mean additional applications in the future.
- 7.10 **Officer Note:** Each application is assessed upon its own merits. Potential further applications would not fall within the remit of the assessment of this application.  
Experienced damage by tree surgeon visiting the site and parking on private land.
- 7.14 **Officer Note:** This is a civil matter between interested parties.  
Concern over air pollution
- 7.11 **Officer Note:** A reserved matters application may not revisit issues of principle. Planning permission has already been granted at the outline stage, subject to various conditions. Furthermore, the Councils Environmental Health officer has not raised any concerns ref potential pollution.  
The access road is private, and the site owner only has right of way, and any work to the roadway that requires repair must be to the current standard.
- 7.12 **Officer Note:** This is a civil matter between interested parties, however, the owner of the access road to the site was served notice of the application during the assessment of the outline application and the applicant is aware of legal obligations with regards to access/repairs.
- 7.13 To view comments please click on the link below:
- 7.14 <https://publicaccess.cravendc.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>
8. **Summary of Principal Planning Issues**
- 8.1 Having regard to the nature of the development proposed (that it is an application for approval of reserved matters submitted pursuant to an extant outline permission), the main issues for consideration are considered to be:
- Principle of development
  - Visual Impact in terms of:
    - Appearance and scale
    - Landscaping
    - Layout
    - Other matters

9. Analysis

9.1 **Principle of development**

9.2 The principle of the development of this site for housing has already been determined and accepted via the outline planning permission that was granted May 2021.

9.3 Access, as outline above access into the site from the A6068, was approved at the outline planning application stage.

9.4 The matters that were reserved for later consideration as part of the outline approval relate to *appearance, landscaping, layout and scale*. It is these matters that are to be considered in the determination of this application and not the principle of the site being development, nor access arrangements into the site.

9.5 **Visual Impact**

9.6 Whilst the principle of development on this site has been established by the outline permission, it is important to ensure that the appearance, scale, landscaping and layout of the development is sympathetic to the character of the site and that it does not conflict with the character and appearance of the surrounding area.

9.7 CDC Policy ENV3 (Good Design) indicates that developments should facilitate good design in accordance with guiding principles. Criteria's (a) & (b) are of the greatest relevance in this case and require developments to take account of the character and appearance of the local area by:

- a) Development should respond to the context;
- b) Designs should respect the form of surrounding buildings, including density, scale, height, massing and use of high-quality materials which should be locally sourced wherever possible;

9.8 NPPF Paragraph **126** underlines the fundamentality of achieving high-quality, beautiful and sustainable buildings within the planning process. NPPF Paragraph **130** requires decisions ensure that development is visually attractive, sympathetic to local character and maintenance of place including building types and materials.

9.9 **Appearance and scale.**

9.10 The PPG defines – Appearance as “The aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture”.

9.11 Scale - “The height, width and length of each building proposed within the development in relation to its surroundings”

9.12 As highlighted above both the NPPF and the LP seek to ensure that new development is of a high quality and is appropriate to its context.

9.13 It is noted that the character of the wider area is relatively mixed with regard to scale and appearance. The properties immediately to the south of the site located on Green Close consist of two storey terrace dwellings constructed out of stone. Beyond Green Close dwellings tend to be a mixture of detached and terrace two storey properties of stone construction fronting onto the A6068. These dwellings due to the historical growth of the village have limited spaces between the dwellings with a mixture of small and long narrow back gardens.

9.14 Properties immediately to the east of the site consist of a row of 2 storey terrace staggered dwellings constructed from modern materials, although they do follow the vernacular character of the area.

9.15 To the north and west the dwellings tend to be large, detached dwellings constructed out of stone with a strong vernacular character. The dwellings tend to have gable features and are attractive with tiled roofs. The dwellings are well spaced and have generous garden areas with driveways to the front and low-level boundary treatments and planting.

- 9.16 The proposal proposes a detached dwelling set back within the site and due to the topography of the site would be 3 storeys at the front and 2 storeys to the rear. The dwelling would include gable features to the front elevation.
- 9.17 The rear elevation faces the open land to the north and no overlooking will occur. The west (side) elevation proposes a non-glazed door and two obscure windows: subject to a condition specifying any window (including within the door) the level of obscurity, limited opening mechanism it is not considered any adverse overlooking will occur.
- 9.18 The proposed dwelling is considered to be a proportionate distance from the respective site boundaries. By digging in to the slope, a large amount of the perceptible bulk is diminished with the site appearing akin to a two storey property from the side. The front elevation will show the three storey nature of the property and is imposing, however (as described) above this faces on to the public realm and will not be overbearing upon the Garden Close occupants' amenity.
- 9.19 It is acknowledged that the proposed dwelling is substantial, both in width and height, however, due to the set back, changes in topography and similar properties within the wider area it is not considered that the proposal would be harmful to the character of the area.
- 9.20 Comments have been received stating that an appeal decision relating to an elevated site to the north of the application site limited the height of dwellings to 2 storeys due to the potential visual impact and thus this development should be restricted to 2 storeys.
- 9.21 However, it is important to note that there is a significant difference in site levels between the two sites and that the appeal site was for the most part an open greenfield site. In contrast, the application site is not only at a much lower ground level but is also surrounded by existing dwellings. Thus, when viewed from viewpoints outside of the site the proposed roof ridge would be seen in the context of the surrounding roof planes and would not appear dominate.
- 9.22 It is important to note that in August 2020 the Government made major changes to the General Permitted Development Order (GPDO) which allows for homeowners and developers to add more space to existing building by extending upwards. Thus, several surrounding properties subject to meeting the set criteria could benefit from the new permitted development rights and extend their dwellings upwards thus creating 3 storey dwellings.
- 9.23 The proposed dwelling in terms of its detailing, fenestration and use of high-quality materials would complement nearby dwellings, with interest added to the dwelling through the incorporation of changes in roof forms and facing gables. It is considered that the proposed dwelling in terms of appearance is acceptable and would not be harmful to the character of the application site immediate dwellings or on the wider surrounding area.
- 9.24 In conclusion, the appearance and scale of the development is considered to comply with LP policy. As such, the development is considered to be acceptable in this regard.
- 9.25 **Landscaping**
- 9.26 The PPG defines - Landscaping - the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features".
- 9.27 Details provided state that within the site there would be a green corridor running along the eastern and western boundaries of the site. In addition, native trees, hedgerows/shrub's would also be planted within these green areas. Furthermore, within the garden areas wildflower would be planted.
- 9.28 A new dry stone boundary wall would also be constructed.
- 9.29 In conclusion, it is considered that the proposed landscaping and associated biodiversity benefits are considered acceptable and that it is proposed to deal with the delivery of the landscaping and biodiversity aspects of the development via condition. The development is therefore considered to accord with the relevant policies of the local plan in this regard.



9.30 **Layout**

- 9.31 The PPG defines - Layout – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development”
- 9.32 In terms of layout, the internal layout would consist of a turning area with three designated parking spaces with steps leading up and around the proposed dwelling to the private amenity areas. A bin store would be located to the far southwestern corner of the site.
- 9.33 The nearest dwelling to the proposed dwelling (No. 4 Garden Close) which would be located at a separation distance of approx. 13m with the front gable of the proposed dwelling. The front (south) elevation faces on to the site access, garages and cul-de-sac, no significant adverse overlooking will occur.
- 9.34 The east (side) elevation proposes windows at ground floor and is sited c.12m from the shared boundary separating the respective gardens of Higher Lodge Street, the respective dwellings are c.31m, at these distances and with a 1.8m fence no adverse overlooking will arise. The rear elevation faces the open land to the north and no overlooking will occur. The west (side) elevation proposes a non-glazed door and two obscure windows: subject to a condition specifying any window (including within the door) the level of obscurity, limited opening mechanism it is not considered any adverse overlooking will occur.
- 9.35 The proposed dwelling as outlined above would front towards to the access/turning and parking areas of the properties on Garden Close. Therefore, due to the separation distance and the orientation between the proposed dwelling and the existing dwellings on Garden Close it is not considered that the proposal would give rise to any unacceptable loss of privacy, outlook, daylights, or sunlight.
- 9.36 Similarly, the separation distances between properties to the east, north and west are considered sufficient to ensure that the development would not give rise to any adverse impacts to the occupants of these dwellings.
- 9.37 It was also noted, that there already exists a level of mutual overlooking between properties and as such it is not considered that this development would result in any unacceptable increase.
- 9.38 In conclusion, it is considered that the proposed layout is acceptable and would not give rise to any amenity issues and therefore accords with the relevant policies of the local plan in this regard.
- 9.39 **Other matters**
- 9.40 It is noted that concerns have been raised by local residents in respect of housing density and mix with regards to the refusal of application 2021/23008/FUL. However, this is not a matter related to the reserved matters application, housing mix and density due to the size of the site were considered acceptable at outline stage and thus the Local Planning Authority has no power to revisit this aspect.
- 9.41 The proposal has provided details of measures to be incorporated into the development to reduce the impact of climate change including;
- Electric charging points
  - Solar panels.
  - Use of energy efficient appliances
  - Use of Water efficient appliances
  - Incorporation of heat controls to ensure effective use.
  - Ground heat source pump to be installed
  - Building to comply with Building Regulations (example Part F & L)

