

Committee: PLANNING
Date: 11 September 2007
Report: HEAD OF PLANNING

1. **APPEALS**

A schedule of appeals under consideration is attached as **Annex A** to this report.

2. **DELEGATED DECISIONS**

Matters within the remit of the Committee, determined in accordance with the Authority's Scheme of Delegation, are listed in the schedule attached as **Annex B**.

Peter Watson
Head of Planning

NB: If any Member wishes to enquire about a specific case, would they please contact the Head of Planning at the Bainbridge office. The files relating to delegated matters are not normally brought to meetings.

Background documents:-

Section 1 – Correspondence from Planning Inspectorate on appropriate files.
Section 2 – Delegation forms signed by or on behalf of the Chief Executive.

1. SCHEDULE OF APPEALS

The following appeals are currently under consideration:

Application No	Details of appeal and location	Date of decision/ notice	Appeal start date	Method of determination	Date of inquiry/informal hearing
R/06/158D	full planning permission for change of use of land to mixed agricultural and equestrian use for private and business use training horses in western riding and driving Skeb Skeugh Farm, Angram	29-Sep-2006	18-Dec-2006	Inquiry	
S/03/320A	full planning permission for erection of four dwellinghouses former Aqua Engineering Site, Guldrey Lane, Sedbergh	24-Oct-2006	05-Apr-2007	Written Representation	
R/05/103E	full planning permission for reinstatement of former dwelling and extension into adjoining barn Brownberry, Blades	18-Jan-2007	30-Apr-2007	Written Representation	
S/03/219G	full planning permission for use of one existing plot for a lodge style unit for managerial/warden accommodation Pinfold Caravan Park, Sedbergh	09-Feb-2007	29-May-2007	Written Representation	
S/01/5B	full planning permission for erection of two storey extension to form additional living accommodation and change of use of land to form extension to domestic curtilage. Ginny Hall, Dent	05-Feb-2007	13-Jun-2007	Written Representation	
S/03/339A	full planning permission for erection of single storey extension to form additional living accommodation 16 Guldrey Terrace, Sedbergh	26-Apr-2007	20-Jun-2007	Written Representation	
EC/46/46	non-compliance with conditions 5,7 and 9 of planning consent C/46/207 and unauthorised erection of garden shed Battery Barn, Kettlewell		01-Aug-2007	Written Representation	
C/01/77	full planning permission for erection of two storey extension to provide en suite bedroom and kitchen Padges Cottage, Airton	18-May-2007	06-Aug-2007	Written Representation	
S/03/52B/AA	consent to display two single sided free standing illuminated display units Sedbergh Service Station, Station Road, Sedbergh, Cumbria	03-Aug-2007	17-Aug-2007	Written Representation	

2. SCHEDULE OF DELEGATED DECISIONS

- (i) The following applications have been determined in accordance with the Authority's Scheme of Delegation - dates indicate date of receipt followed by date of decision, the total number of weeks taken is shown in brackets (all those listed have been approved unless specifically indicated otherwise):

<u>Application No</u>	<u>Location</u>	<u>Development</u>
C/04/41G	Town Head Garage, Town Head Lane, Austwick	approval of reserved matters for construction of 5 dwellings and associated parking, two light industrial units and associated parking 30/03/2007 : 10/08/2007 (19)
C/13/45L	Wood Cottage, Low Greenfield, Buckden	full planning permission for demolition of part of existing shed and erection of two storey extension 15/01/2007 : 03/08/2007 (28)
C/20/78C/LB	Chapel House Cottage, Kilnsey	listed building consent for insertion of window on north elevation and conversion of window to door on south elevation 15/06/2007 : 03/08/2007 (7)
C/20/99A	Land at High Ox Pasture, Kilnsey	REFUSED - full planning permission for use of land for one day motorcycle trial 07/06/2007 : 02/08/2007 (8)
C/26/726	50 Millholme Rise, Embsay	full planning permission for the erection of a single storey 29/06/2007 : 20/08/2007 (8)
C/27/25D	Eshton House, Eshton	full planning permission for the erection of children's play equipment (retrospective) 04/07/2007 : 27/08/2007 (8)
C/33/152G/AA	The Black Horse, Grassington	consent to display replacement signs and lighting 27/06/2007 : 03/08/2007 (5)
C/33/152H/LB	The Black Horse, Grassington	listed building consent for replacement signs and lighting 29/06/2007 : 03/08/2007 (5)
C/33/454	Garrs End Lane, Grassington	REFUSED - full planning permission for erection of 3 bedroom dwelling for affordable housing 12/06/2007 : 03/08/2007 (7)
C/43/58A	Land at Sycamore Bank,	full planning permission for the change of use of agricultural land to garden and construction of dry stone wall 12/07/2007 : 20/08/2007 (6)
C/43/5D	Top Barn, Back Lane, Hetton	full planning permission for domestic garage 04/07/2007 : 27/08/2007 (8)
C/50/3C	The Old Rectory, Linton	full planning permission for erection of extensions and change of use of former Youth Hostel to form a dwellinghouse with linked tearooms 28/06/2006 : 03/08/2007 (57)
C/50/92	Stoney Meadow Laithe, Linton Hall Farm, Linton	full planning permission for erection of agricultural building 11/06/2007 : 03/08/2007 (7)
C/52/11N/LB	Glenroyd, 4 Main Street, Long Preston	listed building consent for the erection of a partition wall to split living area into two 05/07/2007 : 20/08/2007 (7)

