

North Yorkshire Council

Community Development Services

SKIPTON AND RIPON CONSTITUENCY COMMITTEE

2ND APRIL 2024

ZA23/25492/FUL - FULL PLANNING PERMISSION FOR ERECTION OF FOUR TWO STOREY HOUSES AND WORKS TO BOUNDARY WALL AT GRUNDY FARM, CARLETON, SKIPTON, BD23 3DE ON BEHALF OF RN WOOLER & CO

Report of the Assistant Director/Planning – Community Development Services

1.0 Purpose of the report

- 1.1 To determine planning application reference ZA23/25492/FUL for the above development at Grundy Farm, Carleton, Skipton, BD23 3DE.
- 1.2 The Corporate Director of Community Development Services considers the application raises significant planning issues of public interest. Therefore, in accordance with the North Yorkshire Council Area Constituency Planning Committees Scheme of Delegation, the application falls to be determined by the Craven and Ripon Constituency Area Planning Committee.

2.0 EXECUTIVE SUMMARY

RECOMMENDATION: That planning permission be GRANTED for the reasons set out below.

- 2.1 Full planning permission is sought for the erection of four two-storey houses and works to boundary walls at the location of Grundy Farm from where the proposal would be accessed off Main Street.
- 2.2 The proposed dwellings would be located to the rear of Grundy Farm (GII Listed Building) with associated boundary treatments and landscaping. The existing outbuilding would be partially demolished to form a garage for the Grundy Farmhouse.
- 2.3 The main issues regarding the proposal are the principle of housing on this site, the effect of the proposal on the setting of heritage assets and the character and appearance of the area, and whether public benefits of the scheme and material considerations would outweigh any identified harm.
- 2.4 In principle, the housing provision would contribute towards the district's spatial housing strategy and thus accords with Local Plan Policy SP4. The

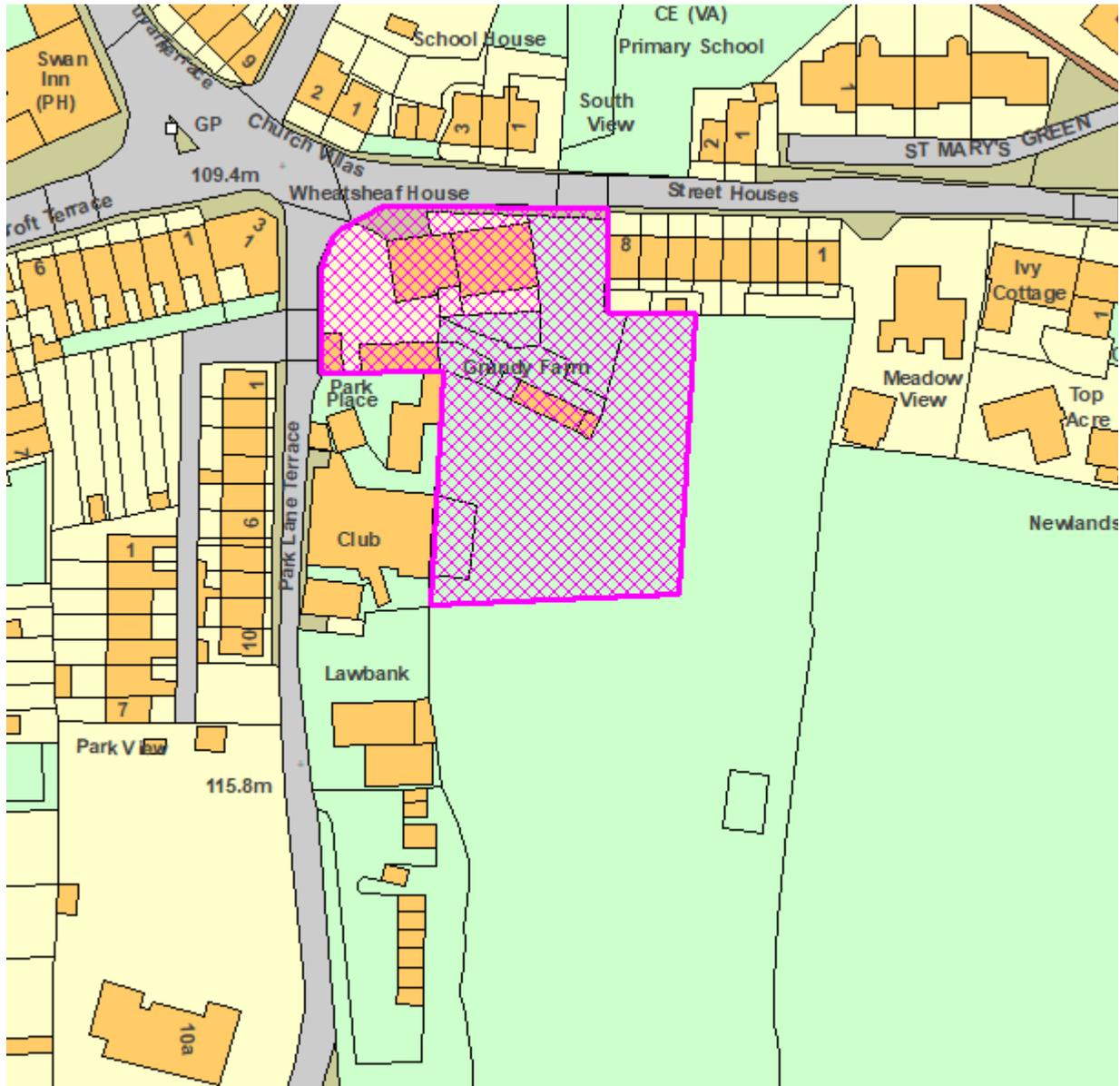
proposal would not give rise to any adverse amenity, flooding or highway issues and would provide sustainable and biodiversity benefits.

