

- Meeting:** Skipton and Ripon Area Constituency Planning Committee
- Members:** Councillors Barbara Brodigan, Andy Brown (Vice-Chair), Robert Heseltine, Nathan Hull (Chair), David Ireton, David Noland and Andrew Williams.
- Date:** Tuesday, 3rd October, 2023
- Time:** 2.00 pm
- Venue:** Craven Office, Belle Vue Square, Skipton

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Agenda

- 1. Apologies for Absence**
- 2. Minutes for the Meeting held on 5th September 2023** (Pages 3 - 6)
- 3. Declarations of Interests**
All Members are invited to declare at this point any interests, including the nature of those interests, or lobbying in respect of any items appearing on this agenda.
- 4. ZA23/25228/REG3 - Replacement of pedestrian Gallows Bridge and improvements to the stepped access located at either end of the bridge. At Gallows Bridge over the Leeds and Liverpool Canal and the stairs on both sides of the bridge, Skipton, on behalf of North Yorkshire Council** (Pages 7 - 20)
Report of the Corporate Director – Community Development Services.
- 5. 2022/24304/Ful - Reconfiguration of Skipton Railway Station** (Pages 21 -

Car Park; relocation of the existing substation within the station car park; increase in provision of disabled parking spaces and electric vehicle (EV) charging bays; a new bus stop and drop off/coach parking point; provision of a cycle and pedestrian access from Broughton Road into the station car park and formalised taxi pick up/drop off location and taxi shelter; reconfiguration of the existing staff car park; removal of 12 no. trees within the station car park to accommodate reconfiguration of parking spaces; provision of 19 no. Trees within the station car park with an additional 17 no. Trees within Aireville Park; realignment of the partially demolished stone wall within the west of the station car park; construction of 25m of Yorkstone wall within the east of the station car park; improvements to external visitor facilities within the station car park including the provision of a cycle shelter, seating, lighting around

Report of the Corporate Director – Community Development Services.

6. **Proposed additional MOT and service building to serve existing auto services business including removal of existing overflow car park at Grayston Plain Farm, Grayston Plain Lane, Felliscliffe, HG3 2LY** (Pages 43 - 58)
Report of the Corporate Director – Community Development Services.
7. **Any other items**
Any other items which the Chair agrees should be considered as a matter of urgency because of special circumstances.
8. **Date of Next Meeting**
Tuesday, 07 November 2023 at 2.00pm.

Members are reminded that in order to expedite business at the meeting and enable Officers to adapt their presentations to address areas causing difficulty, they are encouraged to contact Officers prior to the meeting with questions on technical issues in reports.

Agenda Contact Officer:

Name, David Smith, Democratic Services Officer

Tel: 01756 706235, Email: David.Smith1@northyorks.gov.uk

Monday, 25 September 2023

North Yorkshire Council

Skipton and Ripon Area Constituency Planning Committee

Minutes of the meeting held on Tuesday, 5th September, 2023 commencing at 2.05 pm at Ripon Town Hall.

Councillor Nathan Hull in the Chair plus Councillors Barbara Brodigan, Andy Brown, Robert Heseltine, David Ireton, David Noland and Andrew Williams.

In attendance: Councillor Carl Les.

Officers present: Nick Turpin, Planning Manager (Harrogate), Kelly Dawson, Senior Solicitor, Stuart Mills, Planning Manager (Harrogate), Emma Howson, Senior Development Management Officer, Emma Walsh, Senior Development Management Officer, and Alice Fox, Democratic Services and Scrutiny Manager.

Copies of all documents considered are in the Minute Book

21 Apologies for Absence

There were no apologies for absence.

The Chair welcomed everyone to the meeting and advised that due to a technical issue, the meeting could not be audio recorded.

22 Minutes for the Meeting held on 1st August 2023

The minutes of the meeting held on Tuesday 1st August 2023 were confirmed and signed as an accurate record.

23 Declarations of Interests

Councillor Andrew Williams declared an interest in Items 4 and 5 on the agenda as he was the Division Member for the site location of applications ZC23/01972/FUL and ZC23/01973/LB. He stated he would keep an open mind and intended to speak and vote.

Councillor Nathan Hull declared an interest in Item 6 on the agenda as he was Division Member for the site location of application ZC23/02678/FUL and had asked the application to be referred to committee. He also declared that he had been contacted in that capacity by the applicants and as such had met the applicants on site. He confirmed that he had advised the applicants that he could not give them any specific planning advice and advised them to seek their own independent advice. He also declared that the firm he works for managed the sale of the site to a previous owner, who subsequently sold it to the applicants and confirmed that his company had no dealings with the applicants. Whilst not a declarable interest, to avoid any perception of bias Councillor Hull announced that he would not participate in Agenda Item 6 and asked Councillor Andy Brown (Vice-Chair) to chair this part of the meeting.

24 ZC23/01972/FUL - Change of use to first, second and third floors to a HMO providing staff accommodation in association with existing ground and basement floor restaurant use, with a communal kitchen and sanitary facilities (use Class C4). At Dragon Inn Chinese Restaurant 41 Market Place Ripon North Yorkshire HG4 1BZ on behalf of Mr Wang.

Considered:

The committee considered a report of The Assistant Director – Planning relating to planning application ZC23/01972/FUL.

The applicant's agent, Jonathan Green, spoke in support of the application.

During consideration of the above application, the Committee discussed the following issues:

- Although the flats would be occupied by restaurant staff, it was pointed out that they would be affected by noise and odour generated by the restaurant when they were not working. Therefore, the impact of the residential amenity to the occupants should be taken into consideration.
- There was concern that refuse cannot be collected from the rear of the building due to the applicant not currently being granted right of way. This means that rubbish bags would have to be left at the front of the building. Some Members were concerned that Building Control only advises a Building Regulations application rather than enforcing it. However, it was pointed out that rights of way and refuse collection are not issues for Planning Committee to consider. The Planning Manager confirmed that the Fire Service would address appropriate fire exits.
- Members noted that this application provides additional affordable accommodation without impacting on further brownfield sites. The application would also prevent the building from falling into disrepair.

The decision:

That planning permission be DEFERRED.

Reason:

The Committee deferred the application for the following reasons:

- (i) They were not able to fully assess the application without further information regarding adequate access to the rear of the building, details of fire escape and confirmation that refuse can be collected from the rear of the building.

Voting Record

For Deferral 4; Against Deferral 3

25 ZC23/01973/LB - Listed building application for works associated with change of use to first, second and third floors to a HMO providing staff accommodation in association with existing ground and basement floor restaurant use, with a communal kitchen and sanitary facilities (use Class C4). At Dragon Inn Chinese Restaurant 41 Market Place Ripon North Yorkshire HG4 1BZ on behalf of Mr Wang.

Considered:

The Committee agreed that this application should be deferred until application ZC23/01972/FUL is presented back to Planning Committee with the requested information.
The decision:

That planning permission be DEFERRED.

Reason:

The Committee deferred the application for the following reason:

- (i) The listed building application was deferred for consideration so that it can be considered alongside the full planning application when additional information is received.

Voting Record

For Deferral 7; Against Deferral 0

At this point the Chair withdrew for item 6 and Councillor Andy Brown took over as Chairperson

26 ZC23/02678/FUL - Full planning permission for part conversion/part new build of agricultural building to form a new dwelling at Hew Green Farm, High Lane, High Birstwith, HG3 2JL on behalf of Mr P Saddington.

Considered:

The Committee considered a report of The Corporate Director – Planning relating to planning application ZC23/02678/FUL.

The applicant, Mr and Mrs Saddington, spoke in support of the application.

During consideration of the above application, the Committee discussed the following issues:

- Members asked how this application differed to the one submitted in May 2023. The Case Officer confirmed that additional photographs to demonstrate the landscape impact and SAP calculations relating to energy efficiency have been added to this application.
- Members queried whether the neighbouring houses are new builds, Officers clarified the surrounding properties comprise of 1 no. replacement dwelling (which replaced the existing farmhouse) and 2 no. rural building conversions. All of which are supported by local and national policy. This application was originally granted permission for a conversion and not new build, which the report considers to be no longer possible due to the level of demolition. Policy guidelines should be followed.
- Some Members felt that on this occasion, the applicant should be granted permission for a new build rather than conversion. The proposed plans would not cause any serious harm to the environment and would be more attractive than its current condition.

The Senior Solicitor to the Council drew Members attention to consider the application before them on its own merit, and not the other neighbouring buildings in the area.

Member's attention was drawn to the fact that the application should be considered in accordance with the development plan based on material planning considerations and not the personal circumstances of the applicant. The application that was previously approved was for a conversion, with the only alteration being that to the exterior and the roof which no longer exist.

- It was asked whether there were other avenues that could be explored as a new build rather than a conversion and it was confirmed that the applicant could look at bringing forward a fresh application that falls within the development policy.
- It was pointed out that if the application is refused today, the applicant has the right to appeal, and it would be down to the Planning Inspector to decide.

The decision:

That planning permission be REFUSED for the following reasons.

- (i) The building is no longer considered to be of permanent and substantial construction, and thus is not considered to represent a conversion and thus is contrary to Local Plan Policy HS6 and there are no other local or national planning policies which would support the provision of market housing in this location. The proposed development would create an isolated dwelling in the countryside in an unsustainable location which is contrary to paragraph 80 of the NPPF and would undermine the growth strategy for the District set out in Policies GS2 and GS3 of the Local Plan.

Voting Record

For Refusal 3; Against Refusal 2

27 Any other items

There were no urgent items of business.

28 Date of Next Meeting

Tuesday, 3rd October 2023 – venue to be confirmed.

The meeting concluded at 3.50 pm.

**North Yorkshire Council
Community Development Services
Skipton and Ripon Area Constituency Committee**

3RD OCTOBER 2023

**ZA23/25228/REG3 - REPLACEMENT OF PEDESTRAIN GALLOWS BRIDGE AND
IMPROVEMENTS TO THE STEPPED ACCESS LOCATED AT EITHER END OF
THE BRIDGE. AT GALLOWS BRIDGE OVER THE LEEDS AND LIVERPOOL
CANAL AND THE STAIRS ON BOTH SIDES OF THE BRIDGE, SKIPTON, ON
BEHALF OF NORTH YORKSHIRE COUNCIL**

Report of the Corporate Director – Community Development Services

1.0 PURPOSE OF THE REPORT

- 1.1 To determine a planning application for the replacement of Gallows Bridge and improvements to the stepped accesses located at both ends of the bridge.
- 1.2 To set out details of the proposal, a description of the site and its surroundings, a summary of planning policy and planning history, details of views expressed by consultees, a summary of the relevant planning issues and a recommendation to assist the Committee in considering and determining this application for planning permission.
- 1.3 This application is brought to the Area Planning Committee as the application has been submitted on behalf of the Council for development.

2.0 EXECUTIVE SUMMARY

RECOMMENDATION:

- 2.1 That planning permission be GRANTED subject to the conditions listed below.
- 2.2 That applicant seeks full planning permission for the replacement of pedestrian Gallows Bridge and improvements to step access. The site is within the main built-up area and conservation area of Skipton. Currently on site is the existing pedestrian bridge.
- 2.3 Pre-application discussions commenced in December 2020. Two phases of public consultation were undertaken between 24th February and 24th March 2021 and again between 18th October and 12th November 2021. Feedback from stakeholder consultation was also incorporated into the design of the bridge.

3.0 PRELIMINARY MATTERS

3.1 Access to the case file on Public Access can be found here [Public Register](#)

3.2 The following relevant planning history has been identified for the application site:

2021/22943/EIASCRC - EIA Screening Opinion Request for the Skipton Gateway Scheme.

4.0 SITE AND SURROUNDINGS

4.1 The application site covers a total area of approx. 70 sqm and is within the Skipton Conservation Area located between the Waller Hill Car Park and bus station (east) and the Cavendish Street Car Park (west).

4.2 The bridge over the Leeds and Liverpool Canal provides a direct pedestrian connection between Skipton Railway Station located to the southwest of the bridge and the bus station located to the north east of the bridge. The bridge also provides a direct connection between Tesco's and Morrison's supermarkets, Cavendish Street car park and the town centre.

4.3 Gallows Bridge is a 13.5m single-span structure consisting of two universal beams supporting a timber plank deck. The overall width is approximately 2.08m. There are steel bracing spans between the beams; all the steelwork is painted. There are two painted, metal handrails with vertical infill struts to each side of the deck. Abutments and wingwalls retain the access steps and appear to be a mixture of old and new Yorkstone. The Yorkstone wingwalls continue upwards to form the masonry parapets to both sides of the access steps.

4.4 To the north of the bridge is a small building that houses the Canal & River Trust boater facilities and a small masonry wall. To the west of the canal, at the eastern boundary of Cavendish Street car park, is a masonry wall approximately 2.3m - 4.3m high which separates the canal towpath from the car park. The wall continues along the western access steps to form the wingwalls and parapet.

4.5 Gallows Bridge is accessed from Gas Street to the west and from Keighley Road via the Waller Hill car park and bus station from the east. The immediate land use surrounding the site comprises of the bus station to the east and car parks on both sides of the canal, with residential properties located to the south at Hirds Yard, and with Belmont Bridge and commercial uses located to the north.