- 9.42 It is considered that the measured outlined within the Sustainability Design and Construction Statement satisfy the requirements of Policy ENV3 of the LP. It is proposed to deal with the delivery of the SDSC aspects of the development via condition.
- 9.43 The proposal has also provided details with regards to biodiversity benefits which includes:
- Four bat tiles to allow bats access to roots
  - Two swift boxes integrated into the wall
  - Hedgehog access via the proposed fencing with holes at intervals
  - Dry stone wall which would create roosting/foraging habitat for wildlife and gaps which would allow wildlife to access surrounding land into and out of the site.
  - Creation of dark corridors to not negatively impact on bats.
- 9.44 It is therefore considered that all reasonable steps have been taken to incorporate biodiversity into the development and will be delivery using an appropriate worded condition should the application be recommended for approval.
- 9.45 The building would also be built in accordance with Building Regulations Part M (access for all) which accords with the requirements of Policy ENV3 of the Local Plan.
- 9.46 **Conclusion and Planning Balance.**
- 9.47 In determining the current reserved matters application, it is important to note that the outline consent (2021/22523/OUT) forms the starting point for relevant considerations. The outline consent established the wider principle of the development including the detailed matter of access to the site from the A6068. The outline consent also attached a number of planning conditions which will need to be discharged in due course with many of these relevant to the 'detail' of the development.
- 9.48 In terms of 'Appearance and Scale' the proposal is considered to create a visually attractive development incorporating an appropriate mix of materials (including stone) and design features. The scale of the development and gable features are considered sympathetic to the style and vernacular character of surrounding area.
- 9.49 With regards to 'landscaping', it is noted that conditions attached to the Outline will secure several benefits. Details submitted as part of the reserved matters application indicate an attractive green area is proposed within the site. Subject to the further details which can be controlled by condition, the development of the site offers opportunities to achieve a biodiversity gain.
- 9.50 In terms of 'layout' the details submitted would create a development which relates well to surrounding area. Together with the biodiversity improvements, this would lead to a positive development in these respects.
- 9.51 Several other matters which do not strictly fall under the umbrella of any reserved matters are also noteworthy and the applicant has made positive attempts to address climate change.
- 9.52 Officers have sought to address the concerns raised by residents and in this instance, taking into account all relevant factors, the benefits would strongly outweigh any harm created and therefore the planning balance weighs heavily in favour of granting the reserved matters.
- 9.53 As outlined above, the development accords with those policies of the Local Plan relevant to the consideration of the reserved matters application and thus is recommended for approval subject to appropriate conditions.
10. Recommendation
- 10.1 Approve with Conditions

Conditions

- 1 The development permitted shall be begun either before the expiration of three years from the date of this outline permission or from the expiration of two years from the date of approval of the last reserved matters to be approved, whichever is the later.

Reason: In accordance with Section 92(2) of the Town and Country Planning Act 1990.

### **Approved Plans**

- 2 The development hereby permitted shall not be carried out other than wholly in accordance with

1038\_10 LOCATION\_PLAN  
1038\_12 PROPOSED SITE PLAN  
1038\_13 PROPOSED SITE SECTIONS (1OF2)  
1038\_14 PROPOSED SITE SECTIONS (2OF2)  
1038\_15 PROPOSED PLANS  
1038\_16 PROPOSED ELEVATIONS  
1038\_19 WINDOW AND DOOR DETAIL

Sustainable Design and Construction Statement  
Biodiversity Statement and enhancement

Received by Craven District Council on 20th December 2020.

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

### **During Building Works**

- 3 Notwithstanding any details shown on the approved plans of this permission, within three months of development first taking place a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of:

- (1) the introduction of additional planting within the site which forms part of the internal development layout
- (2) the type, size, species, siting, planting distances and the programme of planting of hedges, trees and shrubs.
- (3) A programme for the implementation, completion and subsequent management of the proposed landscaping.

The duly approved landscaping scheme for each plot shall be carried out during the first planting season after the development on that plot is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter.

Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: In order to achieve a satisfactory level of landscaping and provision of adequate private garden space for the dwellinghouse in accordance with the requirements of Craven Local Plan Policy ENV3 and the National Planning Policy Framework

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

- 4 Prior to the occupied the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

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

- 5 Prior to occupation the approved boundary treatments as detailed on the approved plans and Reserved Matters application shall be implemented and retained as such thereafter.

Reason: In the interest of visual amenity and biodiversity benefits and to accord with Policies ENV3 and ENV4 of the Craven Local Plan and the National Planning Policy Framework.

### **Ongoing Conditions**

- 6 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the dwelling hereby approved shall not be altered or extended, and no buildings or structures shall be erected within its curtilage.

Reason: In order to prevent overdevelopment of the site, to ensure that satisfactory provision of outdoor amenity space for the dwellinghouse is maintained and to safeguard the amenities of the occupiers of adjacent dwellings in accordance with the requirements of the Craven Local Plan Policy ENV3 and the National Planning Policy Framework

#### Informatives

1. Adherence to approved plans/conditions

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

2. Broadband Connectivity

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

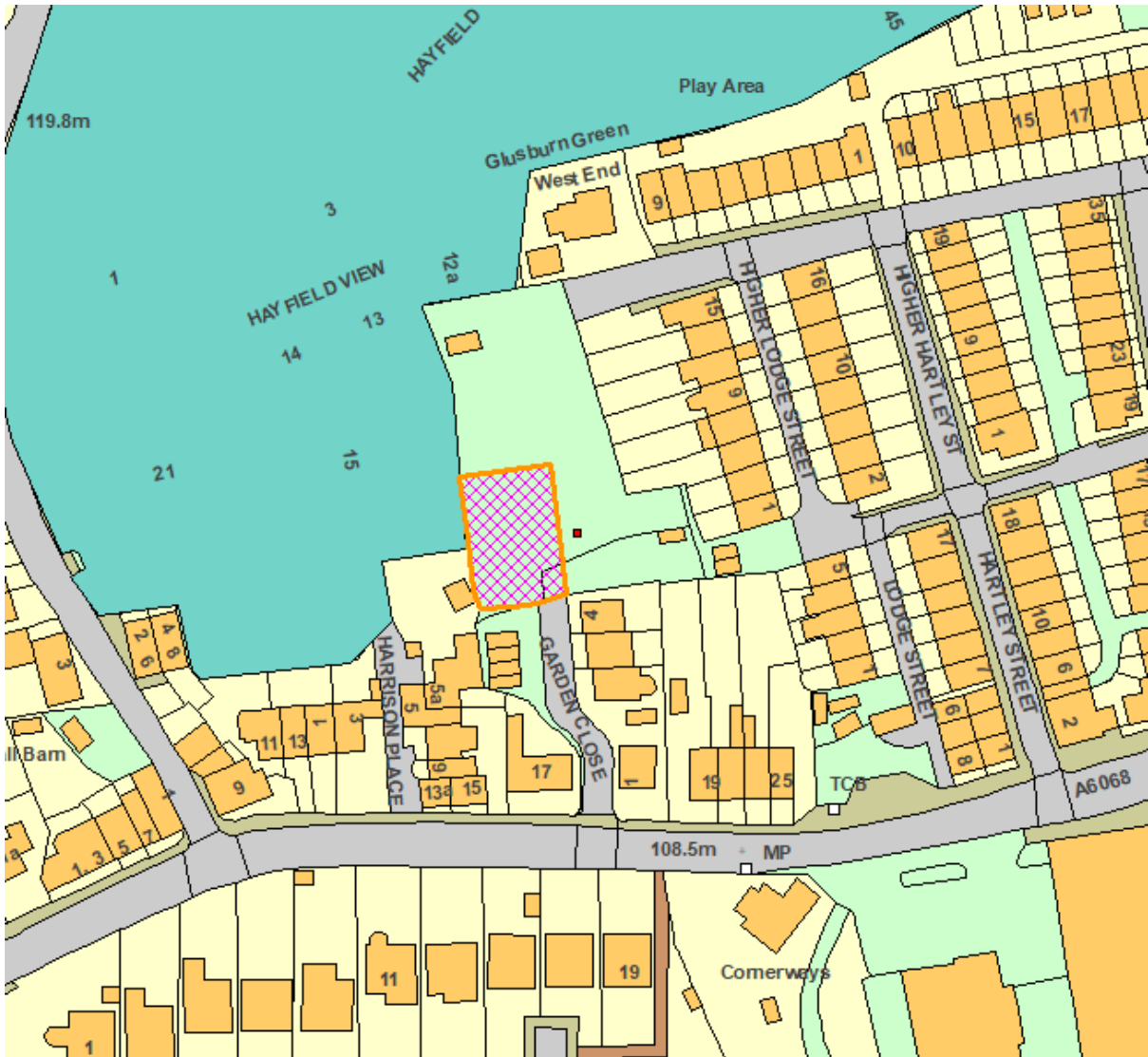
The District Council has produced a document, "Broadband Connectivity for New Developments in Craven - A Briefing Note for Developers" which provides a general introduction to broadband connectivity in the District. The briefing note is available by emailing [edu@cravenc.gov.uk](mailto:edu@cravenc.gov.uk)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