- 2.5 Having considered the scheme, the Council's specialist heritage adviser has no objection on heritage grounds and considers the current proposal to be an improvement on the original proposal, and there are no objections from statutory consultees. The revised scheme accords with the provisions of the development plan overall, and there are no material considerations which indicate a decision should be taken other than in accordance with it. Therefore, approval is recommended subject to the conditions recommended below.



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3.0 Preliminary Matters

3.1 Access to the case file on Public Access can be found <https://publicaccess.cravenc.gov.uk/online-applications/>

3.2 Key planning history

- 3.3 17/2009/9965 – Conversion of barn to 2no. residential units and construction of 3 no. new dwellings with associated off-street parking (Resubmission of application 17/2008/9164) – Approved October 2009.
- 3.4 17/2012/12543 – Discharge of conditions 3,5,6,7,9,10 & 11 of planning approval 17/2009/9965 – Approved.
- 3.5 17/2009/9980 (LBW) – Conversion of barn to 2no. residential units and construction of 3 no. new dwellings with associated off-street parking – Approved November 2009.
- 3.6 Officers Note: Approvals 17/2009/9980 & 9965 have been implemented. Therefore, there remains an extant permission for the provision of 5 dwellings on part of this site.
- 3.7 2018/19559/FUL - Full planning permission for the erection of five two-storey houses and one single-storey house and works to boundary walls – Refused at March 2019 Committee against an officer recommendation for 3 reasons:
- 1** - The proposal which includes the partial demolition of a boundary wall to the Grade II listed building (Grundy Farm) and the construction of six detached dwellings with associated infrastructure would have an adverse impact on the setting and significance of this heritage asset and would neither preserve or enhance the character and appearance of the conservation area. The proposal is therefore considered to be contrary to the requirements of Section 16 of the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2** - The proposed development would result in harmful encroachment and urbanisation in the countryside which would diminish its openness, character and quality in conflict with the requirements of saved policies ENV1 and ENV2 Craven District (Outside the Yorkshire Dales National Park) Local Plan which seeks to protect the countryside from sporadic development and paragraphs 127 and 170 of the National Planning Policy Framework which also seek to protect the intrinsic character of the open countryside.
- 3** - It has not been satisfactorily demonstrated that the visibility splays specified can be achieved due to the current situation of cars parking on the public highway. In particular, for highway safety, as vehicles exit the site without sufficient visibility could be at risk of collision. The proposal is therefore considered contrary to Saved Policies ENV2 & T2 of the Craven District (outside the Yorkshire Dales National Park) Local Plan and the requirements of Section Nine of the National Planning Policy Framework.
- 3.8 2018/19560/LBC – Listed building consent for works to boundary walls – Refused at March 2019 Committee against an officer recommendation for 1 reason:
- 1** - The Grade II boundary wall to Grundy Farm is situated in a prominent position within the conservation area and makes a positive contribution to the setting of the listed building and the character and appearance of the

conservation area. Therefore, the partial demolition of this boundary wall to the listed building (Grundy Farm) would have an adverse impact on the setting and significance of this heritage asset. The proposal is therefore considered contrary to the requirements of Section 16 of the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

4.0 Site and Surroundings

- 4.1 The site of the proposal consists of Grundy Farm with an attached barn, outbuildings (Grade II Listed Buildings) and land to the rear, with the Carleton Conservation Area running east to west through the site. Beyond the northern and western boundaries are further residential dwellings, plus a Public House, Primary School, and local shop.
- 4.2 There are two extant planning approvals (ref: 17/2009/9965 & 9980) approving the conversion of the former barn to form two residential units with an area to the south of the farmhouse approved for the construction of three residential dwellings with associated off-street parking. As a result, part of the site is identified on the Policies Maps in the Local Plan as an existing housing commitment due to previous permission being granted.
- 4.3 The site is also located close to public transport, which connects the site with Skipton. In addition, there exists a pedestrian footpath from the site into the centre of Skipton.

5.0 Description of Proposal

- 5.1 Full planning permission for the erection of four two-storey houses and works to boundary walls.
- 5.2 The proposed dwellings would consist of 4no. 3-bedroom dwellings with off-street parking.
- 5.3 In terms of materials, the proposed dwellings would be constructed using natural stone under a slate roof. Windows and doors would be of timber construction with stone heads and cills. These reflect the traditional building methods common to the area.
- 5.4 The site would be accessed using the existing access off Main Street and resident parking would be split between side parking, detached and integral garages. One visitor parking space would be provided.
- 5.5 The application is supported by the following information:

Design & Access Statement
Heritage Statement – updated 8.3.2024
Planning & Heritage Statement
Preliminary Ecological Appraisal
Air Source Heat Pump Specification Sheet

- 5.6 A revised plan was received to address points raised by the highways and heritage officers; these include:

The stone gate post at the entrance being re-positioned.

Stone setts at the entrance to be retained.

Midden to the rear of the farmhouse (two walls to be retained).

Low wall to replace post and chain boundary treatment to the front of the barn

Visitor parking space shown adjoining parking close to the bin store.

Shared surface shown on plans.

- 5.7 The proposal has been assessed against the revised drawings and document.

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 the Craven Local Plan 2012 – 2032 (adopted 2019) (Local Plan).