4.6 The bridge and the Leeds and Liverpool Canal are not listed buildings; however, the canal is considered a non-designated heritage asset (NDHA).

4.7 The site is located within the main built-up area of Skipton.

4.8 Within the surrounding area are several listed buildings identified as No. 2 Cross Street, Christ Church, and The Craven Hotel.

4.9 A total of seven arboricultural features are located on or near the site consisting of four individual trees, two groups of trees and one hedge.

4.10 As per the Environment Agency's Flood Map for Planning, the entire site is located within Flood Zone 2, an area with a medium probability of flooding and Flood Zone 3 which has a high probability of flooding from rivers and sea.

4.11 The entire site is also located within an area at risk of surface water flooding.

5.0 DESCRIPTION OF PROPOSAL

5.1 Replacement of pedestrian Gallows Bridge and improvements to the stepped access located at either end of the bridge.

5.2 The replacement bridge would consist of a steel truss with an overall length and width similar to the existing bridge.

5.3 The existing masonry abutments would be retained and re-used.

5.4 The existing steps would be replaced with individual Yorkstone steps with consistent rises and treads. A handrail at a height of 900mm would be provided at each step side. The existing masonry parapet walls would be re-profiled to accommodate the new steps.

5.5 A Flood Risk Assessment was submitted as part of the application (dated July 2023). No changes are proposed to existing surface water drainage arrangements. The deck would be cambered longitudinally to allow runoff to either end of the bridge. EA modelled flood levels confirm that the steps to the east would not impact flood risk. The EA flood mapping indicates that the steps to the west are in FZ3. However, modelling provided by the EA locates the existing and proposed steps outside of the 1 in 100 year plus 30% climate change flood level. Therefore, replacement of these steps will not impact flood risk and flood storage compensation is not required.

5.6 The submitted Arboriculture Impact Assessment (dated July 2023) has confirmed that no trees would be removed because of this proposal. Tree protection measures are proposed.

5.7 The Heritage Statement (dated July 2023) sets out the significance of the bridge and canal and provides an assessment of the impact of the proposal on the bridge and its setting.

5.8 The Environmental Management Plan (EMP) (dated June 2023) sets out the measures and mitigation requirements of the proposal to ensure compliance with environmental protection requirements.

6.0 PLANNING POLICY AND GUIDANCE

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with the Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

6.2 The Adopted Development Plan for this site is the Craven Local Plan 2012 to 2023 adopted November 2019

Emerging Development Plan - Material Consideration

6.3 The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

Guidance - Material Consideration

6.4 Relevant guidance for this application is:

- National Planning Policy Framework 2023
- National Planning Practice Guidance
- National Design Guide
- Flood Risk in Craven SPD
- Good Design in Craven SPD
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Skipton Conservation Area Appraisal
- Craven District Strategic Flood Risk Assessment (SFRA)

7.0 CONSULTATION RESPONSES

7.1 The following consultation responses have been received and have been summarised below

Consultees

7.2 **Skipton Town Council:** No comment

7.3 **NYC (Craven) Contamination Officer:** No objection.

7.4 **NYC (Craven) Environmental Officer:** No objections subject to conditions.

7.5 **NYC (Craven) Tree Officer:** No objections subject to conditions.

7.6 **Independent Heritage Officer:** No objections subject to conditions.

7.7 **Canal and River Trust:** No objection subject to conditions.

7.8 **Environment Agency:** No objection subject to a condition recommending compliance with the submitted FRA.

Local Representations

7.9 No local representations have been received.

8.0 ENVIRONMENT IMPACT ASSESSMENT (EIA)

8.1 The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environment Statement is therefore required.

9.0 MAIN ISSUES

9.1 The key considerations in the assessment of this application are:

- Principle of upgrading Gallows Bridge and improvements to access
- Visual impacts
- Impacts of works on the non-designated heritage asset and designated heritage assets.
- Impact on Trees
- Flood Risk
- Other Matters

10.0 ASSESSMENT

Principle of Development

10.1 The proposal is for the improvement and enhancement of an existing pedestrian bridge over the Leeds and Liverpool Canal located in the main built-up area of Skipton.

10.2 The proposal is considered to be a sustainable form of development that would also make a positive contribution to sustainable travel as it would continue to enable pedestrian access across the Leeds and Liverpool Canal. The proposal therefore accords with Policies SD1 and INF7 of the Craven Local Plan.

Visual impacts

10.3 The existing bridge is in poor condition and of little historical merit and therefore, the design of the replacement bridge has been taken by a historical timber bridge which once spanned across the canal in this location. The existing steps would be upgraded using Yorkstone and some re-profiling to existing parapet wall would be required. Policy ENV3 seeks to ensure that developments make a positive change that respects the character of the area.

10.4 In this instance, it is considered that the development would result in a visual enhancement through a more sensitive and appropriately designed bridge and improved use of materials. The proposal therefore accords with Policy ENV3 of the Craven Local Plan.

Impact of works on the non-designated heritage asset and designated Heritage Assets

10.5 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a duty on the Council in respect of listed buildings in exercising its planning functions. In considering whether to grant planning permission for development which affects a listed building or its setting, the

Council is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest that the building possesses.

- 10.6 It is considered that the proposed works would not have an adverse impact on the nearby listed buildings in terms of their significance of setting due to the separation distances and scale of the proposal.
- 10.7 Section 72(1) – “In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2)3, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.” Therefore, in considering whether to grant planning permission for development which affects the setting of a conservation area, the Council is required to have special regard to the desirability of preserving or enhancing the character or appearance of that area. These statutory duties are namely paragraph 202 of the NPPF (2023) which sets out that “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”.
- 10.8 The application was accompanied by a heritage statement that sets out the evidence to consider the potential impacts on the conservation area. Policy ENV2 seeks to conserve and where appropriate, enhance designated and non-designated heritage assets.
- 10.9 It is acknowledged that there would be some harm caused to the character and appearance of the conservation area. However, due to the scale of the proposal it is considered that this would be a limited degree of harm (at the lower end of the scale) of “less than substantial” and so this harm must be weighed against the public benefits of the proposal.
- 10.10 The public benefits arising from the proposal would include an improved enhancement of the bridge and appreciation due to the design of the replacement bridge which has been informed in its design by a previous, more historic bridge design. In addition, the improvements to the bridge and steps would provide improved safety for users through the removal of a defective walkway and uneven steps.
- 10.11 The Council’s independent heritage consultant has confirmed in their consultation response that whilst there is some disagreement on the extent of the proposed works that subject to conditions requiring prior approval of the proposed colour scheme and that all new stonework shall match the existing walls in the type of stone and bonding, and that all new and repaired areas of walls shall be pointed in a lime-based mortar and a mix and sample panel of stone and repointing be prepared for approval and the re-use of coping stones that the proposal should be recommended for approval.
- 10.12 Whilst the scheme would cause less than substantial harm to the character and appearance of the conservation area, the sensitive design of the proposed replacement bridge and associated works that the harm would be outweighed by the public benefit of an enhance to the character and

appearance of the conservation area and non-designated heritage asset and providing an improved safe means of access across the Leeds and Liverpool Canal, in line with Policy ENV2 and paragraph 202 of the NPPF.

Impact on Trees

- 10.13 There is no proposed removal of any of the trees located within the immediate area of the bridge. The application is proposing the installation of tree protection measures prior to the commencement of works. The proposal has highlighted that there may be a requirement for some groundwork within the RPA of G15. The Council's Tree Officer has not objected to the proposed works but recommends a condition requiring the inspection and signing off of the tree protection fencing works and that should it become necessary for groundwork within the RPA of G15 the Council is notified so establish appropriate digging methods are implemented prior to those works being undertaken.
- 10.14 As such, there are no significant concerns in relation to any potential impact on trees as proposed tree protection measures and further details regarding potential works within the RPA of G15 can be secured by an appropriate wording condition.

Flood Risk

- 10.15 Paragraph 159 of the NPPF 2023 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk and where development is necessary, the development should be made safe for its lifetime without increasing the risk of flooding elsewhere. In order to determine this, Paragraph 161 states that a sequential test should be applied and then, if necessary, an exception test should be carried out.
- 10.16 Paragraph 162 of the NPPF 2023 describes the aim of the Sequential Test as being to keep development out of medium and high flood-risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible.
- 10.17 The site is located within FZ2 and FZ3 as classified on the Environment Agency's Flood Zone Map. In addition, it is classified as FZ3a by the Council's SFRA. To perform its function as a pedestrian bridge between the two urban areas of Skipton the replacement bridge would cross the Leeds and Liverpool canal and is therefore located in areas subject to medium and high probability of flooding.
- 10.18 When applying the sequential test to this development the conclusion is that it is not possible to locate the development in an area of lower flood risk.
- 10.19 NPPF Paragraph 163 states that where it is not possible for development to be located in areas with a lower risk of flooding (considering wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend upon the vulnerability of the site and the development proposed considered against the Flood Risk Vulnerability

Classification set out in Annex 3 of the NPPF. The Planning Practice Guidance expands upon Annex 3 and advises that within Flood Zone 3a 'essential infrastructure' requires an exception test to be undertaken, and to be designed and constructed to remain operational and safe in times of flood.

10.20 The Exception Test as set out in paragraph 163 and 164 of the NPPF, state that in order to pass the exception test a Flood Risk Assessment should be submitted to demonstrate that the development will:

(1) provide wider sustainable benefits to the community that outweigh flood risk, and

(2) that it will be safe for its lifetime taking account of the flood risk vulnerability classification, without increasing flood risk elsewhere, and where possible to reduce flood risk overall.

10.21 In terms of remaining operational and safe for users in times of flood, the proposed replacement pedestrian bridge is not liable to flooding as it is above the 1:100-year flood level. The existing eastern bridge column is partially located within the identified FZ's, however, the extended access steps would be located beyond any identified FZ's. Similarly, the existing western bridge column is located within the identified FZ2 with the majority of the access steps being located beyond any FZ's. Both bridge columns and steps have been designed to operate effectively and remain operational and safe for users in times of flood.

10.22 In terms of water flow and increased flood risk, the proposal has been modelled to determine its impact on the existing FZ's. The Environment Agency (EA) have reviewed the submitted FRA and are satisfied that the development would not result in any unacceptable increase in flood risk.

10.23 In terms of the Exception Test, the application demonstrates that the development will be safe for its lifetime by virtue of its design, will not impede water flows and will not increase flood risk elsewhere. Furthermore, the proposal comprises essential transport infrastructure that has to cross the area at risk as defined in Annex 3 of the NPPF and will provide wider sustainability benefits to the community through connecting existing communities to key destinations within Skipton, and services/facility locations to the west of the town.

10.24 Any potential impacts arising during the construction stage are negligible to minor adverse effects. No significant cumulative effects are predicted during the construction stage, and it is not considered that water quality would be affected by the proposal.

10.25 The proposal is therefore considered to meet both parts of the Exception Test in accordance with the NPPF. Furthermore, the proposal is considered to meet the requirements of Local Plan policies such as Policy ENV6 (Flood Risk), ENV8 (Water Resources, Water Quality and Groundwater).

Other matters

- 10.26 In terms of sustainability details provided show that the proposal would utilise existing materials that are suitable and practicable. This re-use of materials on-site reduces the impacts of the construction in terms of importing and exporting material. The use of an open-span bridge using steel also results in a lower carbon footprint compared to pre-cast concrete. It is considered given the nature of the proposal that it complies with the objectives of Policy SD2 (Meeting the Challenge of Climate Change) and Policy ENV3 (Good Design) of the Craven Local Plan and the NPPF.
- 10.27 Noise from construction activities and dust generated may cause temporary disturbance and nuisance to surrounding properties and users of footpath along the canal. However, these impacts would be short-term and temporary in nature and can be controlled by condition.
- 10.28 Illumination may be required during the winter months, however, in line with best standards, it is not considered that any illumination would result in any adverse light pollution and can be controlled by condition.
- 10.29 Details provided show that no protected species would be affected by the proposal. It is proposed that bat/bird boxes would be located beneath the bridge to encourage wildlife.
- 10.30 The works to the bridge would reduce the connectivity during the construction stage, however, these works are temporary and once completed connectivity between these two areas of Skipton would be restored.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1 The proposed development is in a sustainable location and would help maintain a pedestrian connection between existing services and facilities in this area of Skipton. The development would not give rise to any adverse impact regarding neighbour amenity, biodiversity or increase flooding elsewhere.
- 11.2 It is acknowledged that the development would result in less than substantial harm to the designated heritage asset, but this harm is outweighed by the public benefits arising from the improved safety features of the pedestrian bridge.
- 11.3 It is therefore considered that the proposal accords with the requirements and expectations of the Core Policies of the Craven Local Plan, and with the relevant sections of the National Planning Policy Framework.