3. 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.

4. 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:** 2021/23599/REM

**Proposal:** Reserved matters in connection with 2021/22523/OUT sought for scale, appearance of the dwelling, layout and landscaping of the site.

**Site Address:** Land To North Of Garden Close Glusburn

**On behalf of:** Mr & Mrs Mick Matthews

## REPORT TO PLANNING COMMITTEE ON 14th March 2022

**Application Number:** 2021/23537/REG4

**Proposal:** Installation of heat recovery system

**Site Address:** Skipton Crematorium Waltonwrays Carleton Road Skipton BD23 3BT

**On behalf of:** Craven District Council

**Date Registered:** 20th January 2022

**Expiry Date:** 17th March 2022

**EOT Date, if applicable:**

**Case Officer:** Andrea Muscroft

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### **SUMMARY**

**Paragraph 11 of the NPPF advises LPA's to approve developments that accord with the development plan without delay; unless**  
**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; or**  
**Specific policies in this Framework indicate development should be restricted.**  
**It is acknowledged that some visual impacts would occur, however the proposal would not result in any harm to any neighbouring properties.**  
**Therefore, on planning balance the potential harm in terms of visual impact do not outweigh the benefits arising from the proposal in securing its long-term use.**

#### 1. Site Description

- 1.1 The application relates to the Crematorium Chapel located off Carleton Road, approx. 1.5m southwest of Skipton town centre. Located within the surrounding area is the Chapel, a Lodge and the Garden of Remembrance.
- 1.2 The site is relatively flat with tree lined driveways linking buildings, structures, and memorials. The boundaries around the site consist of low height stone walls with elaborate cast iron railing either side of the main gates into the cemetery together with mid height stone walls along the northern, southern, and western boundaries of the site.
- 1.3 The application site lies in the open countryside and within conservation area of Skipton defined by the Local Plan.

#### 2. Proposal

- 2.1 The proposal is seeking full planning permission for the construction of a heat recovery system.
- 2.2 The heat recovery unit would consist of a cylindrical tank 1.9m in diameter and have a max height of 4.7m. The timber palisade board fencing would have a max height of 1.8m.

#### 3. Planning History

- 3.1 None

4. Planning Policy Background
  - 4.1 Craven Local Plan
    - SD1: The presumption in favour of sustainable development
    - SD2: Meeting the challenge of climate change
    - ENV1: Countryside and Landscaping
    - ENV2: Heritage
    - ENV3: Good design
    - ENV9: Renewable and Low Carbon Energy
    - INF2: Community facilities and social spaces
  - 4.2 National Policy
    - The National Planning Policy Framework
    - Planning Practice Guidance
  - 4.3 Other documents of relevance
    - Skipton Conservation Area Appraisal.
5. Parish/Town Council Comments
  - 5.1 Skipton Town Council: No comment
6. Consultations
  - 6.1 Independent Heritage Consultant: Consider that the proposed structure and fence will be seen as a piece of modern plant which is necessary for the efficient operation of the crematorium and that it will not cause significant offence the public view of the site. Recommended that the applicant can be approved subject to a condition requiring the retention of all surrounding trees and shrubs and their replacement with mature specimens of similar species in the event they die
  - 6.2 Officer Note: The proposal does not seek the removal of any trees. It is important to note that trees within a conservation area cannot be removed without permission being sought first from the Council. Exceptions to this are when a tree may be dead, dying or has become dangerous, and in such instances, a replacement tree must be planted by law of an appropriate size and species.
  - 6.3 Comments can be viewed in full via the link below:
  - 6.4 <https://publicaccess.cravencd.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>
7. Representations
  - 7.1 Site Notice Posted: 28.1.2022
  - 7.2 Press Notice Published: 3.2.2022
  - 7.3 No third-party representation received within the statutory consultation period.
8. Summary of Principal Planning Issues
  - Principle of development
  - Visual impact of development
  - Sustainable design and construction
  - Biodiversity
  - Impact on neighbouring properties.
9. Analysis

### **Principle of development**

- 9.1 Policy INF2 seeks to support the retention and improvement of existing facilities subject to meeting certain requirements outlined within this report.
- 9.2 The proposal seeks to construct thermal store (wood wrapped) with associated infrastructure and palisade fencing. The development would be located to the rear of the chapel on an existing area of dilapidated hardstanding.
- 9.3 The justification for the proposal is that the proposed development would help heat the chapel more efficiently as well as reducing the buildings carbon footprint through a reduction in heat waste, thus helping to address climate change. The improved heating would result in an improved services/facility for users of the chapel.
- 9.4 It is considered that the evidence provided has demonstrated that the proposed improvements to the heating for the Chapel would meet the needs of the local community with regards to this much used chapel and thus the proposal accords with Policy INF2 of the Local Plan.
- 9.5 In conclusion, the principle of this development is considered acceptable subject to meeting the requirements of all other relevant policies.

### **Visual impact of development on heritage assets**

- 9.6 Policy ENV2 seeks to ensure that proposal do not adversely impact on designated heritage assets. The policy also seeks to conserve non-designated heritage assets.
- 9.7 Policy ENV3 seeks to ensure that proposals make a positive change.
- 9.8 S72 of the Planning (Conservation Areas) and Listed Buildings Act requires LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 9.9 The existing building is located within the Skipton CA but is not a listed building. Notwithstanding this, the building is of high architectural quality and for the assessment of this proposal is a non-designated heritage asset within a designated heritage asset.
- 9.10 It is noted that the existing building has been subject to some alterations, to the side (historical) and to the rear of the building to help accommodate equipment regarding the cremation process that operates from the building.
- 9.11 It is acknowledged that the proposed development due to the use of timber and design would contrast with the materials and design of the existing building. However, the development would be located to the rear of the existing building, and due to its scale, plain form and use of materials would not result in any visual harm to either the existing building or on the wider conservation area.
- 9.12 The Council's Independent advisor has reviewed the details and acknowledges that the development which would cause low level harm, but that this harm is outweighed by the wider environmental benefits and the continued viable use of the chapel.
- 9.13 In this instance it is considered that on balance the proposed public benefits outweigh any potential low-level harm and thus the proposal accords with paragraph 202 of the NPPF (2021).
- 9.14 In conclusion, the proposal is considered to comply with the requirements of Policies ENV2 and ENV3 and the requirements of the NPPF.