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 December 2023 (The Framework)

National Planning Practice Guidance (PPG)

National Design Guide (NDG)

Craven Good Design SPD 2022

Craven Green Infrastructure and Biodiversity SPD 2022

Craven Flood Risk SPD 2022

Craven Affordable Housing SPD 2021

Carleton Conservation Area Appraisal 2023 (the Carleton CAA)

Craven Settlement Monitoring Report July 2023

Craven District Plan Approaching Housing Density and Mix 2017

Craven Authority Monitoring Reports 2021-2022 (AMR)

BRE Site Layout Planning for Daylight and Sunlight

7.0 Consultation Responses

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

- 7.2 **Carleton Parish Council:** Recommend refusal for the following reasons:

Contrary to policy SP4
Highway concerns
Development in a conservation area would have an adverse impact.
Previous reasons for refusal remain valid.

7.3 **NYC Environmental Officer:** No objections, recommend conditions relating to potential contamination and noise control.

7.4 **NYC Heritage Consultant:** The current proposal has resulted in dwellings 3 & 4 being moved westwards to create a gap between them and dwellings 1 & 2 being moved backwards to create a courtyard feel.

The current proposal for an additional dwelling over the approved scheme on a site extends further into open land, however, the current scheme is considered preferable to the previously approved scheme for the following reasons:

- It would retain a narrow view between the new dwellings
- Omits a dwelling immediately behind the listed farmhouse
- Helps retain some immediate open settings to the listed farmhouse
- Part of the single-storey outbuilding is retained
- Paddock on the road frontage would remain undeveloped further contributing to the open setting of the farmhouse and allowing views over it.
- Existing midden at the rear of the barn would be partially retained and that the area (with wall and potential midden) at the side of the barn would be unaltered.

The proposal would cause a low level of harm to the setting of the listed buildings and conservation area. However, the proposed impact would be no worse than the approved scheme and there are no overriding heritage reasons to refuse the principle of the application.

The proposed design and materials would reflect the prevailing character and materials of vernacular cottages and are considered acceptable, subject to the usual conditions requiring prior approval of samples.

A full cobbled courtyard would be preferable to the bitmac turning head, to create a more cohesive and characterful space. A condition requiring prior approval of a comprehensive hard landscaping plan for the whole site should be imposed regarding this matter.

The outbuilding to the rear of Grundy Farm, has some heritage significance as part of the group of historic farm buildings. Notwithstanding that the listed consent did not refer to the demolition of the outbuilding, the approved planning permission was granted consent for the full demolition of the outbuilding. As such, the previous permission is a material consideration.

Although the current proposal involves some loss of the historic fabric it is preferable to the approved scheme, especially as it would replace the metal sheet roof with natural slates. Furthermore, the quoins in the middle to the

rear, and the historic map suggest that the building was constructed in phases and the proposal would retain the earliest phase. On balance, the proposed partial demolition is acceptable, provided that acceptable detailed drawings are provided, including the proposed E elevation, with a traditional garage/cart door. Similarly, details should be provided of the proposed gates for the bin store.

It is accepted that there is a requirement to make necessary alterations to the boundary wall concerning providing safe access to the site and that this would cause low-level harm. This harm could be further minimised by amending the plan to confirm the retention of the W gate pier and the relocation of the W pier. This can be dealt with by a suitable worded condition.

Recommend that the principle of the proposed four houses is acceptable and that the revised detailed design, layout, and materials of the houses are also an considerable improvement and that outstanding issues can be resolved by appropriate conditions.

7.5 **NYC Highways Officer:** No objection, recommend conditions.

7.6 Yorkshire Water: No objection, recommend conditions relating to the management of surface and foul water.

Local Representations

7.7 At the time of writing 21 public comments have been received. A summary of comments made is provided below. However, comments can be viewed in full at the above web link. <https://publicaccess.cravendc.gov.uk/online-applications/>

Objections

7.8 Shouldn't be allowed to submit another application.
Concern regarding traffic, congestion, and increased stress on parking requirements
Noise and disturbance during the construction stage
Adverse impact on the setting of listed building and surroundings
No affordable provision
Should not be considered against SP4.
Pressure on local school
Contrary to local plan policies
This would lead to further development.
Flood risk

Neutral

7.9 Should stay a farm.
Unclear who is the applicant.
It does not appear to be a specific Heritage Report
All of Grundy Farm and field are in the conservation area.
Unclear ref access
Suggest archaeological surveys should be undertaken.
No benefits

8.0 Environment Impact Assessment (EIA)

- 8.1 Having regard to the scale and nature of the proposal, the development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment Regulations 2017) (as amended). Therefore, no Environment Statement is required.

9.0 Main Issues

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

Principle of development

Fallback position

Context of the previous refusals.

Density and mix of development.

The effect of the proposal on the character and appearance of Main Street.

The impact of the proposal on the setting of the adjacent heritage assets

The effect of the proposal on the living conditions of existing residents and future occupants

Biodiversity

The effect of the use of the proposed access on the safety of pedestrians and vehicle users.

Whether the proposed houses would be safe from flooding and be adequately served by drainage.

Highway safety

Other matters

10.0 ASSESSMENT

Principle of Development

- 10.1 Carleton is a Tier 4a settlement with the application site consisting of farm buildings being located within the main built-up area of Carleton. The remaining site area is considered to adjoin the main built-up area of Carleton. It is acknowledged that under the requirements of the previous LP part of the site had been the subject of two planning approvals which deemed the principle of residential development (along with other material planning issues) as deemed acceptable in this location.