C/52/35E	The Boars Head, 9 Main Street, Long Preston	REFUSED - full planning permission for the erection of a covered shelter to the side of the property 05/07/2007 : 24/08/2007 (7)
C/52/683	Hewitt House, Scalehaw Lane, Long Preston	full planning permission for erection of replacement single storey rear extension 29/06/2007 : 06/08/2007 (6)
C/54/110D	Friar's Garth Farmhouse, Malham	full planning permission for erection of a single storey extension to the side of the property 06/07/2007 : 27/08/2007 (8)
C/54/110E/LB	Friar's Garth Farmhouse, Malham	listed building consent for erection of single storey extension to the side of the property 06/07/2007 : 27/08/2007 (8)
C/64/9C	Haworth Barn, Church Lane, Stainforth	full planning permission for enlargement of existing window on North West elevation 11/06/2007 : 06/08/2007 (8)
C/71/155A	Hedgerow Florist, Station Road, Threshfield	full planning permission for single storey extension to the rear of the property to create workshop and office space 29/06/2007 : 03/08/2007 (5)
C/71/195B	Woodside Barn, Threshfield	full planning permission for conversion of the barn to business use with amended vehicular access. 26/06/2007 : 03/08/2007 (5)
C/71/199A	4 Badgergate, Threshfield	full planning permission for alterations to porch 05/06/2007 : 31/07/2007 (8)
R/01/121A/GPDO	Shaw Farm, Arkengarthdale	notification under part 6 of the Town and Country Planning (General Permitted Development) Order 1995 for the erection of agricultural building 04/07/2007 : 01/08/2007 (4)
R/01/124B	Hillside Farm South, Arkengarthdale	REFUSED - full planning permission for the conversion of a former dwelling into a camping barn 13/06/2007 : 08/08/2007 (8)
R/01/33H/LB	Westbrook, CB Yard, Akengarthdale	listed building consent for installation of fireplace and flue, retrospective consent for underdrawing of upper floor bedroom ceilings 18/06/2007 : 09/08/2007 (7)
R/05/166B	Roof Farm, Gunnarside	full planning permission for installation of 1 dish antenna (300mm diameter) at a height of 4.5m on the stone barn building plus associated ground based equipment 07/06/2007 : 01/08/2007 (8)
R/27/56B	Ivy Cottage, Hudswell	full planning permission for replacement of existing sloped roof extension with flat roofed extension on rear of property 27/06/2007 : 21/08/2007 (8)
R/27/57C	Field to rear of Hazel Lodge, Hudswell	full planning permission for creation of nature pond 05/06/2007 : 31/07/2007 (8)
R/48/16M	Green Dragon Inn, Hardraw	full planning permission for erection of extension to existing garages to provide Visitor's Centre 02/07/2007 : 24/08/2007 (7)
R/49/49A	Hazel Hill, Askrigg	full planning permission for erection of porch 22/06/2007 : 14/08/2007 (8)
R/50/62E	Land adjacent to Town Head Farm, Askrigg	approval of reserved matters for erection of one, 2 storey three bedroomed dwelling and installation of solar panels 05/06/2007 : 31/07/2007 (8)