### **Sustainable design and construction**

- 9.15 Policy ENV3 seeks to incorporate sustainability being designed into developments.
- 9.16 The proposed heat recovery unit has been chosen as it will reduce greenhouse gas emissions which are known to contribute towards climate change and global warming.
- 9.16.1 In conclusion, given the scale of the development it is considered that the proposal is complies with the requirements of Policy ENV3 of the Local Plan in taking reasonable opportunities to reduce energy use and carbon emissions.



- 9.17 **Biodiversity**
- 9.18 Policy ENV4 seeks improvements in biodiversity, wherever possible for development consisting of new housing, business, and other land uses.
- 9.19 The application site would involve development of an existing tarmac area which has very low-level biodiversity value. It is considered that the proposal would provide biodiversity benefits that would exceed the biodiversity value of the site prior to its development through the introduction of bird/bat boxes and the use of timber fencing which is a permeable surface and thus would encourage insects and thus attract wildlife.
- 9.20 Therefore, given the small-scale nature of the development the level of benefits is considered appropriate.
- 9.21 In conclusion, the proposal is considered to comply with the requirements of Policy ENV4 of the Local Plan.

### **Impact on neighbouring amenity**

- 9.22 Policy ENV3 seeks to ensure that development does not have an adverse impact on neighbouring residents.
- 9.23 Given the proposals location there would be no adverse impact arising from the construction of the heat recovery unit on residents located beyond Carleton Road due to the form of development and separation distances involved.
- 9.24 In conclusion, the proposal is considered to comply with the requirements of Policy ENV3 of the Local Plan.
- 9.25 **Conclusion**
- 9.26 Paragraph 11 of the NPPF advises LPA's to approve developments that accord with the development plan without delay; unless
- 9.27 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; or
- 9.28 Specific policies in this Framework indicate development should be restricted.
- 9.29 It is acknowledged that some visual impacts would occur, however the proposal would not result in any harm to any neighbouring properties.
- 9.30 Therefore, on planning balance the potential harm in terms of visual impact do not out weight the benefits arising from the proposal in securing its long-term use.

### 10. Recommendation

- 10.1 Approve with Conditions

#### Conditions

### **Time Limit for Commencement**

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

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

### **Approved Plans**

- 2 This permission relates to the following plans:

Drawing no. 14681 Lay 1002 Rev A received 26th November 2021  
Drawing no. 14681 Lay 1001 Rev A received 26th November 2021  
Drawing no. 14681 Lay 1000 Rev A received 26th November 2021  
Materials and Fixing document received 20th January 2022

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

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

### **During Building Works**

- 3 Prior to the cladding of the heat recovery system details of the wood cladding shall be submitted to and approved in writing by the Local Planning Authority and retained as such thereafter.

Reason: In the interest of visual amenity and to accord with Policies ENV2 and ENV3 of the Craven Local Plan and the NPPF.

- 4 Prior to the development being brought into use bird/bat boxes shall be installed and retained as such thereafter.

Reason: In the interests of biodiversity enhancements and to accord with Policy ENV6 of the Craven Local Plan and the NPPF.

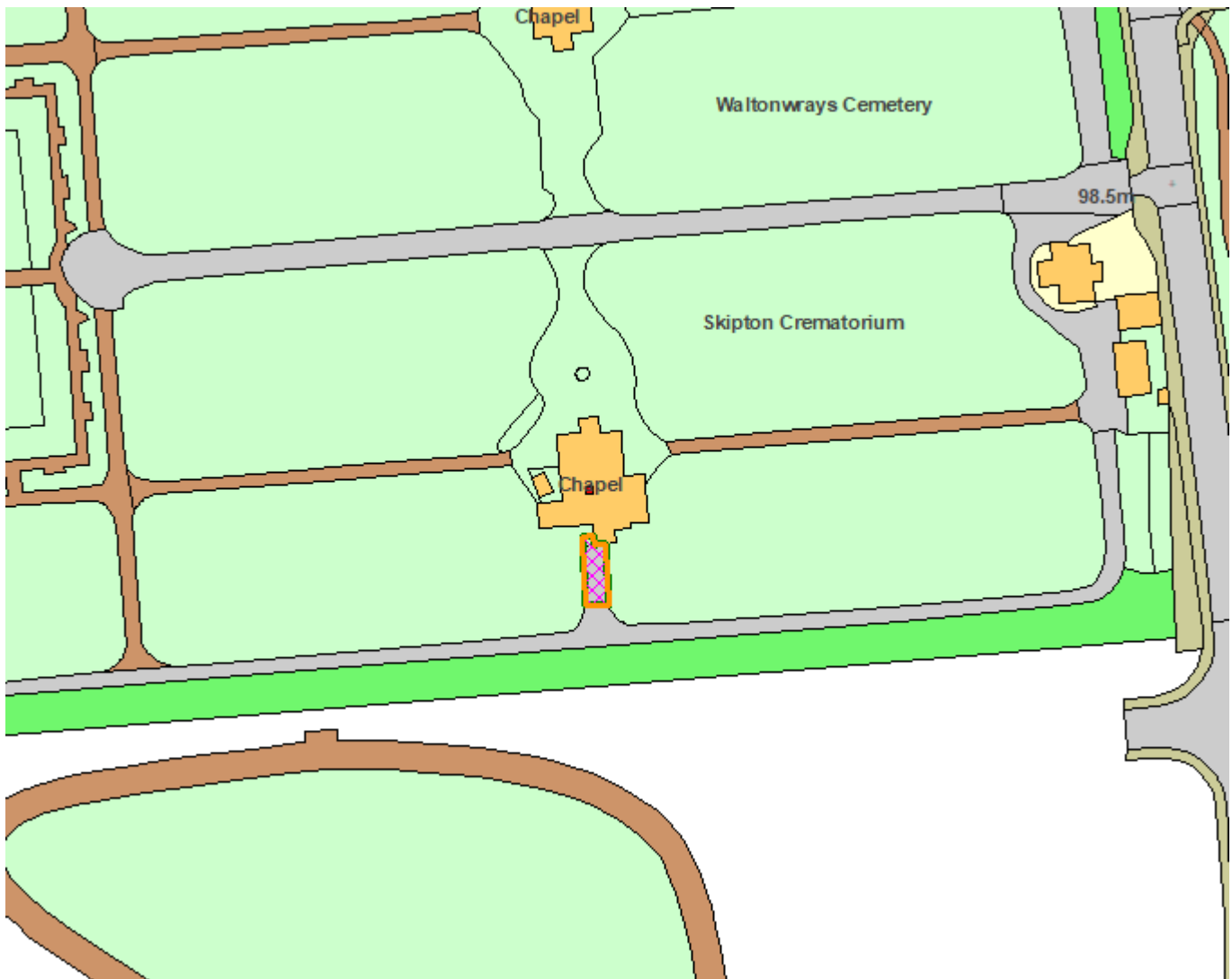
### **Informatives**

1. Statement of Positive Engagement:

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

2. Adherence to approved plans/conditions

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



**Application Number:** 2021/23537/REG4

**Proposal:** Installation of heat recovery system

**Site Address:** Sipton Crematorium Waltonwrays Carleton Road Sipton  
BD23 3BT

**On behalf of:** Craven District Council

## REPORT TO PLANNING COMMITTEE ON 14th March 2022

**Application Number:** 2022/23640/FUL

**Proposal:** To install new and replace existing lighting equipment with the heritage style designs within zones 1, 2 and 3 as identified

**Site Address:** Lighting Equipment Sites For Skipton Heritage Action Zone. Zone 1: Victoria Square And 22 Sheep Street. Zone 2: Victoria Street. Zone 2  
Zone 3: Hallams Yard And 2 Sheep Street & 60A High Street, Skipton.