Table 1.

Planning Reference	Description	Resolution
17/2009/9980 (LBW)	Conversion of barn to 2no. residential units and construction of 3 no. new dwellings with associated off-street parking	Delegated approval decision
17/2009/9965	Conversion of barn to 2no. residential units and construction of 3 no. new dwellings with associated off-	Delegated approval decision

	street parking (Resubmission of application 17/2008/9164)	
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- 10.3 Policy SP4 (H) is of relevance in the consideration of this proposal. This policy is supportive of proposals for additional housing growth on non-allocated land for housing within the main built-up areas of Tier 1, 2, 3, 4a and 4b settlements, providing that they accord with all other relevant LP and any neighbourhood plan policies. There is however no adopted neighbourhood plan for Carleton.
- 10.4 As per the Framework and LP Policy SD1, the Council will take a positive and proactive approach to considering the development proposed that reflects the presumption in favour of sustainable development. In addition, as the Framework sets out, it is the Government's objective to significantly boost the supply of homes. Having regard to the section of the application site that lies within the main built-up area of Carleton a Tier 4a settlement, this part of the development would comply with the requirements of SP4 (H).
- 10.5 The remaining part of the application site adjoins the main built-up area of Carleton and thus policy SP4 (I) is of relevance. This policy is supportive of releasing non-allocated sites for housing subject to meeting one of the exceptions set out in the policy.
- 10.6 Carleton is currently showing a deficit housing figure (CDC Settlement Growth Monitoring January 2024). As such, the proposal would address this deficit and help deliver the expectations of the development plan regarding housing for the district. As a result, the proposal would comply with SP4 (H)(a).
- 10.7 In conclusion, having regard to the site's location within and adjoining the main built-up area of Carleton a Tier 4a settlement, the development would comply with and facilitate the realisation of the LP spatial strategy, with specific regard to Policies SP1 and SP4 (H), (I). It would also accord with the aims and objectives of paragraph 60 of the Framework to significantly boost the supply of homes.

Fallback position

- 10.8 In this instance, part of the site benefits from extant permissions. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 (the Act) sets out that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Council acknowledges that the presence of the extant permissions is a material consideration.
- 10.9 The implementation of the extant permission would see the creation of 5no. dwellings on part of the application site, whereas the current proposal would see the creation of 6no. dwellings on the whole of the site thus providing one additional dwelling.
- 10.10 Regarding this proposal, it is considered that there is a real possibility that the extant permissions would be implemented should the proposal be refused.

This is evidenced by the existence of the extant permission and that the barn remains in a reasonably good condition and capable of conversion.

Context of previous refusals

- 10.11 Planning consent was refused in March 2019 for the reasons outlined above in paragraphs 3.5 – 3.6. The applicant has engaged in pre-application discussions with the Council and Historic England to address the previous reasons for refusal.
- 10.12 To reduce harm to the designated heritage assets and open countryside, the site area has been reduced, access into the site would be via existing vehicle access, and the number of dwellings has been reduced. In addition, the spacing between proposed dwellings and heritage assets has been increased to maintain views identified within the CA and to provide an enhancement to the setting of the designated heritage assets.

Density and Mix

- 10.13 LP Policy SP3 seeks to guide the mix and density of new housing developments, to ensure that land is used effectively and efficiently to address local housing needs. The policy also allows for flexibility in its requirements to achieve other local plan objectives.
- 10.14 In this instance, the proposed housing density would be below the suggested 32 dwellings per hectare. However, a key consideration regarding the development of this site is the protection of the historic character and appearance of the area and thus the lower density is considered appropriate.
- 10.15 Regarding the mix, the proposal would provide 4no. 3-bedroom dwellings. This mix is considered to accord with the most up-to-date Council evidence regarding need/demand. In addition, it would help address the under-provision of 3-bedroom dwellings as reported in the CDC Authority Monitoring Report 2021 – 2022 (Published 19.12.2022).
- 10.16 In conclusion, the proposal is considered to meet the requirements of Policy SP3 of the Local Plan. It would also accord with the aims and objectives of paragraph 60 of the Framework, which amongst other things seeks to ensure the efficient use of land, considering identified needs and the desirability of maintaining an area's prevailing character and setting.
- 10.17 The effect of the proposal on the character and appearance of Main Street and Park Lane.
- 10.18 The application site consists of a former agricultural farm (hardstanding and disused buildings), as well as undeveloped land adjoining the main built-up area of Carleton.
- 10.19 Main Street is located to the north of the site and is characterised by traditional rural cottages/terrace dwellings with stone boundary walls. Located at the junction of Main Street and Park Lane is a three-storey building

converted to apartments. Situated along Park Lane is a row of terrace dwellings to the east, located along the western side of Park Lane is a former mill (granted consent for residential accommodation), and several modern buildings (garage and club). The former garage site beyond the commercial garage has been granted planning permission for residential development.

