



Development Management
Craven District Council
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WBW Surveyors Ltd
Skipton Auction Mart
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BD23 1UD

PLANNING DECISION NOTICE

Town and Country Planning Act 1990

Application No:	2020/22026/FUL
Date Received:	3rd November 2020
Applicant:	Mr David Newbould
Proposal:	Conversion of barn to single dwelling
Location:	Nappa Manor Farm, Nappa, Skipton, BD23 4LT, ,
Decision/Date	3rd March 2021

The Craven District Council has considered this application under the Town and Country Planning Act 1990 (as amended) and **Grants Planning Permission** for the development described above.

This permission is granted subject to the following Condition(s) and Reason(s) which are laid out in the order by which they must be complied with: -

Time Limit for Commencement

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

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

Approved Plans

2 The permission relates to the following plans:

Drawing No. SI-PL-001 - Site Plan. Received 16th December 2020.

Drawing No. PR-PL-003 - Proposed Plan - Roof. Received 15th September 2020.

Drawing No. PR-EL-001 - Proposed Elevations - 1 of 2. Received 15th September 2020.

Drawing No. PR-EL-002 - Proposed Elevations - 2 of 2. Received 15th September 2020.

Drawing No. PR-PL-001 - Proposed Plan - Ground Floor. Received 15th September 2020.

Drawing No. PR-PL-002 - Proposed Plan - First Floor. Received 15th September 2020.

Bat Survey Report and Method Statement - European Protected Species (Bats) - Reasonable Avoidance and Mitigation Measures Dated 18th October 2020. Received 22nd October 2020.



Paul Shevlin, Chief Executive
Calls may be recorded for training and monitoring purposes
For general enquiries telephone 01756 700600
www.cravendc.gov.uk



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

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

During Building Works

3 Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

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

4 Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, prior to the installation of windows and doors, the details of all windows and doors (including both new and replacement openings) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include their design, materials (including sill and lintel treatments), finishes, colour treatment, reveals and opening profile. The windows and doors shall be installed in accordance with the duly approved details before the dwelling hereby approved is first occupied and shall be retained as such thereafter.

Reason: To ensure use of appropriate materials which are sympathetic to the character of the building and its surroundings in the interests of visual amenity in accordance with the requirements of Craven Local Plan Policy ENV3 and the National Planning Policy Framework

5 Should any significant contamination be encountered during development; the local planning authority shall be notified in writing immediately. A Remediation Strategy shall be submitted to, and approved in writing by, the local planning authority. The approved remediation measures shall be implemented in accordance with the timescales in the approved Remediation Strategy.

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

Reason: To enable the local planning authority to ensure that unexpected contamination at the site will not present significant environmental risks and that the site will be made suitable for use.

6 All noisy construction works (i.e. those that are audible beyond the site boundary) shall be restricted to the following hours to minimise disruption:

- 8:00am to 6:00pm Monday to Friday
- 8:00am to 1:00pm Saturday
- No Sunday or Bank Holiday working.

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

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

Reason: In the interest of satisfactory and sustainable drainage and to accord with the requirements of the National Planning Policy Framework.

8 The development hereby approved shall be carried out in full accordance with the measures (including their timetable for implementation) detailed within the method statement titled Bat Survey Report and Method Statement

European Protected Species (Bats) dated 128th October 2020.

Reason: To ensure that adequate mitigation measures are introduced as part of the development in order that it does not adversely affect the favourable conservation status of any protected species and to ensure the provision of appropriate habitat compensation in accordance with the requirements of Craven Local Plan policy ENV4, the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).

Before the Development is Occupied

9 Prior to the occupation of the converted barn hereby approved an Energy Statement applicable to that conversion shall be submitted to and approved in writing by the planning authority. The Energy Statement shall include the following items:

- a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
- b) Calculations using the SAP or SBEM methods which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed.

The development shall not be occupied unless it has been constructed in full accordance with the approved details in the Energy Statement. The carbon reduction measures shall be retained in place and fully operational thereafter.

Reason: To ensure this development complies with the on-site carbon reductions required in Craven Local Plan Policy and National Planning Policy Framework.

10 No part of the development must be brought into use until the access, parking, manoeuvring and turning areas 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.