**On behalf of:** Craven District Council

**Date Registered:** 1st February 2022

**Expiry Date:** 29th March 2022

**EOT Date, if applicable:**

**Case Officer:** Andrea Muscroft

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### **SUMMARY**

**Enhancements have been informed by pre-application discussions involving the Local Planning Authority. The proposed replacements are acceptable, and the removal of the unsympathetic elements would deliver a significant improvement.**

**Overall, it is considered that the proposed scheme of works would not have an adverse impact upon the listed building or negative impact on the character and appearance of the conservation area.**

**The proposal is recommended for approval subject to conditions set out below.**

1. Site Description
  - 1.1 The application relates to three heritage action zones (HAZ) which relate to:  
Zone 1: Victoria Square, including 22 Sheep Street (20-24 Sheep Street are Grade II listed buildings).  
Zone 2: Victoria Street, including the rear of 5 Albert Terrace.  
Zone 3: Hallam's Yard, including 2 Sheep Street (Grade II listed building) and 60A High Street (Grade II listed building).
  - 1.2 The sites are also located within the designated conservation area of Skipton.
2. Proposal
  - 2.1 This report covers two applications seeking full planning permission (ref: 2022/23640/FUL) and listed building consent (ref: 2022/23639/LBC) for new and replacement lighting.
  - 2.2 The proposal relates to three HAZ's and thus the application would also allow for the work to be phased.
  - 2.3 Works consist of the following:

Concrete and stainless-steel columns to be replaced with black 'Chester' style columns and 'Lancaster' style lanterns

Traditional wall mounted lighting (black cast wall brackets and 'Lancaster' style lanterns) to replace columns on Victoria Street and Hallam's Yard

New black 'Victoria back' lamps for ginnels

Associated works including making good and wiring.

- 2.4 Officer note: The applicant engaged with pre-application discussions with the Local Planning Authority (LPA). The proposed works are based on the advice received from the LPA.
3. Planning History
- 3.1 None of relevance
4. Planning Policy Background
- 4.1 Local Plan 2012 – 2032
- SD1 – The Presumption in Favour of Sustainable Development
  - SD2 – Meeting the Challenge of Climate Change
  - ENV2 – Heritage
  - ENV3 – Good Design
- 4.2 National Policy
- The National Planning Policy Framework
  - Planning Policy Guidance
- 4.3 Other relevant Legislation
- Planning (Listed Buildings and Conservation Areas) Act 1990
- 4.4 Other documents of relevance
- Historic England Advice in Planning Notes 1, 2 & 3
  - English Heritage: Conservation Principles.
  - Skipton Conservation Area Appraisal (2008)
5. Parish/Town Council Comments
- 5.1 Skipton Town Council: No comment.
6. Consultations
- 6.1 CDC Independent Heritage Advisor (CIHA): Recommend that the application be approved, subject to an informative/condition requiring that all fixings should be into the mortar, wherever possible
- 6.2 The above comments are a summary to view comments in full please go to the Councils website <https://publicaccess.cravendc.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>
7. Representations
- Site Notice: Expired 2.3.2022
  - Press Notice: Expired 3.3.2022

- 7.1 No third-party representations received within the statutory consultation period.
8. Summary of Principal Planning Issues
- 8.1 The main issues that require consideration when determining this application area:
- Visual impact
  - Impact on the setting and significance of the listed building and the conservation area
  - Other issues
9. Analysis
- 9.1 **Design**
- 9.2 CDC Policy ENV3 seeks to ensure that developments make positive change, which benefits the local economy, environment, and quality of life, including health and wellbeing.
- 9.3 The proposed removal of street clutter would result in a visual enhancement to both the street scene and the designated conservation area. Furthermore, the replacement light fittings which reflect the advice provided would due to their scale, design and external finish would result in a visual enhancement to the wider character and appearance of the designated conservation area.
- 9.4 In conclusion, the proposal accords with the requirements of Policy ENV3 of the Local Plan.
- 9.5 **Impact of the proposal on the designated heritage assets.**
- 9.6 CDC Policy ENV2 recognises the importance of Craven’s historic environment and indicates that developments will be supported where proposals do not result in any unacceptable harm to the heritage asset.
- 9.7 The NPPF also sets out how LPA should consider applications that impact on the historic environment.
- 9.8 Also of relevance is the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, section 66 which states that “In considering whether to grant planning permission for development which affects a listed building or its setting...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires local authorities to preserve and enhance the character and appearance of Conservation Areas, as does policies 16 of the NPPF. Given the negligible changes proposed in this application the Conservation Area would be preserved.
- 9.9 Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Substantial harm to or loss of assets of the highest significance, including Grade II\* listed buildings, should be wholly exceptional. Where a proposed development will lead to substantial harm to, or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 9.10 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 9.11 The proposed development would involve the removal and replacement of unsympathetic later additions located in public areas within the three HAZ’s.

- 9.12 The proposed works with regards to the replacement/removal of unsympathetic features would be welcomed and would not result in any unacceptable loss of historical fabric nor would the proposal adversely impact on the setting or significance, rather the proposal would result in these areas being more engaging and thus enhancing these designated heritage assets.
- 9.13 The CIHA has reviewed the proposal and has not raised any objection to the proposal on heritage grounds but has recommended a condition requiring the use of mortar. The use of such a condition is considered acceptable and would meet the six tests outlined in the NPPF.
- 9.14 Any potential harm needs to be weighed against public benefits of the proposed development. In this case, it is considered that the public benefit would arise from the scheme in terms of the proposed enhancements resulting in improvements to the setting of the listed building and an enhancement to the significance to the Grade II listed buildings. In addition, the enhancements would not detract from the character and appearance of the surrounding conservation area, thus allowing the public to appreciate the historical and architectural features and character of the listed buildings and conservation area. Significant weight should be afforded to these benefits. As such, the public benefit outweighs the less than substantial harm to the heritage asset.
- 9.15 The proposal therefore complies with policy ENV2 of the Local Plan, the aims, and objectives of the NPPF and the statutory duties imposed by the LBCA 1990 Act.
- 9.16 **Other issues**
- 9.17 The proposal would incorporate LED lighting which is considered to provide sustainability benefits given the wastage generated from the existing traditional lighting within these zones.
- 9.18 **Conclusion and Planning Balance**
- 9.19 Enhancements have been informed by pre-application discussions involving the Local Planning Authority. The proposed replacements are acceptable, and the removal of the unsympathetic elements would deliver a significant improvement. Overall, it is considered that the proposed scheme of works would not have an adverse impact upon the listed building or negative impact on the character and appearance of the conservation area.
- 9.20 The proposal is therefore considered to accord with the requirements of policies ENV2 and ENV3 of the Local Plan, the aims, and objectives of the NPPF and the statutory duties imposed by the LBCA 1990 Act.

10. Recommendation

- 10.1 Approve with Conditions

Conditions

**Time Limit for Commencement**

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

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

## Approved Plans

- 2 This permission relates to the following plans:

Location plan dated 20th December 2021  
NYCC Lighting Equipment Plan dated 20th December 2021  
NYCC Lighting Key dated 20th December 2021  
NYCC Hallams Yard dated 20th December 2021  
NYCC Victoria Street dated 20th December 2021  
NYCC Hallams Yard dated 20th December 2021  
NYCC Victoria Square dated 20th December 2021

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

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

## During Building Works

- 3 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed sequentially in accordance with the three phases shown on Location Plan dated 20th December 2021.

Reason: For the avoidance of doubt and to ensure that any phased development of the site takes place in an appropriate order and timetable in accordance with the policies contained within the Craven Local Plan and the National Planning Policy Framework.

- 4 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the submitted application form and approved plans.

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 and the National Planning Policy Framework.