- 10.20 The proposal would see the re-opening of a previous pedestrian opening between the former barn and wall fronting onto Main Street. In addition, the proposal would result in a section of boundary wall fronting Main Street and Park Lane being removed and the repositioning of the historic gate pillar. These minor alterations would not harm the surrounding street scene. Similarly, the repositioning of the parking to the rear of the Farmhouse and barn, the retention of the stone setts to the front, the construction of a low level wall to the front of the barn would result in a positive enhancement to the existing street scene compared to the extant permission.
- 10.21 Within the site, the proposal would see the partial demolition of an existing outbuilding to form a garage and the installation of gates to form a bin store. As part of these works the current unsympathetic roof covering to the outbuilding would be replaced with more appropriate slate roof tiles. It is acknowledged that due to the site's elevated position, these minor alterations would be visual from views outside of the site. However, due to the setback from Main Street and Park Lane and the use of appropriate materials this element of the proposal would assimilate well with the general character of the area and is considered preferable to the previously approved scheme which would have resulted in the complete demolition of the outbuilding and the construction of a two-storey detached dwelling in its place.
- 10.22 The construction of Plots 1 & 2 and Plots 3 & 4 would be set back within the site with boundary treatments and landscaping, partially screened by existing dwellings on Main Street and Park Lane. As such, these elements of the proposal would not have an adverse visual impact on the existing street scene.
- 10.23 Any planning approval should include conditions relating to materials and also seek to remove permitted development rights on the site due to the close relationships with the listed buildings to avoid any future extensions or further outbuildings which would detract from the overall setting of the designated heritage assets.
- 10.24 In conclusion, the proposal is considered to meet the requirements of Policies ENV1 and ENV3 of the Local Plan which seeks new development to create buildings etc which are sympathetic to the environment and their context in terms of layout, landscape, scale, appearance, and relationship with nearby buildings. It would also accord with the aims and objectives of paragraph 135 of the Framework, which amongst other things seeks to ensure the creation of high-quality, and sustainable buildings, and the desirability of maintaining an area's prevailing character and setting. The proposal does not conflict with the Government's priorities for well-designed places as expressed in the National Design Guide.

- 10.25 Impact of development on the setting and significance of designated heritage assets.
- 10.26 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving and enhancing the character and appearance of a conservation area. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest that it possesses.
- 10.27 Local Plan Policy ENV2 Heritage states that Craven's historic environment will be conserved and where appropriate enhanced. This will be achieved by paying particular attention to the conservation of those elements which contribute most to the district's distinctive character and sense of place, which includes the legacy of traditional barns. Under the policy, proposals will be supported that would preserve or enhance the character or appearance of a conservation area.
- 10.28 Part of the application site lies within the designated conservation area with the remaining area of the site located outside but adjacent. Fronting onto Main Street is the Grade II (G II) former farmhouse with associated buildings and structures located to the rear.
- 10.29 The proposed development would be located to the rear of the GII listed Farmhouse and barn. It is recognised that the proposal would cover a greater site area and provide an additional dwelling as well as partially retaining the outbuilding than previously approved. However, the increased site area allows for a more spacious pattern of development and would therefore not appear as an alien feature within the setting of these designated heritage assets.
- 10.30 Furthermore, the prominent location of the GII-listed farmhouse and barn fronting onto Main Street and the scale of these buildings, taken together with the setback of the proposed development would ensure that the Listed Buildings remain the pre-eminent structures marking the historic village centre. Thus, the proposal would not harm their significance.
- 10.31 The site is in an area shown on the CA appraisal map as an open space which provides a strong contribution to the character and appearance of the area of the conservation area. However, the Craven Conservation Areas Assessment Project: A General Introduction August 2016 also states in paragraph 2.3 that in "fulfilling its duty, the Council does not seek to stop all development, but to manage change in a sensitive way".
- 10.32 It is acknowledged that the development would impact upon that openness, but the impact of the proposal on this openness due to the spacing between dwellings, thus allowing views through and beyond the site to the open countryside beyond would be less than the extant permission and thus would not result in any unacceptable harm to the character and appearance of the conservation area.

- 10.33 Nevertheless, the Framework in paragraph 202 advises that any harm should be weighed against the public benefits of a proposal.
- 10.34 The Council's Heritage officer considers that the proposal would only result in low-level harm.
- 10.36 In accordance with the Framework, it is therefore necessary to consider whether the less than substantial harm to the Conservation area and the setting of Grundy Farm would be outweighed by the public benefits. This is returned to below under the planning and heritage balance.
- 10.37 PPG paragraph 020 Ref ID: 18a-020-20190723 outlines what is meant by the term public benefits. It states that public benefits may follow many developments and could be anything that delivers economic, social, or environmental objectives as outlined in the NPPF.
- 10.38 The proposal would contribute to the provision of housing in the district, and this carries significant weight as a public benefit whilst objections have been received regarding the settlement growth for Carleton. It is important to stress that there is no policy mechanism within Policy SP4 which would allow a planning application to be refused based on the 'over-provision' of housing in a particular settlement.
- 10.39 The delivery of housing in this main and adjoining built-up area of Carleton would be in an area with access to services and public transport and would be preferable to any proposed development located on the edge of the village.
- 10.40 The proposal would provide ecological benefits through the creation of new habitats (new planting of wildflowers, grassland, shrubs, tree planting, provision of bat boxes and bird boxes).
- 10.41 The proposal would enhance the economy of the community through the creation of jobs associated with the construction stage, and new residents would be likely to support existing local services and businesses. It is recognised that these benefits are common to similar developments and thus, are given limited weight.
- 10.42 The application site is sustainably located close to a school and within easy walking distance of a bus stop, shop, and public house. It is considered that these do not qualify as benefits as these would be expected from a well-located residential development and thus limited weight is attached to these factors.
- 10.43 The identified public benefits of the application site are considered to present cumulatively considerable weight to the heritage balance as set out in the Framework.