R/51/15D	Drumlins, Westholme Bank, Aysgarth	full planning permission for conversion of linked outbuildings to additional primary living accommodation. 19/06/2007 : 14/08/2007 (8)
R/53/9E	Kidstones Farm, Kidstones, Bishopdale	full planning permission for erection of extension to existing agricultural building 21/06/2007 : 16/08/2007 (8)
R/54/34C	Edgley Park, Ellers Lane, West Burton	full planning permission for conversion of agricultural buildings to form 4 no. dwellinghouses for local occupancy 14/02/2006 : 31/07/2007 (76)
R/58/63D	Hallgarth Cottage, Thoraby	REFUSED - full planning permission for erection of single storey extension to form sun lounge, installation of solar panels and erection of detached garage 25/06/2007 : 20/08/2007 (8)
R/58/63E/LB	Hallgarth Cottage, Thoraby	REFUSED - listed building consent for erection of single storey extension, installation of solar panels and erection of detached garage 25/06/2007 : 20/08/2007 (8)
R/58/80	The Mill, Thoraby	full planning permission for the conversion of loft to form bedroom and en-suite 21/06/2007 : 16/08/2007 (8)
S/03/230E	Randall Hill, Sedbergh	full planning permission for erection of garage 15/06/2007 : 03/08/2007 (7)
S/03/428B/LB	Ruecroft, Marthwaite, Sedbergh	for internal and external works 18/06/2007 : 03/08/2007 (6)
S/03/429	28 Bainbridge Road, Sedbergh	full planning permission for erection of garage extension 18/06/2007 : 06/08/2007 (7)
S/03/430/LB	The Library, Loftus Hill, Sedbergh	listed building consent for internal alterations and installation of fully glazed doors to lobby 22/06/2007 : 17/08/2007 (8)
S/03/431/LB	84 Main Street, Sedbergh	listed building consent for internal alterations and replacement of kitchen window 22/06/2007 : 17/08/2007 (8)
S/03/432	7 Thornsbank, Sedbergh	full planning permission for the demolition of existing lean-to porch and replacement with a single storey extension 29/06/2007 : 23/08/2007 (8)
S/03/52B/AA	Sedbergh Service Station, Station Road, Sedbergh,	REFUSED - consent to display two single sided free standing illuminated display units 11/06/2007 : 03/08/2007 (7)
S/03/72G	2 Ingmire Court, Sedbergh	full planning permission for insertion of 1 new window and blocking up of existing window 18/06/2007 : 08/08/2007 (7)
S/03/72H/LB	2 Ingmire Court, Sedbergh	listed building consent for insertion of 1 new window, blocking up of 1 window and internal works 18/06/2007 : 09/08/2007 (7)

- (ii) The following amendments/variations to planning permission have been approved unless otherwise stated:

Application No	Site	Details
C/18/65F	3-5 Old Masons Yard, Cross Haw Lane, Clapham	Approval of measures to prevent the spread of fire, and confirm that installation of them has been carried out satisfactorily, as required by Condition 1).
C/44/116C/IDO	Horton Quarry	Approval of the details of the annual scheme.

- (iii) The following decisions have been taken in respect of requests for approval of occupancy of dwellings covered by occupancy restrictions:

Application No	Site	Details
C/04/644	3 Pant Lane, Austwick	Mr Glover – refused.
C/26/707	1a Sandy Lane, Emsay	Mr & Mrs Boatwright – approved.

- (iv) **Tree Preservation Matters**

This is a list of delegated decisions which Members are asked to note:

Approval of removal of one sycamore and to crown raise two ash trees to the rear of Sycamore Hall, Bainbridge – Bainbridge Conservation Area. The proposed works would remove the lowest branches from the two large ash trees and remove a suppressed and misshapen sycamore in between them to allow a lot more light to reach the windows of the adjacent rooms. It is considered that the works would not be detrimental to the amenity of the area.

Approval to crown raise one sycamore at The Bungalow, Mill Lane, Hebden - Tree Preservation Order No 5 (Hebden) 1972. A telephone cable goes through the crown of the tree and is being snagged on the lower branches. The proposed works would remove the lower offending branches freeing the cables. It is considered that the works would not be detrimental to the tree's health or appearance.

Approval of specified works to several areas and groups of trees within the curtilage of the Emsay Tannery development site - Tree Preservation Order No 2 (Emsay) 1972, Tree Preservation Order No 6 (Emsay) 2005 and Emsay Conservation Area. The Emsay Tannery site development is now reaching the final stages and the owners, Burley Property Developments, wish to carry out remedial pruning works to trees within the site to enhance their appearance, remove any hazardous dead and dying wood and to allow more light to the properties.