12.0 RECOMMENDATION

- 12.1 That planning permission be GRANTED subject to the conditions listed below:

Time Condition

- 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 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 and Documents

- 2 The development hereby permitted shall be carried out precisely in accordance with the approved drawings and particulars as set out below, together with any conditions attached to this approval which may require any variation thereof:

70089306-WSP-TCFSKGB-DR-CB-51810 LOCATION PLAN V2

Received 24th July 2023

70089306-WSP-TCFSKGB-DR-CB-51811 SITE LAYOUT V2

Received 24th July 2023

70089306-WSP-TCFSKGB-DR-CB-51813 PROPOSED V2

Received 24th July 2023

ARBORICULTURALMETHOD STATEMENT

Received 24th July 2023

EMP V1 ENVIRONMENTAL MANAGEMENT PLAN

Received 24th July 2023

FRA FINAL FLOOD RISK ASSESSMENT

Received 24th July 2023

PDAS FINAL PLANNING, DESIGN AND ACCESS STATEMENT

Received 24th July 2023

V2.0 PH SIGNED HERITAGE STATEMENT

Received 24th July 2023

Reason: To ensure that the development is carried out in accordance with the approved particulars and plans

Pre commencement conditions

- 3 Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Details to include:

- Measures to prevent any materials entering the canal during demolition and construction phases.
- The steps to be taken to prevent the discharge of construction site drainage, materials or dust or any accidental spillages entering the waterway.
- The location of stockpiles and construction equipment on site, and
- How the waterway corridor and its users would be protected during the works and including any details proposed protective fencing/netting to be

erected to safeguard the waterway infrastructure during demolition and construction phases.

Reason: In the interests of public safety and the Leeds and Liverpool Canal.

- 4 No development shall take place until a Construction Exclusion Zone has been formed around the Root Protection Areas of those trees identified as being retained in the ARBORICULTURAL METHOD STATEMENT dated July 2023 .

On installation of the protective fencing contact will be made with the Council's Tree officer for inspection and signing off.

The Construction Exclusion Zone shall be provided in the form of protective fencing of a height and design which accords with the requirements BS 5837: 2012 and shall be maintained in the duly installed positions during the entirety of the construction period insofar as it relates to these areas of the site.

Reason: To ensure that adequate measures are put in place to protect existing trees which are to be retained as part of the development before any construction works commence in accordance with the requirements of Craven Local Plan and the National Planning Policy Framework

During building works conditions

- 5 No site preparation, delivery of materials or construction works, other than quiet internal building operations such as plastering and electrical installation, shall take place other than between:

- 08:00 hours and 18:00 hours Monday-Friday
- 08:00 hours and 13:00 hours on Saturdays
- Not at any time on Sundays or Bank Holidays

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

- 6 Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no works shall take place to the existing stonewalls until a sample panel (measuring no less than 1 metre x 1 metre) of the stonework to be used on the external surfaces of the approved works hereby approved has been constructed on-site for the inspection and subsequent written approval of the Local Planning Authority.

The sample panel shall demonstrate the type, texture, size, colour, bond and method of pointing.

All stonework shall be constructed in accordance with the duly approved sample panel and maintained as such thereafter.

Reason: To ensure the use of appropriate materials which are sympathetic to the character of the conservation area in accordance with the requirements of Craven Local Plan policy ENV2 and the National Planning Policy Framework.

- 7 The existing coping stones are to be re-used unless otherwise approved by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and to comply with Policies ENV2 and ENV3 of the Craven Local Plan.

- 8 Prior to the external finishes of the replacement bridge being undertaken full details of the proposed colour scheme (including RAL number) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and to comply with Policies ENV2 and ENV3 of the Craven Local Plan.

- 9 No digging shall take place beneath the canopies of protected trees G15 without prior approval of the Council.

Reason: To ensure that appropriate digging measures are used to safeguard the health of protected trees and in the interests of visual amenity in accordance with the requirements of the Craven Local Plan.

- 10 Prior to the first use of any external illumination details shall be provided showing the number of lights, the power/intensity of illumination of the lights, any angling of the sites. The external illumination shall be implemented in accordance with the approved details and removed at the completion of the development.

Reason: In the interests of visual and residential amenity.

Prior to use condition

- 11 Prior to the first use of the development hereby approved 2no. bird boxes and 2no. bat boxes will be installed and retained thereafter.

Reason: In the interests of Biodiversity and to accord with Policy ENV4 of the Craven Local Plan.

Notes

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.

In dealing with this application North Yorkshire Council (Craven) 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.

The applicant should be advised that the proposed development on land in the Trust's ownership will require the prior consent of the Canal and River Trust which is likely to be in the form of a commercial agreement. The applicant is advised to contact the Trusts Estate Management Team on 0303 040 4040 directly to discuss this matter.

The applicant/developer is advised to contact the Canal and River Trust Infrastructure Services Team on 01782 779909 or email Enquiries.TPWNorth@canalrivertrust.org.uk in order to ensure that any necessary consents are obtained and that the works comply with the Canal and River Trust "Code of Practice for Works affecting the Canal and River Trust" to ensure that the waterways are protected and safeguarded.

The applicant shall identify all areas of the site and the site operations where dust may be generated and ensure that dust is controlled so as not to travel beyond the site boundary.

Target Determination Date: 4 September 2023

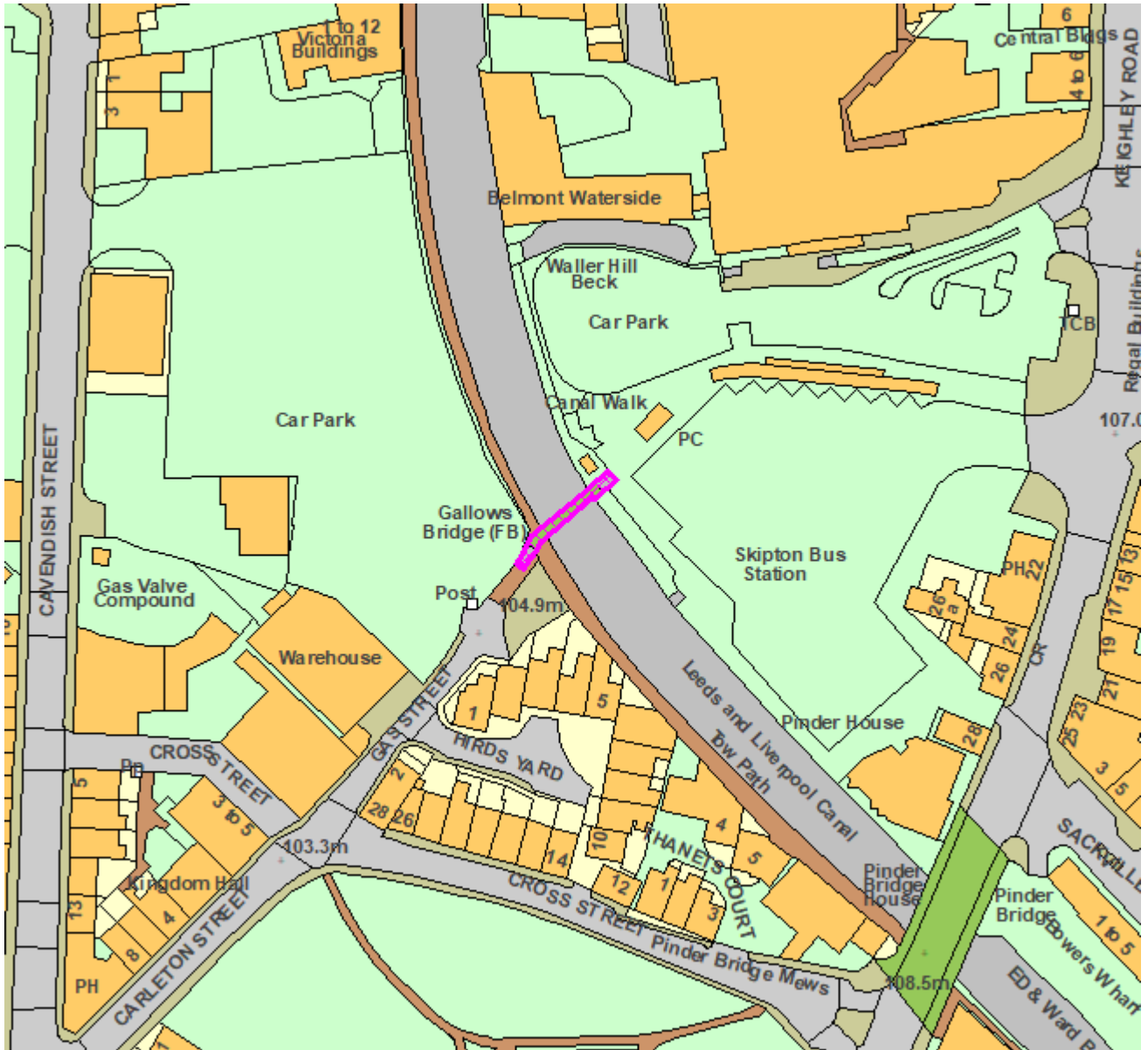
Case Officer: Andrea Muscroft

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**North Yorkshire Council
Community Development Services
Skipton and Ripon Area Constituency Committee
3RD OCTOBER 2023**

2022/24304/FUL - RECONFIGURATION OF SKIPTON RAILWAY STATION CAR PARK; RELOCATION OF THE EXISTING SUBSTATION WITHIN THE STATION CAR PARK; INCREASE IN PROVISION OF DISABLED PARKING SPACES AND ELECTRIC VEHICLE (EV) CHARGING BAYS; A NEW BUS STOP AND DROP OFF/COACH PARKING POINT; PROVISION OF A CYCLE AND PEDESTRIAN ACCESS FROM BROUGHTON ROAD INTO THE STATION CAR PARK AND FORMALISED TAXI PICK UP/DROP OFF LOCATION AND TAXI SHELTER; RECONFIGURATION OF THE EXISTING STAFF CAR PARK; REMOVAL OF 12 NO. TREES WITHIN THE STATION CAR PARK TO ACCOMMODATE RECONFIGURATION OF PARKING SPACES; PROVISION OF 19 NO. TREES WITHIN THE STATION CAR PARK WITH AN ADDITIONAL 17 NO. TREES WITHIN AIREVILLE PARK; REALIGNMENT OF THE PARTIALLY DEMOLISHED STONE WALL WITHIN THE WEST OF THE STATION CAR PARK; CONSTRUCTION OF 25M OF YORKSTONE WALL WITHIN THE EAST OF THE STATION CAR PARK; IMPROVEMENTS TO EXTERNAL VISITOR FACILITIES WITHIN THE STATION CAR PARK INCLUDING THE PROVISION OF A CYCLE SHELTER, SEATING, LIGHTING AROUND THE PERIMETER OF THE STATION CAR PARK AND A SAFE CROSSING POINT; RESURFACING OF BLACK WALK; BOUNDARY TREATMENT; LIVING PILLARS AND CONSTRUCTION OF STEPPED ACCESS TO MORRISON'S CAR PARK. AT SKIPTON RAILWAY STATION, BROUGHTON ROAD, SKIPTON, BD23 1RT, ON BEHALF OF NORTH YORKSHIRE COUNTY COUNCIL

Report of the Corporate Director – Community Development Services

1.0 PURPOSE OF THE REPORT

- 1.1 To determine a planning application for the reconfiguration of Skipton Railway Car Park with associated works.
- 1.2 To set out details of the proposal, a description of the site and its surroundings, a summary of planning policy and planning history, details of views expressed by consultees, a summary of the relevant planning issues

and a recommendation to assist the Committee in considering and determining this application for planning permission.

2.0 EXECUTIVE SUMMARY

RECOMMENDATION:

- 2.1 That planning permission be GRANTED subject to the conditions listed below;
- 2.2 The applicant seeks full planning permission for the reconfiguration of Skipton Railway Car Park and associated works.
- 2.3 The site is currently used by railway users and staff for the parking of vehicles with a taxi rank for approx. 5 taxis plus a drop-off area to the front of the station entrance. Surrounding the application site is a mixture of residential, commercial, and industrial uses.
- 2.4 Pre-application discussions commenced in December 2020. Two phases of public consultation were undertaken between 24th February and 24th March 2021 and again between 18th October and 12th November 2021. Feedback from stakeholder consultation was also incorporated into the design process.
- 2.5 The application is brought to the Area Planning Committee as the application is a Council application.

3.0 PRELIMINARY MATTERS

- 3.1 Access to the case file on Public Access can be found here on the [Public Register](#)
- 3.2 The information detailed in the Summary will not be duplicated in this Section.
- 3.3 The West Yorkshire Combined Authority (WYCA) has prioritised nine 'Gateways' for improvements as part of the Transforming Cities Fund (TCF) bid which includes Skipton.
- 3.4 The Skipton TCF scheme forms part of this programme and comprises proposed infrastructure improvements in and around the southwestern Skipton area and westward from there along the Leeds and Liverpool Canal.
- 3.5 The Skipton TCF scheme will complement the wider LCR TCF schemes, ultimately providing a transformational change in the region's transport system by providing opportunities to make reliable, safe, and attractive journeys by using public transport and cycling and walking.
- 3.6 This proposal forms one part of a wider TCF Skipton scheme, which comprises four complementary components as detailed below:

Scheme Component 1 - Skipton Railway Station Gateway;
Scheme Component 2 - Broughton Road Active Travel Corridor;
Scheme Component 3 - Railway Station to Auction Mart Canal Footpath Improvements; and

Scheme Component 4 - Railway Station to Bus Station Active Travel Improvements.