Heritage Balance

- 10.45 It is recognised that there would be some very low-level harm to the significance of Grundy Farm and the CA of Carleton, however, on balance this harm is at the low end of the spectrum and when combined with the public benefits the proposal is considered acceptable on heritage grounds as confirmed by the Council's independent Heritage officer.
- 10.46 In conclusion, it is considered that the public benefits outweigh the very low-level harm to the setting of the conservation area and the listed buildings.
- 10.47 The proposal, therefore, does not conflict with the requirements of Policy ENV2 of the Craven Local Plan which seeks to preserve or enhance the character or appearance of a designated heritage asset. It would also accord with the aims and objectives of paragraph 203 of the Framework, which amongst other things seeks to ensure the creation of high-quality, and sustainable buildings, and the desirability of maintaining an area's prevailing character and setting.
- 10.48 The effect of the proposal on the living conditions of existing residents and future occupants
- 10.49 Policy ENV3 seeks to ensure that development protects the amenity of existing residents and provides a good standard of amenity for future occupants of land and buildings. Amongst other things, Framework paragraph 135 requires that developments create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Existing residents

- 10.51 The side gable of the proposed garage to Plot 1 would be sited to the south of No. 8, 7 & 6 Street Houses at separation distances of approx. 16m with a single-storey extension projecting of the rear elevation at a separation distance of approx. 23m. The first-floor side gable would be devoid of any window openings. A window would be inserted into the side gable to the garage and the single-storey rear extension would contain double patio doors. Notwithstanding this, it is considered that the separation distances are sufficient to ensure that the occupants of these properties would not experience any unacceptable loss of privacy or amenity.
- 10.52 The front gables of Plots 1 & 2 would be at a separation distance of approx. 28m from the rear elevations of the former Workshop (recently granted planning permission to residential). Similarly, the front gables of Plots 3 & 4 would front towards the rear elevation of the former barn (granted planning permission to residential) at a separation distance of approx. 30m. It is considered that the separation distances are sufficient to ensure that the future occupants of these buildings would not experience any unacceptable loss of privacy or amenity.

Future residents

- 10.54 Regarding the proposed dwellings, it is considered that in terms of room sizes and storage, outlook, daylight and natural light, and outdoor amenity space, they would provide acceptable living conditions for future occupants.
- 10.55 The proposed dwellings would be designed to comply with Building Regulations Part M to ensure an acceptable degree of accessibility for all.
- 10.56 A condition is recommended in the event of a planning approval in relation to the hours of construction to reduce the impact of any build works on the amenity of the neighbouring properties.
- 10.57 The proposal is not considered to create issues in relation to residential amenity and thus accords with Local Plan Policy ENV3.

Biodiversity

- 10.59 Local Plan Policy ENV4 provides that development will be accompanied by improvements in biodiversity and make a positive contribution towards achieving a net gain. Framework paragraph 180 d) states that planning decisions should minimise impact on and provide net gains for biodiversity.
- 10.60 The application is supported by a Preliminary Ecological Appraisal prepared by an appropriately qualified ecologist. There is no evidence to suggest that any protected species would be harmed, including bats. The site is not a Site of Special Scientific interest or designated as a 'European' site. As such, the proposal would not conflict with the development plan policy or the Framework in this regard.
- 10.61 Under the Environment Act 2021 and the statutory framework for biodiversity net gain (BNG), every grant of planning permission is deemed to have been granted subject to a general biodiversity gain pre-commencement condition. Unless the proposal falls under one of the exemptions (set out in Regulation 4 of The Biodiversity Gain Requirements (Exemptions) Regulations [2024]), the condition requires developers provide at least 110% of the biodiversity value found on the site prior to the development.
- 10.62 In this instance, the biodiversity gain planning condition does not apply in relation to planning permission for small development where the application was made before 2 April 2024. The proposal is not for major development within the meaning of Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the application was made prior to the relevant date. Accordingly, the BNG biodiversity gain planning condition does not apply.
- 10.63 Notwithstanding this the proposal incorporates 45no. trees, shrubs, and flower planting, which would be likely to support pollinators and other wildlife and thereby meet the requirements of Local Plan Policy ENV4 and the Framework to achieve a net gain in biodiversity.
- 10.64 The effect of the use of the proposed access on the safety of pedestrians and vehicle users.

- 10.65 The National Planning Policy Framework (the Framework) requires applications to be only refused if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 10.67 Except for a minor alteration to the existing boundary wall, the proposal would utilise the existing access which was previously been granted permission for 3no. dwellings. The proposal would provide a sufficient level of off-street parking provision including the provision of a visitor parking space. NYC Highways have not raised any objections to the proposal on highway safety grounds or the proposed parking provision.
- 10.68 It is therefore considered that the proposal does not create any greater level of issues in relation to highway safety than that previously approved on the site and thus accords with Local Plan Policies INF4 & INF7 of the Local Plan which seeks to create safe suitable and convenient access to all development sites, and to paragraph 111 of the Framework.
- 10.69 Whether the proposed houses would be safe from flooding and be adequately served by drainage.
- 10.70 The application site is located within Flood Zone 1 which has a low probability of flooding from rivers and lies outside of any identified surface water flood risk area. Yorkshire Water has reviewed the submitted details and has not raised any objections to the proposal subject to the use of a condition. As a result, there would not be conflict with Local Plan Policy ENV6.