## Informatives

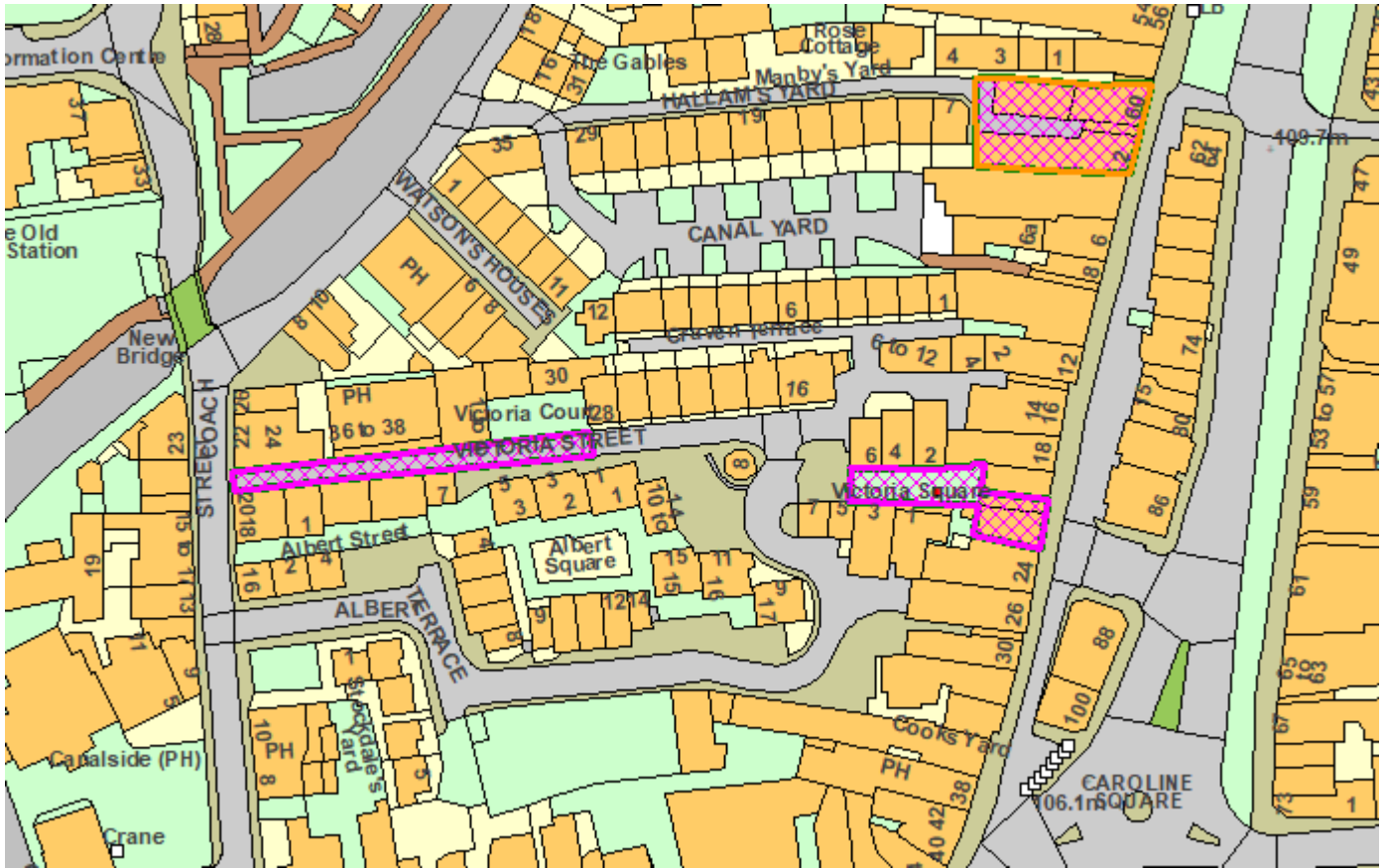
1. Statement of Positive Engagement:

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

2. Adherence to approved plans/conditions

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





**Application Number:** 2022/23640/FUL

**Proposal:** To install new and replace existing lighting equipment with the heritage style designs within zones 1, 2 and 3 as identified

**Site Address:** Lighting Equipment Sites For Skipton Heritage Action Zone. Zone 1: Victoria Square And 22 Sheep Street. Zone 2: Victoria Street. Zone 2 Zone 3: Hallams Yard And 2 Sheep Street & 60A High Street, Skipton.

**On behalf of:** Craven District Council

## REPORT TO PLANNING COMMITTEE ON 14th March 2022

**Application Number:** 2022/23639/LBC

**Proposal:** To install new and replace existing lighting equipment with the heritage style designs within zones 1, 2 and 3 as identified

**Site Address:** Lighting Equipment Sites For Skipton Heritage Action Zone. Zone 1: Victoria Square And 22 Sheep Street. Zone 2: Victoria Street. Zone 2  
Zone 3: Hallams Yard And 2 Sheep Street & 60A High Street, Skipton.

**On behalf of:** Craven District Council

**Date Registered:** 1st February 2022

**Expiry Date:** 29th March 2022

**EOT Date, if applicable:**

**Case Officer:** Andrea Muscroft

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### **SUMMARY**

Enhancements have been informed by pre-application discussions involving the Local Planning Authority. The proposed replacements are acceptable, and the removal of the unsympathetic elements would deliver a significant improvement. Overall, it is considered that the proposed scheme of works would not have an adverse impact upon the listed building or negative impact on the character and appearance of the conservation area. The proposal is recommended for approval subject to conditions set out below.

1. Site Description
  - 1.1 The application relates to three heritage action zones (HAZ) which relate to:  
Zone 1: Victoria Square, including 22 Sheep Street (20-24 Sheep Street are Grade II listed buildings).  
Zone 2: Victoria Street, including the rear of 5 Albert Terrace.  
Zone 3: Hallam's Yard, including 2 Sheep Street (Grade II listed building) and 60A High Street (Grade II listed building).
  - 1.2 The sites are also located within the designated conservation area of Skipton.
2. Proposal
  - 2.1 This report covers two applications seeking full planning permission (ref: 2022/23640/FUL) and listed building consent (ref: 2022/23639/LBC) for new and replacement lighting.
  - 2.2 The proposal relates to three HAZ's and thus the application would also allow for the work to be phased.
  - 2.3 Works consist of the following:

Concrete and stainless-steel columns to be replaced with black 'Chester' style columns and 'Lancaster' style lanterns

Traditional wall mounted lighting (black cast wall brackets and 'Lancaster' style lanterns) to replace columns on Victoria Street and Hallam's Yard

New black 'Victoria back' lamps for ginnels

Associated works including making good and wiring.

Energy efficient replacement lights

2.4 Officer note: The applicant engaged with pre-application discussions with the Local Planning Authority (LPA). The proposed works are based on the advice received from the LPA.

### 3. Planning History

3.1 None of relevance

### 4. Planning Policy Background

4.1 Local Plan 2012 – 2032

SD1 – The Presumption in Favour of Sustainable Development

SD2 – Meeting the Challenge of Climate Change

ENV2 – Heritage

ENV3 – Good Design

4.2 National Policy

The National Planning Policy Framework

Planning Policy Guidance

4.3 Other relevant Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

4.4 Other documents of relevance

Historic England Advice in Planning Notes 1, 2 & 3

English Heritage: Conservation Principles.

Skipton Conservation Area Appraisal (2008)

### 5. Parish/Town Council Comments

5.1 Skipton Town Council: No comment at this time.

### 6. Consultations

6.1 CDC Independent Heritage Advisor (CIHA): Recommend approval subject to an informative/condition requiring that all fixings should be in mortar, where possible.

6.2 The above comments are a summary to view comments in full please go to the Councils website <https://publicaccess.cravendc.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

### 7. Representations

Site Notice: Expired 2.3.2022

7.1 No third-party representations received within the statutory consultation period.

8. Summary of Principal Planning Issues

8.1 The main issues that require consideration when determining this application area:

Visual impact

Impact on the setting and significance of the listed building and the conservation area.

Other issues

9. Analysis

9.1 **Design**

9.2 CDC Policy ENV3 seeks to ensure that developments make positive change, which benefits the local economy, environment, and quality of life, including health and wellbeing.

9.3 The proposed removal of street clutter would result in a visual enhancement to both the street scene and the designated conservation area. Furthermore, the replacement light fittings which reflect the advice provided would due to their scale, design and external finish would result in a visual enhancement to the wider character and appearance of the designated conservation area.

9.4 In conclusion, the proposal accords with the requirements of Policy ENV3 of the Local Plan.

9.5 **Impact of the proposal on the designated heritage assets.**

9.6 CDC Policy ENV2 recognises the importance of Craven's historic environment and indicates that developments will be supported where proposals do not result in any unacceptable harm to the heritage asset.

9.7 The NPPF also sets out how LPA should consider applications that impact on the historic environment.

9.8 Also of relevance is the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, section 66 which states that "In considering whether to grant planning permission for development which affects a listed building or its setting...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires local authorities to preserve and enhance the character and appearance of Conservation Areas, as does policies 16 of the NPPF. Given the negligible changes proposed in this application the Conservation Area would be preserved.