Approval to remove limbs overhanging a barn, to remove limbs overhanging the highway from two sycamores and one larch tree, and to remove one sycamore and one elderberry all adjacent to Low Lane, Low Whita, Swaledale – Swaledale & Arkengarthdale Conservation Area. Several mature sycamores overhang the roof of a barn used as a bunk barn. The low hanging branches are now touching the roof in places and need to be removed to prevent further damage occurring. The two sycamores and larch tree proposed to have limbs removed are all adjacent to the highway with the long lateral limbs extending over the road. The limbs all have excessive end weight and it is considered prudent in the interest of safety to remove the offending limbs. The sycamore proposed to be removed has a huge amount of fungal decay to the base of the tree and needs to be removed as a matter of urgency. The elderberry proposed to be removed is over mature and starting to shed limbs and also needs to be removed in the interest of safety. It is considered that all of the proposed works are in the interest of public safety and that the works would not be detrimental to the amenity of the Conservation Area.

Approval to remove one sycamore and one ash tree from a wooded area adjacent to Emsay Beck at the Emsay tannery development site - Tree Preservation Order No 2 (Emsay) 1972. Permission has already been given to carry out some remedial works to trees within the woodland so that they are in safe condition when the houses and land are handed over to the new occupants. Whilst carrying out this work the tree contractors noted a decay cavity in the mature sycamore, on inspection it can be seen that the cavity is at such an extent that tree is considered to be in a hazardous condition and should be removed in the interest of safety. The semi mature ash tree has grown in competition with neighbouring trees, and is very tall and whippy. The applicant wishes to remove the tree to allow more light and room for the neighbouring trees to grow onto maturity. It is considered that none of the proposed works would be detrimental to the amenity of the area.

Approval of removal of one mature beech tree at School Cottages, Wood Lane, Grassington - Tree Preservation Order No 1 (Grassington) 1980. The mature beech tree is in a state of decline with a sparse and necrotic crown. The tree also has an area of basal decay and the fruiting body of decay fungi, *Ustilina deusta* was present on five locations around the buttresses of the trees roots. The sparse crown of the tree is an indication that there is a deterioration of the root system and the number of fungal fruiting bodies and the slight swelling of the lower stem of the tree both indicate that the decay is quite advanced. Given the location of the large tree adjacent to the properties of School Cottages and Wood Lane, Grassington it is considered that the tree should be removed in the interest of safety.

Approval to crown reduce and re shape four yew trees and one laurel tree, to remove three ash, one sycamore, one elderberry, one beech and one willow tree. To crown thin one mountain ash and to crown lift and cut back over hanging branches, removing deadwood from one oak and one sweet chestnut at Shamba, Church Avenue, Clapham - Tree Preservation Order No 3 (Clapham) 1985. The four yew trees and the laurel proposed to be reduced are all growing in and amongst other trees and shrubs and are starting to encroach upon and shade out their neighbours. The proposed works would reduce them to a size where all of the plants can co exist together. The three ash, one sycamore and one elderberry proposed to be removed are all self sown young trees growing out of the base of the boundary wall. It is considered that in time the young trees would cause damage to the wall and that their removal would not be detrimental to the amenity of the area. The willow tree proposed to be removed is suppressed by larger neighbouring trees and is in a very poor condition. The beech tree proposed to be removed is situated on the boundary of Shamba and a neighbouring property, the applicant wishes to remove the young tree as in time it will dominate the small garden of the neighbour. It is considered that the removal of the tree now would not be detrimental to the amenity of the area because of the large number of remaining larger trees in the immediate area. The mountain ash proposed to be crown thinned has a large amount of deadwood in the crown and has grown with poor shape and form, the proposed works would restore the tree to a more natural shape. The mature oak and sweet chestnut are situated adjacent to the garage and overhang the roof. The proposed works would reduce the amount of branches over the roof of the garage without affecting the trees' health and appearance.

Approval of removal of one conifer and to crown raise and reduce by up to 25% one ash tree at Beck Cottage, Grinton - Swaledale & Arkengarthdale Conservation Area. The tall tree has developed a shallow root structure and the ground around the base of the tree is now heaving during high winds. It is considered that if left, the tree will fail at the root plate, given its location adjacent to the highway and the oil fuel tank it is considered prudent to remove the tree in the interest of safety. The mature ash tree is situated alongside a trackway and the boundary dry stone wall. The applicant wishes to carry out the proposed works to allow more light to reach the garden and property. It is considered that the works would not be detrimental to the tree's health or appearance.

Approval to crown raise, re shape and cut back branches entangled in overhead cables from one cherry tree on West Burton Village green – West Burton Conservation Area. The proposed works would re shape the crown of the tree into a more natural shape and would prevent branches from rubbing on the telephone lines. It is considered that the proposed works would not be detrimental to the tree's health and would improve its appearance.