Other matters

- 10.72 Part of the site was previously used in relation to agriculture and therefore there is potential for contamination to be found on the site during construction. A land contamination condition in relation to any unexpected contamination on the site is therefore considered to be expedient.
- 10.73 Concerns have been raised regarding the parking of vehicles on Main Street for the drop-off and picking-up of children from the primary school near the site. This appears to be a long-standing issue which is affecting residents accessing their properties. However, this should not prevent the development of this site.
- 10.74 At the time of compiling this report, the suggested changes to the conservation boundaries have not been adopted. As such, the site does not lie totally within the designated conservation area of Carleton.
- 10.75 Comments stating that the site lies within the designated conservation area are acknowledged. However, the extension of the Carleton Conservation Area is proposed but is not yet designated. A Conservation Area Appraisal was adopted in February 2023. The adoption of the CA Appraisal may be viewed as a measure of the LPA's intent to proceed to designation. However,

without formal designation of the CA at the time of writing this report, and no timetable for adoption, only limited weight may be applied.

- 10.76 Comments stating that the reasons for an appeal being dismissed are relevant to this proposal. The appeal decision (ref: 2020/21368/OUT) confirmed that the site did not adjoin the main built-up area of Carleton but rather in the open countryside and thus it failed the policy requirement of SP4 (I).
- 10.77 The proposal does not trigger the need for affordable, open space or education provision/contributions.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1 Paragraph 11 c) of the Framework advises that for decision-taking the presumption in favour of sustainable development means approving development proposals that accord with an up-to-date development plan without delay. This is also stated in LP Policy SD1.
- 11.2 As set out above the proposal would help address the shortfall in the number of homes being delivered in Carleton with the provision of four dwellings. Set against this significant benefit is the overall unit mix on site that falls below full policy compliance, albeit with reasonable justification to address the shortfall. Other matters can be sufficiently addressed through conditions.
- 11.3 The development would result in a low level of less than substantial harm to the setting of heritage assets; however, this has now been reduced to an acceptable level through appropriately designed dwellings, the internal configuration to provide a courtyard and spacing between plots 2 & 3 to allow views beyond to the open countryside. Historic England has not objected to the proposal. The Council's heritage advisor confirms that this scheme with suggested conditions is preferable to the previous proposal due to its more sympathetic design and confirms that refusal on this ground would not be justifiable.
- 11.4 It is also considered that the proposal has addressed the previous reasons for refusal as outlined above.
- 11.5 It is, therefore, considered that the proposal represents a better arrangement of accommodation that is offered by the fall-back approved scheme and this weighs in favour of the proposal. In considering Framework paragraph 202, the less than substantial harm would be outweighed by the addition of 4 homes to the local housing supply and the economic benefits that would flow both during construction and from the expenditure of future occupants in the local economy. The proposal would deliver biodiversity and sustainable enhancements which would further weigh in its favour.
- 11.6 For the reasons set out in this report the proposal would be acceptable in design terms, and it would not result in unacceptable highway impacts or any unacceptable harm to the living conditions of existing residents or future occupants. It would also not be at risk from flooding or increase the risk of

flooding elsewhere and would be adequately served by foul drainage. These are all neutral factors in the planning balance.

- 11.7 Having regard to the two previous reasons for refusal, it is considered that there are now insufficient highway grounds, heritage grounds and insufficient visual impacts on the open countryside grounds for refusing permission for the proposed development. Subject to suitable conditions, the proposal would satisfy the provisions of the relevant policies within the range of identified Local Plans, including a policy-compliant level of parking provision. Therefore, and having reviewed the proposal, officers do not consider that they would be able to offer any reasonable defence at appeal, regarding the previous reasons for refusal given for 2018/19559/FUL & 2018/19560/LBC.
- 11.8 Overall, with the tilted balance in mind, the benefits provided through the provision of new housing would be supported by the proposal's enhancements to the setting of heritage assets, economic, social and environmental objectives of sustainable development, as set out in the local plan and the provisions of the NPPF. The proposal therefore accords with the provisions of the development plan and material considerations do not indicate a decision should be taken other than in accordance with it. Approval is therefore recommended.

12.0 RECOMMENDATION

- 12.1 That planning permission be GRANTED subject to the conditions set out below.

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- 2 This permission relates to the following plans and documents

Location plan received 11th March 2024
264439B Site plan received 11th March 2024

PRELIMINARY ECOLOGICAL APPRAISAL
DESIGN ACCESS AND SUSTAINABILITY STATEMENT
ECOLOGICAL
AIR SOURCE HEAT PUMP SPEC SHEET

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

- 3 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. wheel washing facilities on site to ensure that mud and debris is not spread onto 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;
7. a dilapidation survey to be undertaken of the existing Highway within 50 meters of the access point to site; and
8. 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 INF7 of the Craven Local Plan

- 4 Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) has been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the amenities of future occupants and to comply with Policy ENV7 of the Craven Local Plan and the National Planning Policy Framework.

- 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 and to accord with Policy INF7 of the Craven Local Plan.

- 6 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: To accord with Policy ENV8 of the Craven Local Plan.

- 7 Prior to any works to the existing three gate posts located to the rear of the farmhouse identified in Figure 8 of the Heritage Statement (dated March 2024) a plan indicating the relocation of these gate posts and stone wall shall be submitted to and approved in writing by the Local Planning Authority and retained thereafter as such.

Reason: To ensure the satisfactory preservation of these heritage assets and to comply with Policy ENV2 of the Craven Local Plan.

- 8 Prior to works above the laying of foundations of the buildings hereby approved a Landscape and Planting Plan shall be submitted to and approved in writing with the Local Planning Authority. The landscaping as detailed on the approved Landscape shall be implemented in accordance with the approved Landscaping Planting Plan.