9.9 Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Substantial harm to or loss of assets of the highest significance, including Grade II\* listed buildings, should be wholly exceptional. Where a proposed development will lead to substantial harm to, or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

9.10 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 9.11 The proposed development would involve the removal and replacement of unsympathetic later additions located in public areas within the three HAZ's.
- 9.12 The proposed works with regards to the replacement/removal of unsympathetic features would be welcomed and would not result in any unacceptable loss of historical fabric nor would the proposal adversely impact on the setting or significance, rather the proposal would result in these areas being more engaging and thus enhancing these designated heritage assets.
- 9.13 The CIHA has reviewed the proposal and has recommend that the application be approved, subject to an informative/condition requiring that all fixings should be into the mortar, wherever possible. The use of such a condition is considered acceptable and would meet the six tests as outlined in the NPPF.
- 9.14 Any potential harm needs to be weighed against public benefits of the proposed development. In this case, it is considered that the public benefit would arise from the scheme in terms of the proposed enhancements resulting in improvements to the setting of the listed building and an enhancement to the significance to the Grade II listed buildings. In addition, the enhancements would not detract from the character and appearance of the surrounding conservation area, thus allowing the public to appreciate the historical and architectural features and character of the listed buildings and conservation area. Significant weight should be afforded to these benefits. As such, the public benefit outweighs the less than substantial harm to the heritage asset.
- 9.15 The proposal therefore complies with policy ENV2 of the Local Plan, the aims, and objectives of the NPPF and the statutory duties imposed by the LBCA 1990 Act.

9.16 **Other issues**

9.17 The proposal would incorporate LED lighting which is considered to provide sustainability benefits given the wastage generated from the existing traditional lighting within these zones.

9.18 **Conclusion and Planning Balance**

9.19 Enhancements have been informed by pre-application discussions involving the Local Planning Authority. The proposed replacements are acceptable, and the removal of the unsympathetic elements would deliver a significant improvement. Overall, it is considered that the proposed scheme of works would not have an adverse impact upon the listed building or negative impact on the character and appearance of the conservation area.

9.20 The proposal is therefore considered to accord with the requirements of policies ENV2 and ENV3 of the Local Plan, the aims, and objectives of the NPPF and the statutory duties imposed by the LBCA 1990 Act.

10. Recommendation

10.1 Approve with Conditions

Conditions

**Time Limit for Commencement**

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

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

## Approved Plans

2 This permission relates to the following plans:

Location plan dated 20th December 2021  
NYCC Lighting Equipment Plan dated 20th December 2021  
NYCC Lighting Key dated 20th December 2021  
NYCC Hallams Yard dated 20th December 2021  
NYCC Victoria Street dated 20th December 2021  
NYCC Hallams Yard dated 20th December 2021  
NYCC Victoria Square dated 20th December 2021

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

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

## During Building Works

3 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed sequentially in accordance with the three phases shown on Location Plan dated 20th December 2021.

Reason: For the avoidance of doubt and to ensure that any phased development of the site takes place in an appropriate order and timetable in accordance with the policies contained within the Craven Local Plan and the National Planning Policy Framework.

4 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the submitted application form and approved plans.

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 and the National Planning Policy Framework.

5 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the mortar to be used in the approved development shall comprise of hydraulic lime mortar NHL 3.5 mixed with an appropriate aggregate. No cement shall be added to the mortar.

Reason: To ensure the use of suitable materials which are sympathetic to the special architectural and historic character of the listed building and conservation area in accordance with the requirements of Craven Local Plan policy ENV2 and the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

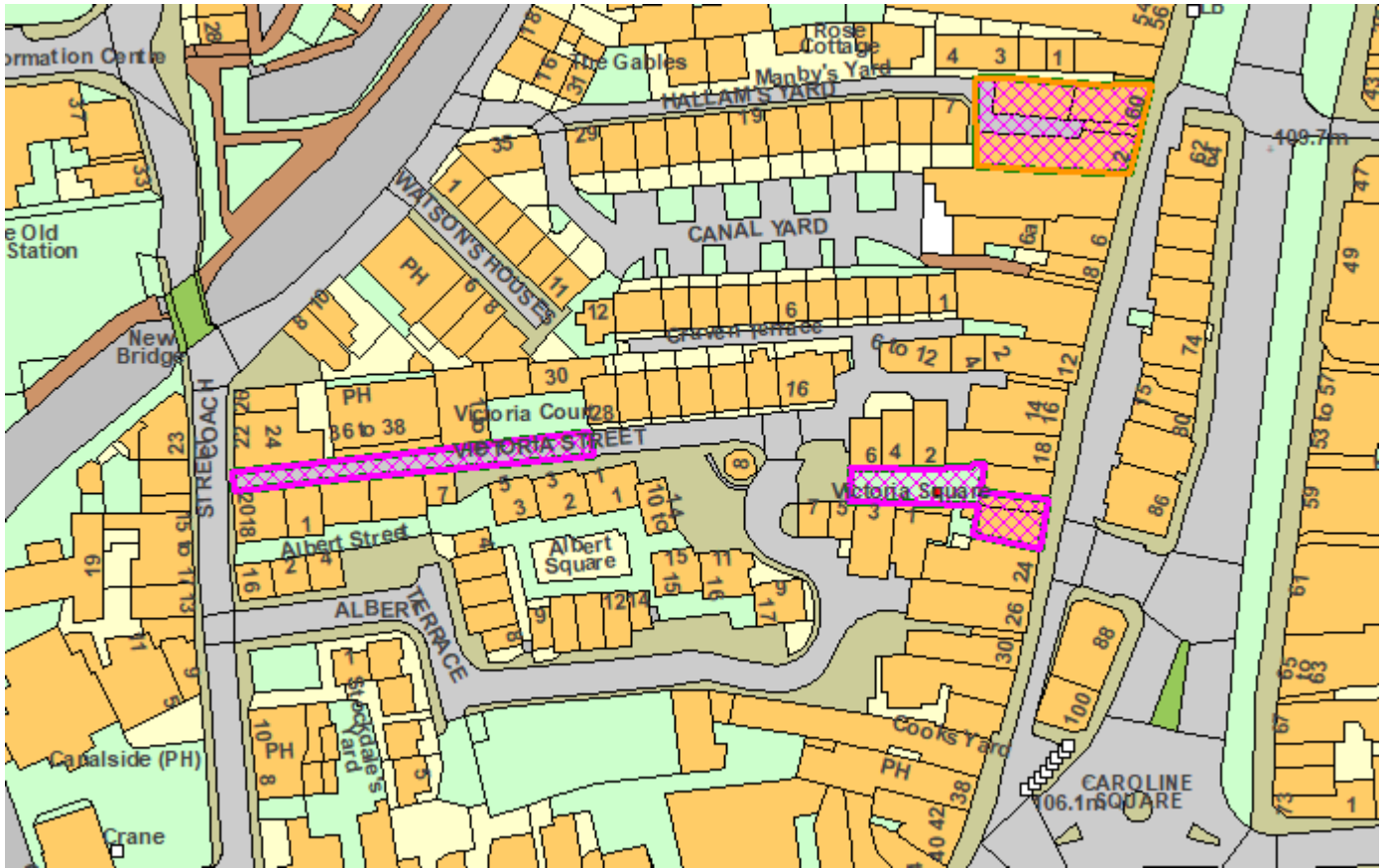
## Informatives

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:** 2022/23639/LBC

**Proposal:** To install new and replace existing lighting equipment with the heritage style designs within zones 1, 2 and 3 as identified

**Site Address:** Lighting Equipment Sites For Skipton Heritage Action Zone. Zone 1: Victoria Square And 22 Sheep Street. Zone 2: Victoria Street. Zone 2 Zone 3: Hallams Yard And 2 Sheep Street & 60A High Street, Skipton.