- 3.7 This planning application is concerned with the Skipton Railway Station Gateway and two parts of the Railway Station to Bus Station Active Travel Improvements, which are the enhancements to the Black Walk footway and the stepped access into Morrisons supermarket located on Broughton Road. The highway elements required under scheme components 2, 3 and 4 would be carried out under the Highway Authority's permitted development rights as stated in Part 9A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

4.0 SITE AND SURROUNDINGS

- 4.1 The application site is located west of the town centre of Skipton a Tier 1 settlement. The site covers approx. 0.7ha and is located in the main built-up area of Skipton.
- 4.2 The Site is located adjacent to Skipton Railway Station, immediately north of the Station building, and extends eastwards, south of the Morrisons on Broughton Road, along Black Walk which connects the Site to the Tesco store off Craven Street.
- 4.3 Skipton Railway Station is accessed off Broughton Road which is a main radial route following the A59 corridor. Skipton Railway Station is managed by Northern Rail, providing regular services to destinations between Carlisle, Morecambe, Leeds and Bradford. Skipton bus station, east of the Site, provides the main point for bus services throughout the local area and can be accessed from the A6131 Keighley Road, or on foot from Gas Street crossing Gallows Bridge.
- 4.4 The wider land use surrounding the Site is characterised by residential, commercial, and recreational land uses. Large areas of green space are located to the north of the Site and Leeds and Liverpool Canal, comprising of agricultural land and areas of woodland associated with Aireville Park.
- 4.5 The Site is located within Skipton Conservation Area, which includes the historic core of the town and areas to the north, south and west including the Proposed Scheme area.
- 4.6 The closest nationally designated statutory site is the Yorkshire Dales National Park, located 0.9km north of the Site and the closest locally designated non-statutory site is Castle Wood Site of Importance for Nature Conservation (SINC) which is located 460m from the Site. The Site is separated from this SINC by roads, residential housing and commercial land uses.

5.0 DESCRIPTION OF PROPOSAL

- 5.1 Re-configuration of Skipton Railway Car Park and associated works including improvements to Black Walk Footway and step access into Morrisons on Broughton Road and associated works.

- 5.2 Station car park works:
- 5.3 Existing vehicular access is to be retained but with the provision of a one-way system of the station car park with new resurfacing and kerbs around the perimeter of the car park.
- 5.3 A new vehicular exit only is proposed in the west of the station car park onto Broughton Road which would require the part demolition and realignment of approximately 22m of stone boundary wall.
- 5.4 Relocation of existing substation within the northeast of the station car park. The existing gas meter will also be relocated to allow space for car parking and additional boundary treatment. Approximately 11m of stone boundary wall will be removed to accommodate the relocated gas meter and car parking bays.
- 5.5 Increase the number of disabled parking bays from 4 to 5 and the provision of ten electric vehicle (EV) charging bays.
- 5.6 A new bus stop and drop off/coach parking point would be located opposite the station entrance.
- 5.7 Existing vehicle access within the west of the car park for railway maintenance is to be retained and gated access provided.
- 5.8 Provision of a cycle and pedestrian access from Broughton Road into the station car park along a new, formalised taxi pick up/drop off location and taxi shelter with a green roof.
- 5.9 The existing staff car park in the east of the main car park will be reconfigured to enable one-way circulation with bi-directional access for vehicles to accommodate the proposed pedestrian footway.
- 5.10 Removal of 12no. trees within the station car park, however, the proposal would provide 19 replacement trees within the station car park, wildflower green roofs, shrub planting and rain gardens. An additional 17 trees would be planted off-site within the Aireville Estate.
- 5.11 Hard landscaping proposals include the realignment of the partially demolished stone wall within the west of the station car park to comprise two curved 6m sections of stone wall adjacent to the proposed vehicular exit. An additional 25m of Yorkstone wall will be constructed within the east of the station car park, adjacent to the retained boundary wall to provide a continuous boundary feature between the station car park and Broughton Road. These structures will use the demolished materials where possible.
- 5.12 Improvements to external visitor facilities within the station car park including the provision of a 3 bay Sheldon cycle shelter, seating, lighting around the perimeter of the station car park and a safe crossing point.
- 5.13 Black Walk works:

- 5.14 Existing Black Walk ~2m wide footway to be resurfaced between Skipton Railway Station car park to Tesco junction.
- 5.15 Boundary treatment to be conducted along the route to improve the route's attractiveness.
- 5.16 Living pillars to be added to existing lighting columns along the footway and within the railway station car park subject to column stress testing.
- 5.17 Stepped access into Morrisons
- 5.18 A stepped access to Morrison's car park to be constructed adjacent to the southeast corner of the Morrison's store on Black Walk, with planting on either side of the access. This would also include the provision of tactile paving and a stainless steel handrail

6.0 PLANNING POLICY AND GUIDANCE

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with the Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

- 6.2 The Adopted Development Plan for this site is
 - The Craven Local Plan adopted in November 2019.

Emerging Development Plan - Material Consideration

- 6.3 The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

Guidance - Material Consideration

- 6.4 Relevant guidance for this application is:
 - National Planning Policy Framework 2023
 - National Planning Practice Guidance
 - National Design Guide
 - Flood Risk in Craven SPD
 - Good Design in Craven SPD
 - Planning (Listed Buildings and Conservation Areas) Act 1990
 - Skipton Conservation Area Appraisal
 - Craven District Strategic Flood Risk Assessment (SFRA)
 - River Aire Catchment Flood Management Plan (CFMP)
 - North Yorkshire Flood Risk Management Strategy

7.0 CONSULTATION RESPONSES

- 7.1 The following consultation responses have been received and have been summarised below
- 7.2 **Skipton Town Council:** No comments received.
- 7.3 **CDC Environmental Health Officer:** No objection subject to conditions re noise and dust management.
- 7.4 **CDC Tree Officer:** No objection as the trees except for one are of relatively poor quality. The replacement trees on site are acceptable.
- 7.5 **Airedale Drainage:** Works appear to be outside of the area managed by the Airedale Drainage Commissioners and therefore no comment is made in respect of this proposal.
- 7.6 **Environment Agency:** No objection subject to a condition requiring works to be implemented in accordance with the submitted Flood Risk Assessment and subsequent addendum.
- 7.7 **Historic England:** No comment
- 7.8 **LLFA Officer:** No comment as the proposal is considered minor and outside of the scope of the LLFA.
- 7.9 **NYCC Highway Officer:** The design standard for the site is MFS and the required visibility splay is 2.4 metres by 42 metres for the new junction which will provide the exit for the car park. Further work is also proposed to Broughton Road which will enhance safety for Highway users. The new layout for the car park will reduce the number of parking spaces however given its very central location with good transport links will only be a positive step in encouraging sustainable travel options. No objection subject to conditions.
- 7.10 **Yorkshire Water:** Initially objected to the proposal on the grounds that the construction works would adversely affect the public water supply infrastructure located within the site. Following the submission of additional information (revised FRA and Drainage Strategy) Yorkshire Water were consulted and highlighted points and conditions that are recommended if recommended for approval.

Publicity

- 7.11 The proposal was published via a Press Notice in the Craven Herald and Site notices posted adjacent to the site. Neighbourhood letters were also circulated.

Local Representations

- 7.12 Three third party representations received objecting to the proposal on the following grounds

Objects to the loss of the trees.

8.0 ENVIRONMENT IMPACT ASSESSMENT (EIA)

8.1 The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environment Statement is therefore required.

9.0 MAIN ISSUES

9.1 The key considerations in the assessment of this application are:

- Principle of development
- Visual Impacts
- Impacts of works on designated heritage assets
- Highway impacts
- Flood Risk
- Other matters

10.0 ASSESSMENT

Principle of Development

- 10.1 The application relates to the reconfiguration of the existing station car parking facilities to provide improved safety via the use of a one-way system and additional vehicle (abled and disabled) and cycle parking provisions. In addition, it would provide 10 EV charging points. The proposal would also provide upgrades to the pedestrian walkway known as Black Walk which runs behind Morrisons eastwards and a stepped access off Black Walk down into Morrisons.
- 10.2 The application site is located within the main built-up area of Skipton a Tier 1 settlement and forms part of the curtilage of the station. The proposal would help support the shift away from private vehicle use to more sustainable and active forms of transport.
- 10.3 In conclusion, it is considered that the proposal would make a positive and sustainable contribution via the enhancement of the existing transport infrastructure to the LP objectives of promoting sustainable travel movements and thus is considered acceptable in principle subject to meeting the requirements of other relevant plan policies.

Visual impacts

- 10.4 As set out in the preceding sections of the report, the application involves the reconfiguration and enlargement of existing car parking facilities at the Skipton train station car park. The development relates to land that is located within the curtilage of the train station and whilst the changes to both end sections of the boundary wall fronting onto Broughton Road would result in a visual alteration it is considered that the resulting development would be read in the context of the railway station and would not be out of keeping with the character of the area.

- 10.5 The improvements to Black Walk and the steps down into Morrisons are minor in nature and would not give rise to any adverse visual impacts.
- 10.6 It is also noted that wider views of the existing (and proposed car park) would be partially screened, as the site is partially screened by existing buildings and trees to the east, the existing and proposed boundary wall treatments and proposed tree planting within the site.
- 10.7 As such, it is not considered that the proposal would result in a form of development that would be out of keeping with or harmful to the setting of the immediate site or the character and appearance of the wider area and that the proposed soft landscaping would provide a further positive visual enhancement to the overall scheme.

Impacts of development on designated heritage assets

- 10.8 Skipton Railway Station is a Grade II listed building and as such Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a duty on the Council in respect of listed buildings in exercising its planning functions. In considering whether to grant planning permission for development which affects a listed building or its setting, the Council is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which the building possesses. These statutory duties are considered alongside the National Planning Policy Framework ("NPPF"), namely paragraph 202 of the NPPF (2023) which sets out that "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".
- 10.9 The application also lies within the designated conservation area of Skipton and thus Section 72(1) places a duty on the Council in respect of conservation areas in exercising its planning functions – "In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 10.10 The proposed works to the station car park would maintain the current level of openness to the setting of the Railway Station and would allow for its historical integrity to remain unaltered by this proposal.
- 10.13 The reconfiguration and subsequent removal of visual clutter and the provision of soft landscaping which would help soften any impact combined with the use of appropriate materials is considered to result in a form of development that would provide a visual enhancement to the character and appearance of the section of the conservation area.
- 10.11 Overall, the proposal would result in less than substantial harm to the significance of the designated heritage assets and thus must be weighed against the public benefits. In this instance, the proposal would provide

improvements to existing routes and enhance existing pedestrian access through the site and beyond. The design of the one-way system also provides improved safety for both vehicle and pedestrian users and the provision of a cycle hub with secure storage and the provision of EV charging points helps support options for sustainable travel. Therefore, on balance, it is considered that the harm is outweighed by the public benefits identified.

Highway impacts

- 10.12 The proposed development has been reviewed by the NYC Highway Authority who have not objected to the proposal subject to the use of conditions.
- 10.13 In terms of access, details submitted show that the existing access off an adopted road will be reconfigured with access provided at the northeast of the car park and an egress located to the northwest. The existing bus stop on Broughton Lane would be retained and a new bus shelter would be provided. Both access and egress would take the form of priority T-junctions with Broughton Road and be designed in accordance with the Manual for Streets (MfS).
- 10.14 In terms of visibility, a speed limit of 30mph exists and requires visibility splays of 2.4m x 43m. Details provided indicate that this is achievable.
- 10.15 Swept paths have been included in the Transport Assessment, Appendix D demonstrating that the junctions (and internal car park) have been designed to a suitable standard to facilitate the movement of all vehicles which will need to access the site including refuse vehicles, local bus, and occasional coach vehicles.
- 10.16 It is considered that the proposed changes to the vehicular access would improve the safety of the highway network by reducing the existing level of conflict arising between vehicles emerging from the Skipton Railway Station car park and the minor arm of the Carleton New Road/Broughton Road junction.
- 10.17 A new high-quality and wide pedestrian route is proposed connecting the new plaza area to the front of the Railway Station. The existing pedestrian crossing on Broughton Road will be redesigned to give improved priority to pedestrians. The pedestrian access to the southeast of the car park from Black Walk will also be resurfaced as part of the proposal.
- 10.18 The proposed parking provision would consist of 86 spaces (76 standard + 5 oversized + 5 disabled spaces). This is a reduction of 20 spaces from the current level of on-site parking. However, 10 new electric vehicle parking spaces would be provided as well as a local bus service layby provision, a coach parking, and a drop-off layby. It is also noted that there will be a reduction in the number of staff parking spaces. There will also be a new taxi rank with shelter provided.
- 10.19 It is considered that the design of the car park will make it more inclusive, with the disabled parking bays brought together near the main entrance to the railway station. All disabled parking bays would be connected to a footway

and a crossing point across the one-way system which provides direct access to the station plaza. This would remove the potential conflict which currently exists between mobility-restricted passengers on the site and motorists. A coach lay-by will also be provided to the frontage of Skipton Railway Station which will remove the current issue of the existing disabled bays being used for coach drop-offs.