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

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

Ongoing Conditions

12 There must be no access or egress by any vehicles between the highway and the application site until splays are provided giving clear visibility of 120 metres measured along both channel lines of the major road from a point measured 2 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

Standard Note(s) to Applicant:

1. This consent applies only to that required by the Town and Country Planning Acts and does not include any permission or approval under any other enactment, bylaw or regulation.
2. Your attention is drawn to the attached notes explaining your rights of appeal regarding this decision.
3. The permission to which this notice refers MAY contain the requirement to comply with certain conditions PRIOR to any works being commenced, as well as conditions to be met DURING and AFTER the completion of the development. You are hereby advised that non-compliance with ANY condition may render this permission invalid and the development itself UNLAWFUL and could lead to enforcement action and/or prosecution. It is YOUR responsibility to ensure that all conditions are complied with. If you are in any doubt as to the requirements established by any condition attached to this permission, you are strongly advised to contact Craven District Council Development Management for clarification prior to the commencement of any works.
4. The approval of details reserved by any condition(s) (discharge of condition(s)) is now treated as a formal application and as such requires a fee. A fee of £34 is applicable for householder applications, including extensions, any ancillary buildings within the curtilage of a dwelling, construction of fences, walls, car parking, etc., and £116 for any other type of development. Any number of conditions relating to a specific application can be considered as one application with the single fee. However, if conditions are submitted individually, then the fee will be applicable for each separate submission. There is a form on-line at www.cravendc.gov.uk/planning. We have 8 weeks in which to make our decision, after this date, you can appeal to the Secretary of State. You should note that if you have had no response within 12 weeks, then the fee has to be refunded.

5 Statement of Positive Engagement:

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

- 6 The applicant and person removing any asbestos cement sheets must have regard to the Health and Safety Executive (HSE) A14 safety document Removing asbestos cement (AC) sheets, gutters etc. and dismantling a small AC structure.

Asbestos waste must be disposed of at an approved site such as Skipton Household Waste and Recycling Centre, Harrogate Road, Skipton, North Yorkshire, BD23 6AB.

- 7 The barn conversion is to be served by the existing borehole water supply. The current classification of the supply will not be affected nor shall the sampling frequency. The supply is currently treated with UV at a central point but it is recommended that the barn have its own independent pre-filter and UV sited at point of entry into the property.
- 8 There is a Public Right of Way or a 'claimed' Public Right of Way within or adjoining the application site boundary - please see the attached plan.
 - ii) If the proposed development will physically affect the Public Right of Way permanently in any way an application to the Local Planning Authority for a Public Path Order/Diversion Order will need to be made under S.257 of the Town and Country Planning Act 1990 as soon as possible. Please contact the Local Planning Authority for a Public Path Order application form.
 - iii) If the proposed development will physically affect a Public Right of Way temporarily during the period of development works only, an application to the Highway Authority (North Yorkshire County Council) for a

Temporary Closure Order is required. Please contact the County Council or visit their website for an application form.

- iv) The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as an alternative route has been provided by either a temporary or permanent Order.
- v) It is an offence to obstruct a Public Right of Way and enforcement action can be taken by the Highway Authority to remove any obstruction.
- vi) If there is a "claimed" Public Right of Way within or adjoining the application site boundary, the route is the subject of a formal application and should be regarded in the same way as a Public Right of Way until such time as the application is resolved.
- vii) Where public access is to be retained during the development period, it shall be kept free from obstruction and all persons working on the development site must be made aware that a Public Right of Way exists, and must have regard for the safety of Public Rights of Way users at all times.

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



Neville Watson
Planning Manager
(Development Management)

GENERAL DEVELOPMENT PROCEDURE ORDER 2015 **TOWN AND COUNTRY PLANNING ACT 1990**

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same, or substantially the same, land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same, or substantially the same, land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of the service of the enforcement notice **or** within six months of the date of this notice (whichever period expires earlier).

If you want to appeal against other decisions, except for Householder which are 12 weeks, then you must do so within 6 months of the date of this notice. Appeals should be submitted using a form that you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Tel: 0303 444 5000
Email: enquiries@planning-inspectorate.gsi.gov.uk
Website: www.gov.uk

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.