**On behalf of:** Craven District Council





**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**  
**02-02-2022 to 03-03-2022**

<b>Enforcement Reference</b>	<b>Alleged Breach</b>	<b>Site Address</b>	<b>Ward</b>
ENF/03479/2022	No basement level constructed	42A East Lane Embsay Skipton BD23 6QD	Embsay-with-Eastby
ENF/03480/2022	Materials allegedly being stored inside the TPO zone and unauthorised works commenced without planning permission	Land West Of Thornton Lodge Track To All Saints Vicarage Burton In Lonsdale Carnforth	Bentham
ENF/03481/2022	Running permanent holiday let and dog grooming business 7 days a week.	Owl House/ Stott Hill Farm Old Lane Cowling Keighley BD22 0NP	Cowling
ENF/03482/2022	Development allegedly not completed in accordance with approved plans of ref: 2017/18685/HH.	22 Skipton Road Gargrave Skipton BD23 3SB	Gargrave And Malhamdale
ENF/03483/2022	Development allegedly not completed in accordance with approved plans of ref: 2017/18686/HH.	24 Skipton Road Gargrave Skipton BD23 3SB	Gargrave And Malhamdale
ENF/03484/2022	Advertisement attached to garden fence	5 Holme Ghyll Colne Road Glusburn Keighley BD20 8RG	Glusburn

<b>Enforcement Reference</b>	<b>Alleged Breach</b>	<b>Site Address</b>	<b>Ward</b>
ENF/03485/2022	UPVC Windows installed in Listed building.	The Old Post Office 4 Coniston Cold Skipton BD23 4EA	Gargrave And Malhamdale
ENF/03486/2022	UPVC installed in a listed building.	3 Coniston Cold Skipton BD23 4EA	Gargrave And Malhamdale
ENF/03487/2022	Alleged unauthorised work within root protection zone of protected tree.	Dovetail Colne Road Cowling Keighley BD22 0NN	Cowling
ENF/03488/2022	Materials used not in accordance with planning application ref: 2020/22366/FUL.	Skipton Parish CE Primary School Brougham Street Skipton BD23 2ES	Skipton South



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**Planning Committee Report of Cases Closed**  
**02-02-2022 to 03-03-2022**

<b>Enforcement Reference</b>	<b>Date Received</b>	<b>Date Closed</b>	<b>Reason for Closure</b>	<b>Alleged Breach</b>	<b>Site Address</b>	<b>Ward</b>
0119/2008	19th February 2008	3rd March 2022	Lawful Over Time	Running four businesses (1) Imperial Garage (2) Caravan Site (3) Steven Baines Workshop (4) Storage facility for Ingleton Stove Co.	Wilson Wood Farm Bentham Road Ingleton Carnforth LA6 3HR	Ingleton And Clapham
0588/2009	23rd September 2009	3rd March 2022	Lawful Over Time	STATIC CARAVAN FOR RESIDENTIAL USE	Out Laithe Farm Lothersdale Keighley BD208HL	
2511/2016	15th November 2016	3rd March 2022	Breach Resolved	2 x containers sited on land adjacent to residential properties.	Bentham Auction Mart High Bentham Lancaster North Yorkshire	

<b>Enforcement Reference</b>	<b>Date Received</b>	<b>Date Closed</b>	<b>Reason for Closure</b>	<b>Alleged Breach</b>	<b>Site Address</b>	<b>Ward</b>
ENF/02715/2017	10th August 2017	3rd March 2022	Not Expedient to Enforce	Works are taking place on site, around and inside the shed building including removal of rail tracks, removal of immature trees and general destroying of the surrounding vegetation. Is the shed still subject to building control enforcement and the immediate are subject to reinstatement of the landscape. (Related planning application 42/2003/3035 and 42/2016/17496)	West Coast Railway (hellifield) Ltd Hellifield Railway Station Station Road Hellifield Skipton BD23 4HN	Hellifield And Long Preston
ENF/02728/2017	5th September 2017	2nd March 2022	No Breach	Garden room being turned into a dwelling and being enlarged?	Moorside 58 Barden Road Eastby Skipton BD23 6SN	Embsay-with-Eastby
ENF/02913/2018	14th August 2018	3rd March 2022	No Breach	Excavation to the rear of the property	6 Greta Heath Burton In Lonsdale Ingleton LA6 3LH	Bentham
ENF/02937/2018	20th September 2018	3rd March 2022	Not Expedient to Enforce	Un-authorized tree works within a Conservation Area.	Land Adjacent To Waterside Keighley Road Skipton BD23 2QT	Skipton West

<b>Enforcement Reference</b>	<b>Date Received</b>	<b>Date Closed</b>	<b>Reason for Closure</b>	<b>Alleged Breach</b>	<b>Site Address</b>	<b>Ward</b>
ENF/02953/2018	30th October 2018	3rd March 2022	No Breach	Unauthorised change of use to A4 - drinking establishment	Coopers Cafe Bar 6 - 8 Belmont Street Skipton BD23 1RP	Skipton West
ENF/02989/2018	10th December 2018	3rd March 2022	Not Expedient to Enforce	1. Removal of Hedge at Rectory Farm 2. Removal of Tree at Rectory Bungalow 3. Removal of Tree at Risebrig	Rectory Bungalow Church Road Thornton In Craven Skipton BD23 3TN	West Craven
ENF/03074/2019	14th May 2019	3rd March 2022	Retrospective Planning	Development has not taken place in accordance with permission 2017/18244/FUL	Land At Draughton Height Height Lane Draughton Skipton	Barden Fell
ENF/03114/2019	11th July 2019	3rd March 2022	Not Expedient to Enforce	Alleged unauthorised: (1) removal of hedge in breach of 22/2015/15510, (2) widening of entrance drive and (3) widening of dropped kerb.	Maffolly House Dick Lane Cowling Keighley BD22 0JZ	Cowling
ENF/03172/2019	28th October 2019	3rd March 2022	Breach Resolved	Alleged unauthorised works to a Listed Building	Former St Stephens Roman Catholic Primary School Gargrave Road Skipton BD23 1PJ	Skipton North
ENF/03187/2019	8th November 2019	3rd March 2022	Breach Resolved	Boundary fence allegedly not constructed in accordance with approved plans	Land Bounded By A65 White Hills Lane Raikes Road Skipton	Skipton North

<b>Enforcement Reference</b>	<b>Date Received</b>	<b>Date Closed</b>	<b>Reason for Closure</b>	<b>Alleged Breach</b>	<b>Site Address</b>	<b>Ward</b>
ENF/03191/2019	20th November 2019	3rd March 2022	Retrospective Planning	Alleged development not being built in accordance with the approved plans (2019/20310/FUL)	Crag Side Farm Cottage Dick Lane Cowling Keighley BD22 0JZ	Cowling
ENF/03227/2020	12th March 2020	3rd March 2022	Consent granted / Permitted development	Alleged unauthorised change of use of land to site compound.	Land To West Of Church Close Farm Red Bridge To Church Close Farm Bell Busk	Gargrave And Malhamdale
ENF/03333/2020	10th November 2020	3rd March 2022	Retrospective Planning	Unauthorised works to listed building	Spen House Farm Side Gate Lothersdale Keighley BD20 8EU	Aire Valley With Lothersdale
ENF/03336/2020	1st December 2020	3rd March 2022	Not Expedient to Enforce	Alleged unauthorised works near watercourse.	Ghyll Cottage Netherghyll Lane Cononley Keighley BD20 8PB	Aire Valley With Lothersdale
ENF/03366/2021	23rd February 2021	3rd March 2022	Not Expedient to Enforce	Alleged untidy land	38 Greatwood Avenue Skipton BD23 2RT	Skipton South
ENF/03405/2021	20th May 2021	3rd March 2022	Retrospective Planning	Granny flat being used as holiday let- breach of condition no. 2 of planning application ref: 08/2003/2949.	May Cottage Wenning Bridge Bentham Lancaster LA2 7LU	Bentham

<b>Enforcement Reference</b>	<b>Date Received</b>	<b>Date Closed</b>	<b>Reason for Closure</b>	<b>Alleged Breach</b>	<b>Site Address</b>	<b>Ward</b>
ENF/03410/2021	10th June 2021	3rd March 2022	Consent granted / Permitted development	Fence erected over 2 metres.	54 Brougham Street Skipton BD23 2HE	Skipton North
ENF/03415/2021	18th June 2021	3rd March 2022	Retrospective Planning	Structure erected in the front garden.	4 Meadow Close Bradley Keighley BD20 9FG	Aire Valley With Lothersdale
ENF/03458/2021	10th November 2021	3rd March 2022	Not Expedient to Enforce	Alleged fence too high	15 Skipton Road Embsay Skipton BD23 6QT	Embsay-with-Eastby
ENF/03479/2022	9th February 2022	3rd March 2022	No Breach	No basement level constructed	42A East Lane Embsay Skipton BD23 6QD	Embsay-with-Eastby
ENF/03480/2022	9th February 2022	3rd March 2022	No Breach	Alleged materials being stored inside the TPO zone and unauthorised works commenced without planning permission	Land West Of Thornton Lodge Track To All Saints Vicarage Burton In Lonsdale Carnforth	Bentham