- 10.20 The proposed development would not have an adverse impact on the safety of the existing highway network. The proposal provides options for more sustainable forms of transport with greater improvements for pedestrian users. The internal layout is considered acceptable, and the number of parking spaces provided is considered acceptable. Details of the electric charging facilities and cycle parking details are to be secured by condition. The policy is considered to accord with Policy INF7 of the Craven Local Plan.

Flood Risk, surface water drainage.

- 10.21 Both Yorkshire Water and the Environment Agency were consulted on the proposal, as well as subsequent updated information. Following a review of all submitted information, both Yorkshire Water and the Environment Agency have raised no objection to the proposal subject to the use of appropriate worded conditions.
- 10.22 Paragraph 159 of the NPPF 2023 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk and where development is necessary, the development should be made safe for its lifetime without increasing the risk of flooding elsewhere. To determine this, Paragraph 161 states that a sequential test should be applied and then, if necessary, an exception test should be carried out.
- 10.23 Paragraph 162 of the NPPF 2023 describes the aim of the Sequential Test as being to keep development out of medium and high flood-risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible.
- 10.24 The site is located within FZ2 and FZ3 as classified on the Environment Agency's Flood Zone Map. In addition, it is classified as FZ3a and FZ3b by the Council's SFRA.
- 10.25 When applying the sequential test to this development the conclusion is that it is not possible to locate the development in an area of lower flood risk.
- 10.26 NPPF Paragraph 163 states that where it is not possible for development to be located in areas with a lower risk of flooding (considering wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend upon the vulnerability of the site and the development proposed considered against the Flood Risk Vulnerability Classification set out in Annex 3 of the NPPF. The Planning Practice Guidance expands upon Annex 3 and advises that within Flood Zone 3a 'essential infrastructure' requires an exception test to be undertaken, and to be designed and constructed to remain operational and safe in times of flood.

10.27 The Exception Test as set out in paragraph 163 and 164 of the NPPF, state that in order to pass the exception test a Flood Risk Assessment should be submitted to demonstrate that the development will:

(1) provide wider sustainable benefits to the community that outweigh flood risk, and

(2) that it will be safe for its lifetime taking account of the flood risk vulnerability classification, without increasing flood risk elsewhere, and where possible to reduce flood risk overall.

10.28 In terms of water flow and increased flood risk, the proposal has been modelled to determine its impact on the existing FZ's. In addition, the proposal would maintain the current volume of flood storage. The Environment Agency (EA) have reviewed the submitted FRA and details and are satisfied that the development would not result in any unacceptable increase in flood risk.

10.29 In terms of the Exception Test, the application demonstrates that the development will be safe for its lifetime by virtue of its design, will not impede water flows and will not increase flood risk elsewhere. Furthermore, the proposal comprises essential transport infrastructure that must cross the area at risk as defined in Annex 3 of the NPPF and will provide wider sustainability benefits to the community through enhanced linkages between Skipton Railway Station and the town centre and by encouraging visitors to walk and/or cycle rather than drive. The proposal would also not increase flood risk outside of the site. The proposal is therefore considered to meet both parts of the Exception Test in accordance with the NPPF.

10.30 In terms of surface water details provided show that surface water will be dealt with via two separate networks. Network A is the drainage for the west of the site and would collect surface water from the main car park into drains via permeable block paving through filtration media and geotextile layers and into the open graded subbase material. The pipes then fall at a suitable gradient in a westerly direction, connecting via chambers and further pipes to the outfall. Several low points not within the car parking bay areas have gullies at their location, which connect directly into the pipe and chamber network. Network B works in a similar manner, discharging surface water to the eastern part of the site. The design of the surface water drainage system for the development will be guided by the principles set out in the National Planning Policy Framework (NPPF) and the Building Regulations Approved Document H. In addition, the proposal would include permeable paving, rain gardens, filter drainage and cellular storage.

10.31 It is considered that the proposal meets the requirements of Local Plan policies such as Policy ENV6 (Flood Risk), ENV8 (Water Resources, Water Quality and Groundwater)

Ecology and Biodiversity Net Gain

10.32 The application is accompanied by a range of supporting information, including an Ecological Impact Assessment dated July 2022 and an additional Ecological Impact Assessment dated November 2022.

- 10.33 The submitted desk study identified that the site is located approximately 1.5km from the Yorkshire Dales National Park and that Skipton By-pass (SINC) is located approximately 1.3km north-west of the site, and that Castle Wood (SINC) is located 761m north-east of the site. Due to the separation distances, it is not considered that the proposal would have an adverse impact on these important ecological features.
- 10.34 The proposal would result in the loss of 12 trees, but the proposal is seeking to compensate for this loss of habitat at a replanting ratio of 3:1 which is considered acceptable.
- 10.35 The desk study identified the potential for bats to be present at the bridge over Eller Beck, although it is important to note that the bridge would not be directly affected by the proposed works, but there may be some indirect effects arising from noise, dust, and potential vibrations within the vicinity of the bridge during the construction stage. To help mitigate any potential impacts the proposed construction of the stepped access into Morrisons car park would be outside of the hibernation period (which generally lies between October – March). Works will be conducted under a Precautionary Working Method Statement (PWMS) during April – September and will include measures to restrict lighting of the bridge and any ground disturbance will be kept to a minimum. In addition, any lighting would be implemented in accordance with BS 5489 Code of Practice for the Design of Road Lighting and in consideration of best practice guidance on lighting with regards to bats, as published by the Institution of Lighting Professionals & Bat Conservation Trust. These measures are considered acceptable.
- 10.36 The desk study also identified that the site supports breeding bird habitats. To mitigate any potential impacts arising from the proposal the clearance of vegetation would be undertaken outside of the main breeding bird season or if not possible then a nesting bird check would be undertaken by a suitably experienced ecologist.
- 10.37 The study also states that during the construction stage, any unfilled excavations should be covered during the evenings and weekends when there is no activity on-Site to prevent mammals and amphibians from falling into excavations and becoming trapped.
- 10.38 As such, it is considered that the proposal has given due consideration to the potential impact to protected species and their habitats in the proposed works, through the carrying out of survey work. The application site was found to offer limited opportunities for protected species.
- 10.39 Policy ENV4 requires development to achieve benefits in biodiversity that are equal to, or where possible exceed the biodiversity value of the site prior to development. In instances, where it is not possible or practical to provide on-site benefits and equivalent improvement should be provided off-site by way of mitigation.
- 10.40 Details shown in table 5.1 of the Ecological Impact Assessment sets out the loss of habitat:

Table 5-1 – Loss of Habitat as Part of the Proposed Scheme

Habitat for removal	Total area (ha)	Number	Temporary (T) or Permanent (P)
Trees		12	P
Introduced Scrub	0.039		T
Introduced Scrub	0.023		P

- 10.41 The Chartered Institute of Ecology and Environment Management and others set out ‘Good practice principles for development’, which emphasise that in applying the mitigation hierarchy, everything possible is done to first avoid and then minimise impacts on biodiversity. This echoes the approach set out within paragraph 174(d) of the NPPF, which requires planning decisions to minimise the impacts on and provide net gains for biodiversity.
- 10.42 In this instance, the proposed loss of habitat is necessary for the implementation of the proposal and therefore consideration must be given to appropriate onsite biodiversity net gains.
- 10.43 The application in table 5.2 sets out how the proposal would provide a biodiversity net gain.

Table 5-2 – Proposed Planting as Part of the Proposed Scheme

Proposed Habitat	Total area (ha)	Number
Semi-mature trees (on Site)		19
Green roofs	0.0037	
Scotscape living pillars		14
Offsite trees		17
Ornamental planting	0.041	

- 10.44 The onsite BNG is considered acceptable. In addition, the applicant is proposing the planting of 17 trees within the Airedale Park which would allow for public enjoyment of the site’s further habitat creation within the designated local green space.
- 10.45 The delivery of biodiversity net gain offsite is to be secured via condition. The provision of a Biodiversity Net Gain Management Plan would normally be required prior to the commencement of development as it would provide details as to the delivery of the biodiversity units to the land, setting how the land is to be managed, the methodology for doing so with aims and objectives for the biodiversity works and clear timescales for completing these. The Management Plan would also include a provision for reporting back to the Local Planning Authority at regular intervals over a 30-year period (which reflects the provisions of the Environment Act 2021). However, in this instance, the offsite provision would be located on Council owned land and

thus the implementation and management of this land is already a function of the Council.

- 10.46 The proposal would deliver a biodiversity net gain on site with additional BNG proposed on the Council owned local green space site known as Airedale Park. The location of the offsite BNG is acceptable in principle and capable of generating beneficial biodiversity improvements. The offsite BNG would be secured via a condition. As such, it is considered that the proposal has provided a reasonable and deliverable mitigation to ensure the proposal achieves BNG, and thus the scheme complies with Policy ENV4 of the Craven Local Plan.

Other matters

- 10.47 The proposed re-configuration and improvements to the station car park and footway would not result in any unacceptable adverse impacts on the amenity of privacy of nearby residents that are currently experienced.
- 10.48 The proposal would require new pedestrian and highway lighting. Having regard to existing light levels in the area it is not considered that the proposed lighting would result in any unacceptable light pollution and thus does not conflict with policy requirements.
- 10.49 The proposal would result in the planting of 19 replacement trees. The tree officer is satisfied that the proposed replacement trees are acceptable.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1 Having taken account of the matters outlined above, it is considered that the proposal complies with the relevant policies of the Local Plan in respect of the principle of development, access and parking, the impact on residential amenity, impact on the character and appearance of the area and designated heritage assets, flood risk and biodiversity.
- 11.2 The proposal would beneficially provide improved car parking provision at an existing train station, which in turn would benefit current public transport provision and accessibility options in the locality. Furthermore, the proposal would provide economic benefits for the wider district.

12.0 RECOMMENDATION

- 12.1 That planning permission be **GRANTED** subject to the conditions listed below.

Time Condition

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.

2. The development hereby permitted shall be carried out precisely in accordance with the approved drawings and particulars as set out below, together with any conditions attached to this approval which may require any variation thereof:

STS-WSP-00-XX-DR-E-615101 ELECTRICAL SERVICES GROUND
LEVEL POWER

STS-WSP-00-XX-DR-E-630101 ELECTRICAL SERVICES GROUND
LEVEL LIGHTING

TCF-WSP-NYC-20X-DR-CH-000021 PROPOSED STATION CAR PARK
LAYOUT

TCF-WSP-NYC-20X-DR-CH-000022 PROPOSED BLACKWALK LAYOUT

TCF-WSP-NYC-20X-DR-LE-000301 LANDSCAPE GENERAL
ARRANGEMENT (PROPOSED)

TCF-WSP-NYC-20X-DR-LE-000302 LANDSCAPE GENERAL
ARRANGEMENT (PROPOSED)

TCF-WSP-NYC-20X-DR-LE-000310 P02 AIREVILLE PARK
PROPOSED TREE PLANTING

TCF-WSP-NYSK-XXX-DR-LE-0001 FIGURE_1_SITE_BOUNDARY_V4

70068628-WSP-XX-ZZ-RP-LA-0001-LMMP LANDSCAPE MANAGEMENT
AND MAINTENANCE PLAN

(ADDITIONAL INFO) TCF-WSP-NYC-20X-DR-LE-... TREE DETAIL

(ADDITIONAL INFO) PHASE 1 HABITAT MAP

(ADDITIONAL INFO) TCF-WSP-NYC-20X-DR-LE-... TREE PLANTING
PLAN

(ADDITIONAL INFO) TCF-WSP-NYC-20X-DR-LE-... TREE PLANTING

(ADDITIONAL INFO) DRAINAGE STRATEGY

(ADDITIONAL INFO) ECOLOGICAL IMPACT ASSESEMENT

ADDITIONAL INFO) OFF SITE PLANTING

(ADDITIONAL INFO) FRA ADDENDUM

STS-WSP-XX-XX-RP-E-630000 LIGHTING REPORT

STS-WSP-XX-XX-SH-E-630001 LUMINAIRE LEGEND

TCF-WSP-NYC-20X-RP-CD-000002 STATION CAR PARK STRATEGY

TCF-WSP-NYC-20X-RP-TP-0002_PDAS REV.5 FI... PLANNING DESIGN
AND ACCESS STATEMENT

TCF-WSP-NYCC-20X-RP-TP-00012 TRANSPORT ASSESSMENT V4.0
PART 1 OF 2

TCF-WSP-NYCC-20X-RP-TP-00012 TRANSPORT ASSESSMENT V4.0
PART 2 OF 2

ARBORICULTURAL REPORT

ECOLOGICAL IMPACT ASSESSMENT_JULY_22

ENVIRONMENTAL MANAGEMENT PLAN_JULY_22

FINAL SOCOTEC GI FACTUAL REPORT A1034-21

FLOOD RISK ASSESSMENT

Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Pre-commencement conditions

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

Reason: To safeguard the living conditions of nearby residents particularly with regard to the effects of dust and to accord with Policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

4. No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. details of any temporary construction access to the site including measures for removal following completion of construction works;
2. methodology to prevent mud and debris being deposited on the adjacent public highway;
3. the parking of contractors' site operatives and visitor's vehicles;
4. areas for storage of plant and materials used in constructing the development clear of the highway;
5. details of site working hours;
6. details of the measures to be taken for the protection of trees; and
7. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity and to accord with Policy INF of the Craven Local Plan and the National Planning Policy Framework.