Any trees or plants which, within a period of five years from the completion of the development or within 5 years from when they were originally planted die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the appearance of the development and to secure a biodiversity net gain and to ensure the proper implementation of all aspects of the proposal and to accord with Policies ENV2 and ENV4 of the Craven Local Plan .

- 9 All guttering and downpipes shall be black in colour.

Reason: In the interests of the appearance of the development and to accord with Policies ENV2 and ENV3 of the Craven Local Plan.

- 10 Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a land contamination Verification Report shall be submitted to the local planning authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for that part of the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the local planning authority. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of future occupants and to comply with Policy ENV7 of the Craven Local Plan and the National Planning Policy Framework.

- 11 Except in case of emergency no demolition and construction works or ancillary operations, including deliveries to and dispatch from the site which are audible beyond the boundary of the site shall take place on site other than between the hours of 08:00-18:00 Monday to Friday and between 08:00-13:00

on Saturdays. The Local Planning Authority shall be notified at the earliest opportunity of the occurrence of any such emergency and a schedule of essential work shall be provided.

Reason: To protect the amenity of neighbouring properties and to accord with Policy ENV3 of the Craven Local Plan.

- 12 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 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 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 ENV6 of the Craven Local Plan.

- 13 No above ground works shall take place until full details of the materials to be used on the external surfaces of the following elements of the development have been submitted to and approved in writing by the Local Planning Authority:

- a) A sample panel (measuring no less than 1 metre x 1 metre) of the stonework to be used on the external surfaces of the building. The sample panel shall demonstrate the type, texture, size, colour, bond and method of pointing for the stonework.
- b) The type, texture, size, colour, bond and method of pointing for the brickwork on the building's west-facing elevation.
- c) The type, texture, size and colour of the slates to be used on the external surfaces of the building's roof.
- d) The type, texture, finish and colour treatment of the gate enclosing the bin store to the site.
- e) The surface treatment of the new areas of hardstanding (including sub layers and surfacing materials and drainage)
- f) The surface treatment of the vehicle turntable.

The development shall thereafter be constructed in accordance with the duly approved materials.

Reason: To ensure the use of suitable materials which are sympathetic to the special architectural and historic character of the listed building and conservation area in accordance with the requirements of Craven Local Plan

policy ENV2 and the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 14 Notwithstanding any details shown on the approved plans of this permission, within 3 months of development first taking place details of the siting, height, design, materials and finish of all boundary treatments to the site shall be submitted to and approved in writing by the Local Planning Authority. The duly approved boundary treatments shall be constructed in full accordance with the approved details before the building hereby approved is first occupied and shall be retained as such thereafter.

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

- 15 Where further intrusive investigation is recommended in the Local Authority approved Preliminary Risk Assessment groundworks shall not commence until a land contamination Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the amenities of future occupants and to comply with Policy ENV7 of the Craven Local Plan and the National Planning Policy Framework.

- 16 Where site remediation is recommended in the Local Authority approved Phase II Intrusive Site Investigation Report groundworks shall not commence until a land contamination remediation strategy has been submitted to and approved in writing by the local planning authority. The remediation strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: To safeguard the amenities of future occupants and to comply with Policy ENV7 of the Craven Local Plan and the National Planning Policy Framework.

- 17 The solar panels and associated infrastructure hereby permitted shall be removed from the application site within 3 months of becoming redundant to its designated use.

Reason: In the interests of the visual amenity of the area and to accord with Policy ENV2 and ENV3 of the Craven Local Plan.

- 18 Land contamination remediation of the site shall be carried out and completed in accordance with the Local Planning Authority approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, all groundworks in the affected area (save for site investigation works) shall cease immediately

and the local planning authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the local planning authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To safeguard the amenities of future occupants and to comply with Policy ENV7 of the Craven Local Plan and the National Planning Policy Framework.

- 19 The solar panels hereby permitted shall not be installed on the roof planes until details of their external appearance, colour and anti-reflective coating have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and so retained thereafter.

Reason: To safeguard the visual amenity of the area and to accord with Policies ENV2 and ENV3 of the Craven Local Plan.

- 20 The development hereby permitted shall not be occupied until a boundary treatment (means of enclosure) has been completed in accordance with details which shall have first been submitted to and approved in writing by the local planning authority. The approved boundary treatment shall be retained thereafter.

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

- 21 The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with Policy ENV3 of the Craven Local Plan.

- 22 No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at Grundy Farm Carleton Skipton BD23 3DE have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

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

- 23 The external finish of the solar panels shall be dark grey or black, with no silver or light coloured edgin or detailing which contrasts with the main dark grey or black finish of the panels.

Reason: In the interests of the amenity of the area which forms part of the Carleton Conservation Area and to accord with Policy ENV2 and ENV3 of the Craven Local Plan.

- 24 The rating level of sound emitted from the air source heat pump at the use hereby approved shall not exceed background sound levels between the hours of 0700-2300 (taken as a one hour LA90 at the nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest/any sound sensitive premises). All measurements shall be made in accordance with the methodology of BS 4142:2014+A1:2019 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the local planning authority.

Reason: To protect the amenity of neighbouring properties and to accord with Policy ENV3 of the craven Local Plan.

- 25 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason: To ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity the development.

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

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

Notes

- 1 Adherence to approved plans/conditions

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

2. Whilst the site has been assessed as low risk for bats, 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 demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

3. Statement of Positive Engagement:

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.

4. Charging Points

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

5. Topsoil

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

6. Broadband Connectivity

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

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

Target Determination Date: 29 March 2024

Case Officer: Andrea Muscroft

andrea.muscroft@northyorks.gov.uk