During building works conditions

5. Except for investigative works, no excavation or other groundworks or the depositing of material on-site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering

drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority.

The development must only be carried out in compliance with the approved engineering drawings.

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.

Informative

It is recommended that in order to avoid abortive work, discussions are held between the applicant, the Local Planning Authority and the Local Highway Authority before a draft layout is produced and any detailed planning submission is made. To assist, the Local Highway Authority can provide a full list of information required to discharge this condition. It should be noted that approval to discharge the condition does not automatically confer approval for the purposes of entering any Agreement with the Local Highway Authority. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition

6. A detailed drawing of the proposed steps onto Morrisons including specifications of materials shall be submitted to and approved in writing by the Local Planning Authority and retained as such thereafter.

Reason: For the avoidance of doubt

7. Prior to the installation of the proposed seating, the taxi shelter, cycle shelter and substation full design and materials shall be submitted and agreed in writing by the Local Planning Authority and retained as such thereafter.

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

8. Prior to the installation details of the living pillars shall be submitted to and approved in writing with the Local Planning Authority and retained thereafter.

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

9. No site preparation, delivery of materials or construction works, other than quiet internal building operations such as plastering and electrical installation, shall take place other than between

08:00 hours and 18:00 hours Monday to Friday
08:00 hours and 13:00 hours on Saturdays
Not at any time on Sundays or Bank Holidays

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

10. The development shall be carried out in accordance with the submitted flood risk assessment and subsequent addendum (ref - Transforming Cities Fund - Skipton Railway Station Gateway Scheme WSP June 2022 and Flood Risk Assessment Addendum WSP July 2023) and the following mitigation measures it details:

Design of gated access, taxi shelter, cycle shelter and changes to stonewalling to have no impact on flood levels, flood flows or flood storage.
Measures to minimise the impact on flood storage of the steps in Morrisons carpark
Changes to Black Walk boundary treatment

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To minimise the risk of flooding and to accord with Policy ENV6 of the Craven Local Plan and the National Planning Policy Framework.

11. There must be no access or egress by any vehicles between the highway and the application site at Skipton Railway Station, Broughton Road, Skipton, BD23 1RT until visibility splays provide 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 the major 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 and to accord with Policy INF7 of the Craven Local Plan and the National Planning Policy Framework.

12. There must be no access or egress by any vehicles between the highway and the application site at Skipton Railway Station, Broughton Road, Skipton, BD23 1RT until splays are provided giving clear visibility of 43 metres measured along both channel lines of the major road from a point measured 2.4 metres down the centre line of the access road. 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 and to accord with Policy INF of the Craven Local Plan and the National Planning Policy Framework.

13. The soft landscaping details as agreed shall be fully implemented and maintained in accordance with the agreed management and maintenance plans and any agreed phasing of those works. Planting works, if delayed, should be completed in the first available planting season (October-March).

If any planted areas fail or trees and shrubs die or become damaged or diseased within 5 years of planting, they shall be replaced with the same species (unless a written variation has been agreed beforehand with the LPA) in the next available planting season.

Following such an initial establishment period, all planting, shall then be maintained in accordance with the long-term landscape and maintenance provisions approved as part of this permission, including any relevant clauses set out in the accompanying Section 106 Agreement attached to this permission.

Reason: In the interests of the appearance and character of the development and area and to comply with Craven Local Plan policy ENV3 and the National Planning Policy Framework.

14. The site shall be developed with separate systems of drainage for foul and surface water on and off-site. The separate systems should extend to the points of discharge to be agreed. (In the interest of satisfactory and sustainable drainage)

There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to the public sewer is proposed, the information shall include, but not be exclusive to:-

- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical;
- b) evidence of existing positive drainage to public sewer and the current points of connection; and
- c) the means of restricting the discharge to the public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1-year storm event, to allow for climate change.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage and to accord with Policy ENV4 of the Craven Local Plan and the National Planning Policy Framework.

15. Prior to the first use details of the materials to be used for the construction of the Taxi shelter, paths, roads, walls, public realm areas and roofs of the development hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority. Only such approved material shall be used in the development.

Reason: In the interests of the appearance of the proposed development and to reserve the rights of the Local Planning Authority regarding this matter.

Prior to use condition

16. Prior to the first use of the approved development, the approved 10 electric car charging points shall have been provided and are available for use. The

electric charging points shall thereafter be retained and remain available for use at all times during the approved opening hours.

Reason: In the interest of sustainable transport and to accord with Policy INF7 of the Craven Local Plan and the National Planning Policy Framework.

On-going condition

17. The Biodiversity Net Gain (BNG) Monitoring and Management Plan shall require the submission of a BNG monitoring report produced by a suitably qualified ecologist and shall be submitted to the LPA annually for the first five years after completion and at 5-year intervals thereafter until year 30.

Reason: To enhance and protect biodiversity value with the requirements of the Craven Local Plan Policy ENV4 and the National Planning Policy Framework.

Notes

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.

The applicant is reminded that under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during the development all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Any works involving the destruction of a bat roost will require a European Protected Species Licence from Natural England.

In dealing with this application North Yorkshire Council (Craven) 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.

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.

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

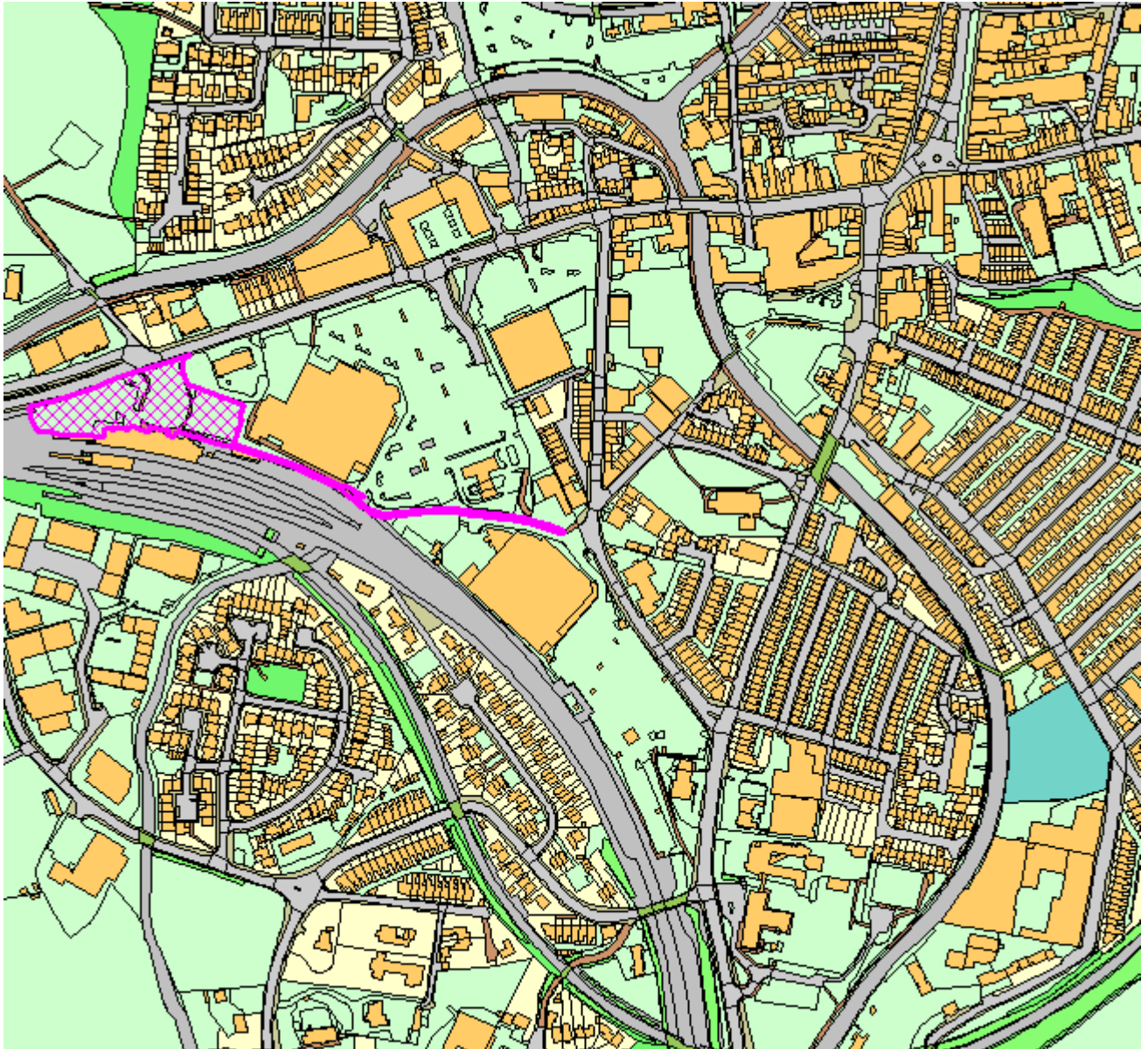
Target Determination Date: 23 August 2023

Case Officer: Andrea Muscroft
Andrea.Muscroft@northyorks.gov.uk



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North Yorkshire Council

Community Development Services

Skipton and Ripon Area Constituency Committee

03 OCTOBER 2023

PROPOSED ADDITIONAL MOT AND SERVICE BUILDING TO SERVE EXISTING AUTO SERVICES BUSINESS INCLUDING REMOVAL OF EXISTING OVERFLOW CAR PARK AT GRAYSTON PLAIN FARM, GRAYSTON PLAIN LANE, FELLISCLIFFE, HG3 2LY

Report of the Corporate Director – Community Development Services

1.0 Purpose of the Report

- 1.1 To determine a planning application for the erection of an additional MOT and Service Building to serve existing Auto Services Business including removal of existing overflow car park on land at Grayston Plain Farm, Grayston Plain Lane, Felliscliffe, HG3 2LY.
- 1.2 This application is brought to the Area Planning Committee as the Ward Member has made representations in writing to the Head of Planning (HoP) within the publicity period setting out material planning considerations in relation to Policy GS6 of the Local Plan.

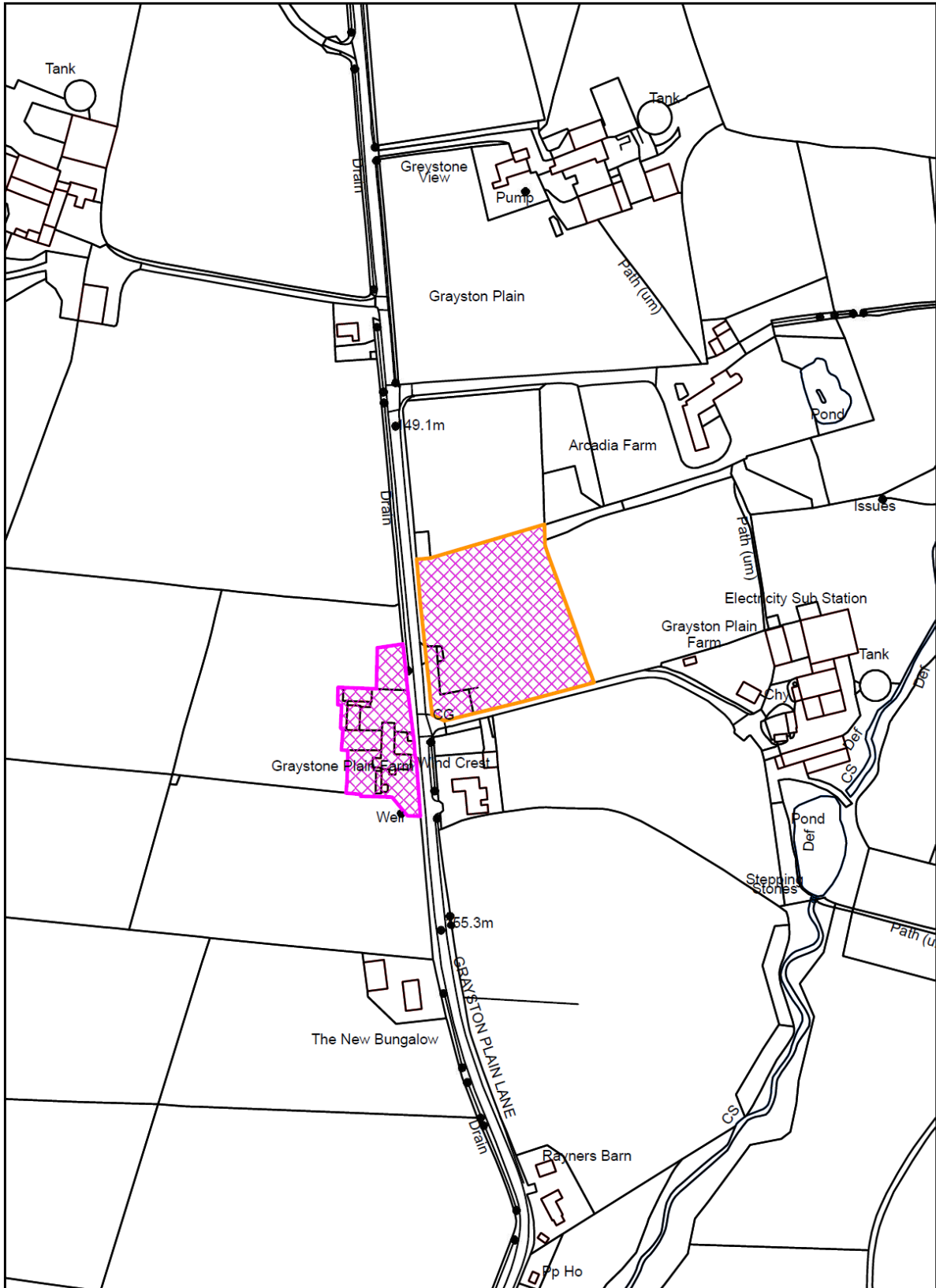
2.0 EXECUTIVE SUMMARY

RECOMMENDATION: That planning permission be REFUSED

- 2.1. This application seeks Full Planning Permission for the erection of an additional MOT and Service building, hardstanding and landscaping to be erected within an open field on the opposite side of the Graystone Plain Lane to the existing garage operation.
- 2.2. The site of existing operation is located within the Nidderdale AONB and an area of hardstanding within the site is proposed to be returned to grassland. The proposed site is located outside the AONB but immediately adjacent to it. Both sites are outside defined development limits.
- 2.3. The site is approximately 1.3 miles outside of Hampsthwaite (32 mins walk) and 3 miles (1 hr 10 min walk) from Harrogate. There is no public transport route that serves the site. A bus travels along the A59 but the nearest stop is approximately 32 mins walk away.
- 2.4. A previous scheme for the relocation of the entire operation to the application site was refused under 22/04501/FUL due to the fact that the *proposed development was considered to be unsustainably located, with no demonstrated need for a rural location, and therefore contrary to Policies EC3, GS2 and GS3 of the Local Plan. In addition by virtue of its scale and the introduction of built development into an open landscape the proposal was considered to create a significant level of landscape*

harm to both the open countryside and the views into and out of the Nidderdale AONB and therefore be contrary to Local Plan Policies GS6, NE4 and EC3.

- 2.5. The site is located outside defined development limits in 'open countryside', where the principle of new build development is not supported. It is considered that the proposal would have an economic benefit to the area however by virtue of the scale and level of landscape harm created to the open countryside and views in and out of the Nidderdale AONB, the proposal would be contrary to national government policy and Local Plan Policies GS2, GS3 and GS6 and would undermine the growth strategy for the District.



Location Plan

Scale 1:2,500



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22/09/2023

3.0 Preliminary Matters

- 3.1. Access to the case file on Public Access can be found [here](#).
- 3.2. Pre-application advice on the development of the site was provided under 21/02730/PREMIM. This raised an in principle objection and directed the applicant to relevant planning permissions in place for sites that may meet their needs.
- 3.3. There are 5 relevant planning applications for this application which are detailed below.

22/04501/FUL Proposed relocation of auto services business comprising new building with associated parking and landscaping together with demolition of existing MOT building and removal of car park. REF 26.01.2023.

10/04681/FUL Retrospective change of use from agricultural land and retention of hardstanding for use as staff parking area in association with motor vehicle maintenance business and at other times as a for livestock loading and unloading area. PER 22.10.2010.

03/03154/FUL Change of use of agricultural building to form motor vehicle workshop. PER 02.09.2003

00/03699/FUL Erection of building for use as motor vehicle service facility (Class B2). PER 11.01.2001

96/00699/COU Change of Use of agricultural storage building to vehicular maintenance building. PER 29.10.1997

4.0 Site and Surroundings

- 4.1. The application site relates to the existing business premises situated at Graystone Plain Farm which provide auto servicing and repair facilities and a large open field situated to the north west of the site across the highway – Graystone Plain Lane. The application site is approximately 0.5 ha in size, the existing operation covers 0.14ha.
- 4.2. Both sites are situated outside defined development limits and are therefore considered to be located in open countryside. The existing business site occupies a number of sheds adjacent to the farmhouse some of which were previously agricultural buildings, and are located within the Nidderdale AONB.
- 4.3. The proposed site of the additional accommodation is located outside the Nidderdale AONB but adjoins the boundary with the designated landscape.
- 4.4. A small car park has been created within a small section of the open field, however there is no evidence that planning permission has been obtained for the change of use or the hardstanding.

- 4.5. A domestic property exists immediately opposite the existing site and to the south of the proposed site. A small access runs along the south of the open field to provide access to this property and the farm beyond.
- 4.6. A public footpath runs to the east of the site beyond the site boundary.
- 4.7. The site is approximately 1.3 miles outside of Hampsthwaite (32 mins walk) and 3 miles (1 hr 10 min walk) from Harrogate. There is no public transport route that serves the site. A bus travels along the A59 but the nearest stop is approximately 32 mins walk away.

5.0 Description of Proposal

- 5.1. This application seeks Full Planning Permission for the erection of an additional MOT and Service building to be used in conjunction with the existing operation. The application site comprises of just over 0.5 ha and would include an upgraded access, parking for 13 no. cars plus additional hardstanding.
- 5.2. The building proposed is 565sqm in footprint with a volume of 4750m³. The building is 25.8m in length by 21.4m in width. The building stands 6.16m to the eaves and 10.72m to the ridge and provides 2 large MOT Bays plus 7 smaller bays at ground floor and a mezzanine teaching and observation area at first floor.
- 5.3. The proposal retains the existing enterprise on the original site and the customer reception. The proposal also includes the removal of an area of hardstanding presently used for overflow car parking on the existing site and return to grassland.
- 5.4. A landscaping scheme is also proposed for both sites.
- 5.5. The application is supported by a Landscape and Ecology Strategy; Landscape Visual Assessment; Transport Strategy, a planning statement and a statement from the applicant.
- 5.6. A previous scheme for the relocation of the entire operation was refused under 22/04501/FUL. This scheme differs from the previous refusal as the proposal was to move the entire operation which will now be split between the two sites. The building was slightly larger having a footprint of 753 sq m; the previous building was 32m in length but smaller in width at 20.8m. The proposal provided one more servicing bay but also included a reception and store area. The building height remains the same as that previously proposed and there is a small reduction of 3 no. spaces in terms of hardstanding.
- 5.7. This application was refused for the following reasons:
 1. *The application site is located within 'open countryside' in an area where development is only acceptable in line with Local Plan Policy GS3 where expressly permitted by either national or local policy. The proposed development is considered to be unsustainably located, with no demonstrated need for a rural*

location, and thus is contrary to Policies EC3 and GS3 of the Local Plan and undermines the District's growth strategy as set out in Local Plan Policy GS2.

2. *By virtue of its scale and the introduction of built development into an open landscape the proposal is considered to create a significant level of landscape harm to both the open countryside and the views into and out of the Nidderdale AONB and would therefore be contrary to Local Plan Policies GS6, NE4 and EC3.*

6.0 Planning Policy and Guidance

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

- 6.2. The Adopted Development Plan for this site is:

- Harrogate District Local Plan 2014-2035, adopted 4th March 2020
- Minerals and Waste Joint Plan, adopted 2022

Emerging Development Plan – Material Consideration

- 6.3. The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

Guidance - Material Considerations

- 6.4. Relevant guidance for this application is:

- National Planning Policy Framework 2021
- National Planning Practice Guidance
- National Design Guide 2021
- Landscape Character Assessment
- Nidderdale AONB Management Plan

7.0 Consultation Responses

- 7.1. The following consultation responses have been received and have been summarised below.
- 7.2. **Parish Council:** Does not object or support the application that seeks safeguards that the work is carried out in accordance with the submitted details.
- 7.3. **Economic Development:** Support the proposal to allow a local business to continue to operate and confirm that there is a lack of suitable alternative locations close by to the site.
- 7.4. **Environment Agency** – No comments received

- 7.5. **Environmental Health:** Recommend conditions in relation to noise; waste storage and unforeseen land contamination.
- 7.6. **Highways:** Recommend that the existing car parking is not removed until the new development is completed as there are 12 spaces in this overflow area which would be lost. Recommend conditions in relation to visibility; access arrangements; parking and turning and provision of a construction management plan for the site.
- 7.7. **Landscape Officer:** Considers that the proposal would have harmful consequences in terms of its landscape impact and the impact on the Nidderdale AONB.
- 7.8. **Natural England:** Raise no objections but refer to the guidance with regards to protected landscapes – Nidderdale AONB.
- 7.9. **AONB JAC** – The AONB board recognise the balance of the needs of local businesses with the committee’s overriding purpose to conserve the AONB’s unique landscape. Although just outside the boundary of the designated area there will be a residual impact on the AONB. The landscaping scheme which would undermine the character of the AONB should be reviewed and amended in line with comments from the Council’s Landscape Officer, to see if any alternative scheme can be devised.
- 7.10. **Yorkshire Water:** The proposal is not in an area served by any public sewerage network. The application should be referred to the Environment Agency and Environmental Health.

Local Representations

- 7.11. 55 local representations have been received of which all are in support. A summary of the comments is provided below, however, please see website for full comments.
- 7.12. Support:
- Refusal would lead to a loss of an important community facility
 - New build should be an evolving part of the landscape of the AONB
 - Proposal provides employment opportunities
 - Losing this facility or its relocation further away would increase travel for customers which would be inconvenient and would increase congestion.
 - Support rural businesses
 - There should be a balanced approach between the need to conserve the landscape and economics
 - The proposal is a similar design to an agricultural building
 - Protecting the landscape of the AONB should not be at the sacrifice to local businesses
 - Proposal meets Council policy
 - Electric charging would be a community benefit
 - Proposal is not in the AONB and would have no significant impact

8.0 Environment Impact Assessment (EIA)

- 8.1. The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environment Statement is therefore required.

9.0 Main Issues

- 9.1. The key considerations in the assessment of this application are:

- Principle of development
- Impact on Landscape Character and the Nidderdale AONB
- Highways
- Drainage
- Residential Amenity
- Ecology
- Other matters

10.0 ASSESSMENT

Principle of Development

- 10.1. The National Planning Policy Framework 2023 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions. There is a presumption in favour of sustainable development and the NPPF advises that there are three dimensions to sustainable development: economic; social and environmental.
- 10.2. Paragraph 84 of the NPPF sets out that planning decisions should support a prosperous rural economy through sustainable growth, sustainable rural tourism which respect the character of the countryside and farm diversification schemes.
- 10.3. The application site comprises of an existing auto servicing business involving the change of use of two agricultural buildings on the site in 1999 and again in 2003, along with an additional building approved in 2000. Further parking and hardstanding was approved retrospectively in 2010. The existing site provides 330 sq m of floorspace and 4 servicing bays. This section of the site is within the Nidderdale AONB.
- 10.4. The site for the proposed expansion is set across Grayston Plain Lane from the present operation in a large open field which is located outside the AONB but abuts the boundary of the protected landscape designation.
- 10.5. Both parts of the site are outside defined development limits as set out in Local Plan Policies GS2 and GS3. Outside development limits, proposal for new development will only be supported where expressly permitted by other policies of the plan, a neighbourhood plan or national plan
- 10.6. Local Plan Policy EC2 supports the expansion of existing businesses in open countryside where it meets certain criteria:

- A. There is a proven need for such development in terms of business opportunity or operational requirements;
 - B. The proposed development cannot physically and reasonably be accommodated within the curtilage of the existing site;
 - C. The scale of development is appropriate in the proposed location;
 - D. There is no unacceptable impact on the character of the countryside, the surrounding landscape, the form and character of the settlement or biodiversity;
 - E. There is no unacceptable impact on the operation of the highway network;
 - F. There are no significant adverse impacts on residential amenity.
- 10.7. The planning statements sets out the need for the development in terms of allowing the existing business to expand to meet new business needs for larger vehicles and electric and hybrid vehicles, and this is supported by the Council's Economic Development Team.
- 10.8. The applicant's statement sets out that the business has a customer base of over 5,500. The planning statement continues that the majority of customers are located within the HG3 postcode (2231), however this is less than half of the 5,500 customers set out in the applicant's statement. The planning statement shows that a further 1909 customers come from other Harrogate post codes. Evidence from the previously refused application 22/04501/FUL showed that some customers travel considerable distances from elsewhere in North and West Yorkshire to use the service.
- 10.9. The Council's Economic Development Team confirmed in their consultation response that there is a limited amount of suitable sites for the development in the local area, but it is not clear if sites in the wider North Yorkshire area have been considered.
- 10.10. Since this consultation response was provided the case officer is aware of new units being available within the HG3 postcode (Pannal) (approximately 8 miles from the site). The applicant has verbally commented that these are logistically unsuitable as they do not believe that the client base would travel to this location and for their staff to travel to work. This is backed up by the Economic Development Team.
- 10.11. The planning statement provides evidence of where the present staff are located which ranges from Summerbridge to Spofforth. Due to the fact that there is no public transport servicing the site then it is likely to expect that most staff already travel to work using a private vehicle.
- 10.12. Whilst it is accepted that there is an operational need for expansion, the need for the level of expansion proposed is queried. The existing site is 0.14ha and provides reception, offices and 4 no servicing bays. The proposal is to expand the site to include an additional 0.52 ha (more than 4 times the size of the existing site in total).
- 10.13. The proposed building will provide 5 bays plus 2 larger MOT bays. This is the same level of MOT and servicing accommodation bar one of the smaller bays as that within the previously refused application for the wholesale relocation of the enterprise despite the fact that they are retaining the 4 no. existing servicing bays on the existing site. Whilst it is understood that some further bays are required for the larger vehicles and the growing number of electric and hybrid vehicles, the existing customer base can

presumably predominately be dealt with using the existing accommodation and therefore it is unclear as to why the scale of the expansion is necessary when retaining the existing site.

- 10.14. On the basis of the above it is considered that whilst there is an operational need for expansion, there is no proven need for the scale of the development and therefore the proposal does not comply with Criterion A of Local Plan Policy EC2.
- 10.15. In relation to Criterion B it is clear from the evidence submitted with the application that the proposal cannot be accommodated within the existing site and thus Criterion B is met.
- 10.16. As set down further in this report it is also considered that Criterion E and F can be met, but it is considered that the proposal is unacceptable in scale and would have an unacceptable landscape impact and therefore does not meet Criterion C and D of Local Plan Policy EC2.
- 10.17. On the basis of the above, the proposal is considered to be contrary to Local Plan Policy EC2 Criteria A, C and D and thus there is no policy to support the development outside defined development limits and therefore the proposal is also contrary to Local Plan Policies GS2 and GS3 and thus unacceptable in principle.
- 10.18. The two sites are not tied together with the exception of the reception facilities and therefore could operate independently, and would require a condition to ensure that the two operations remained tied together, to ensure that a new enterprise is not created on the site.
- 10.19. *Economic and Social Benefits*
- 10.20. The NPPF states that there is a presumption in favour of sustainable development and advises that there are three dimensions to sustainable development: economic; social and environmental.
- 10.21. The proposal is for an expansion to an existing rural business which presently provides employment for 11 persons and would provide an additional 5 no. employment opportunities once the expansion was completed.
- 10.22. The existing business provides a service to those located locally which does not require them to travel into Harrogate or beyond, thereby improving convenience for the local community and reducing mileage for those who are coming from the immediate vicinity.
- 10.23. The business also provides an economic benefit from those customers who travel from outside the local area to use the services provided.
- 10.24. The inability to expand the business or find a suitable alternative location would have a significant impact upon the ability of the business to expand or survive as the automotive industry needs change into the future.

- 10.25. The proposal therefore provides an economic and social benefit to the local economy and community.

Impact on Landscape Character and the Nidderdale AONB

- 10.26. The existing site is situated within the Nidderdale AONB and the proposed site is located adjacent to the designated landscape. Both sites are in open countryside and therefore Policies GS6 and NE4 that seek to preserve the AONB and wider landscape character are considered to be relevant, along with policy HP3 which seeks to preserve local distinctiveness.
- 10.27. NPPF paragraphs 176 and 177 state that ‘great weight should be given to conserving and enhancing landscape and scenic beauty’ in the AONB and that ‘permission should be refused for major development’.
- 10.28. The site is located within Landscape Character Area No 24 ‘Lower Nidderdale Valley north west of Harrogate’. The assessment states that the ‘area’s ability to accept change without harm to its character is limited, especially where development would be visible’ and notes that ‘the landscape contains many scattered buildings and has a limited capacity to accept additional built development without detriment to landscape character through coalescence’ and notes that ‘additional individual buildings between settlements will impact on rural character, as would the domestication of the few field barns remaining’.
- 10.29. The Landscape Officer states: *‘The site to the east is a farm field in open countryside immediately adjacent to Nidderdale AONB to which Greyston Lane forms the boundary and is bounded by stone walls, hedgerows and fencing. It is relatively open in nature and slightly elevated from land to the north and east. The Landscape of Nidderdale Valley is characterised as having extensive views and an intimate and diverse landscape pattern with random fields typical of early enclosure. The site and it’s immediate setting is characteristic of the described Landscape being a small field within a pattern of small fields with an eclectic mix of boundary treatments and associated hedgerow trees. Whilst there is an area of woodland to the north of the site the field is not planted and the immediate landscape of the site and the surroundings is not significantly characterised by woodland except where associated with Cockhill Beck nearby’.*
- 10.30. The proposal is to erect a two storey building on an area of open land with the provision of a large area of hardstanding to the frontage of the building to provide parking, turning and storage areas. An area of hardstanding on the existing site is proposed to be returned to grassland.
- 10.31. The scale of the building is significantly larger than any of the neighbouring buildings and will be introduced into an open landscape; and whilst it takes its design from that of agricultural buildings it would not be seen as an agricultural building due to the large areas of glazing; the large car parking area adjacent to the highway and the overall commercial appearance.

- 10.32. The submitted LVA notes that the visual impacts of the development without landscaping will be 'moderately adverse'. With landscaping this is reduced to 'minor adverse'.
- 10.33. The Landscape Officer has stated that she is in agreement with the 'moderately adverse' assessment of the proposal but continues *'I do not consider that the screen planting is an appropriate treatment and will in itself bring about harmful changes to the landscape character. The existing field pattern is an important and identifiable characteristic of this landscape and a proposal which aims to largely plant the existing field will incrementally dilute and reduce the distinctive qualities of this landscape pattern. In addition, it would appear that the planting is proposed to screen a building which is inherently unacceptable in scale and in its relationship to the landscape and the existing farm cluster'*.
- 10.34. It is considered that the building is completely out of scale with the existing farmsteads and adjacent domestic properties to the extent that it would have an adverse Landscape and Visual Impact and cause an unacceptable level of landscape harm. The level of type of planting mitigation proposed would be out of character with the local landscape and would take a considerable length of time to mature. Where a development requires such a high level of screening in order to provide mitigation, it is considered that the location is unacceptable for the proposal and would be contrary to Local Plan Policy NE4.
- 10.35. A public footpath runs to the east of the proposed site and the proposal would be visible from this position.
- 10.36. In addition whilst the proposed building is not situated within the AONB it is located on land immediately adjacent to the AONB. The NPPF states at paragraph 176 that 'great weight should be to conserving and enhancing landscape and scenic beauty in ...Areas of Outstanding Natural Beauty' and continues that 'development within their setting should be sensitively located and designed to avoid or minimise adverse impact on the designated areas'.
- 10.37. The level of landscape harm associated with the proposal would impact on the setting of the AONB and therefore would have the same harmful consequences as the building being located within the AONB and would be contrary to NPPF paragraph 176 and Local Plan Policy GS6.
- 10.38. The proposed removal of the area of hardstanding within the existing site would have a minor benefit within the AONB but it is not considered that this would offset the level of harm to the landscape caused by the proposed development.
- 10.39. The proposal is therefore considered to create a significant level of landscape harm to both the open countryside and the views into and from the Nidderdale AONB and would therefore be contrary to Local Plan Policies GS6, NE4 and EC2.

Highways

- 10.40. Paragraphs 110 and 111 in the NPPF set out the requirement for safe and suitable access to be achieved for all users and that development should only be refused on highways grounds where there would be an unacceptable impact on highway safety.
- 10.41. A Transport Assessment has been submitted in support of the application that demonstrates that suitable visibility splays can be achieved, and that the site can provide adequate parking and turning without creating highway safety issues.
- 10.42. The Highways Officer has considered the plans and following the provision of additional information has confirmed that the proposal would not create issues in respect to Highway Safety subject to conditions.
- 10.43. The Highways Officer has requested that the existing overflow car parking area on the existing site be retained until the proposed extension is completed to ensure that there is sufficient car parking across both sites.

Drainage and Waste

- 10.44. The application form states that surface water will be dealt with via soakaway and that foul sewerage will be dealt with by mains sewer. Yorkshire Water have commented that there is no public sewer in the area so it is not clear how drainage will be dealt with on the site.
- 10.45. This matter was brought to the attention of the applicant in the previous refusal. In addition the application form states that there will be no disposal of trade effluents or trade waste. As this is a motor garage it is likely that there will be a requirement to deal with this and this would need to be clarified. The application provides insufficient information to ascertain that a suitable form of drainage can be provided for the site.
- 10.46. Cockhill Beck is located close to the site and as set out in the submitted Ecological Assessment 'is likely to comprise a key ecological linkage within the local area'
- 10.47. A clear drainage scheme would need to be provided as a condition of any consent.

Residential Amenity

- 10.48. Paragraph 130 of the NPPF sets out the requirement for a high standard of amenity to be provided for both existing and future occupiers.
- 10.49. Policy HP4 of the Local Plan states that 'development proposals should be designed to ensure that they will not result in significant adverse impacts on the amenity of occupiers and neighbours'.
- 10.50. The proposal seeks to construct a large commercial building in relation to auto servicing and repair, in close proximity to a residential property. In order to control the impact of the proposal it is recommended that conditions are attached to any approval to restrict the hours of activity on the site; control external noise levels and to restrict activities from taking place outside of the building.

- 10.51. Subject to conditions it is considered that the proposal would not adversely impact on the residential amenity of the neighbouring property.

Ecology

- 10.52. Paragraph 180 of the NPPF states that opportunities to improve biodiversity in and around development should be integrated as part of their design.
- 10.53. Local Plan Policy NE3 seeks to protect and enhance biodiversity.
- 10.54. An Ecological Impact Assessment has been submitted with the application which states that 'the scheme has potential to result in minor positive impact to nature conservation providing mitigation and enhancement measures detailed in this report are adopted'.
- 10.55. In order to ensure that a biodiversity net gain is delivered on the site, a more detailed landscaping scheme would be required providing a higher level of detail in terms of species and numbers of planting and also how a biodiversity net gain would be achieved. This would be required as a condition of any consent.
- 10.56. In addition any approval would be required to be undertaken in accordance with the mitigation measures set out in the submitted report.

Other Matters

Contaminated Land

- 10.57. There is no evidence to suggest that the site has been affected by pollution activities or waste disposal however the site has been in agricultural use and thus there is the potential for unexpected contamination to be found during development. A condition in relation to this is recommended.

Air Quality and Sustainable Transport

- 10.58. Paragraph 186 sees that planning decisions provide opportunities to improve or mitigate air quality. In line with this, it is considered that any planning approval in relation to the proposed development should include a condition requiring the provision of the scheme for electric vehicle charging, as shown on the submitted plans.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1. The application site is located within 'open countryside' in an area where development is only acceptable in line with Local Plan Policy GS3 where expressly permitted by either national or local policy.
- 11.2. The proposal would provide a local economic benefit and an inability to expand the business or find a suitable alternative location would have an economic and social impact.
- 11.3. Whilst Local Plan Policy EC2 supports the expansion of businesses in these areas, this is subject to a number of criterion which need to be met. It is considered that the

proposal does not meet criterion A and B in terms of its scale, justification of scale and location; or Criterion D due to the unacceptable level of landscape harm.

- 11.4. On the basis of the above, the proposed development is considered to be unsustainably located, and contrary to Policies EC2 and GS3 of the Local Plan and undermines the District's growth strategy as set out in Local Plan Policy GS2.
- 11.5. The scale of the proposed development and the introduction of built development into an open landscape, alongside the inappropriate proposed planting scheme is considered to create a significant level of landscape harm to both the open countryside and the views into and from the Nidderdale AONB. This would be contrary to Local Plan Policies GS6, NE4 and EC2 and paragraph 175 of the NPPF.

12.0 RECOMMENDATION

12.1 That planning permission be REFUSED for the following reasons:

- i. The application site is located within 'open countryside' in an area where development is only acceptable in line with Local Plan Policy GS3 where expressly permitted by either national or local policy. Whilst Local Plan Policy EC2 supports the expansion of businesses in these areas, this is subject to a number of criterion which need to be met. It is considered that the proposal does not meet criterion A and B in terms of its scale and location; or Criterion D due to the unacceptable level of landscape harm. On the basis of the above, the proposed development is considered to be unsustainably located, and contrary to Policies EC2 and GS3 of the Local Plan and undermines the District's growth strategy as set out in Local Plan Policy GS2.
- ii. By virtue of the scale of the proposed development, the introduction of built development into an open landscape, alongside the inappropriate proposed planting scheme it is considered that the proposal would create a significant level of landscape harm to both the open countryside and the views into and from the Nidderdale AONB. This would be contrary to Local Plan Policies GS6, NE4 and EC2 and paragraph 175 of the NPPF.

Target Determination Date: 10.10.2023

Case Officer: Emma Howson, emma.howson@northyorks.gov.uk

Appendix A – Proposed Layout Plan

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