

Decision No - 11/2008/9172

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TOWN AND COUNTRY PLANNING ACT 1990

NOTICE OF GRANT OF PERMISSION BY CRAVEN DISTRICT COUNCIL TO CARRY OUT DEVELOPMENT

Executors Of Mr Chester
C/O Walker Foster Solicitors
Corn Mill
Bradley
Skipton
BD20 9EE

C/o
J R Wharton Architect
Craven House
Brook View
Carleton
Skipton
BD23 3EX

Date of Valid Application: 19 December 2008

Date Decision Issued: 2nd March 2009

Proposal: Conversion Of Mill To 4 Bed Dwelling And Workspace.

Location: Corn Mill, Mill Lane, Bradley, Keighley, BD20 9EE.

Craven District Council has considered your application and GRANTS permission for the proposed development subject to the following conditions:

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

Reason: To ensure compliance with section 51 of the Planning and Compulsory Purchase Act 2004

2) No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme to mitigate the impact of the proposal on bats.

Reason: To ensure that the local bat population, identified as at low-moderate risk from the development, is not adversely affected by the proposal, and to accord with PPS9 and the Wildlife and Countryside Act 1981.

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no further windows or other openings [other than those expressly authorised by this permission] shall be constructed in the side (east) elevations of the development hereby permitted.

Reason: In the interests of neighbouring privacy and to accord with Saved Local Plan Policy EMP9.

4) The occupation of the residential accommodation which is ancillary to the employment premises shall be limited to a person solely or mainly employed or last employed in the business occupying the site, or a widow or widower of such a person, or any resident dependants.
equivalent of a full time income from the operation and occupation of that workspace. This condition shall be complied with at all times other than in the circumstances set out in condition 4 above.

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5) That part of the building to be used as employment generating space and the new dwelling shall be operated jointly only for those dual purposes. The dwelling shall not be occupied unless the workspace is used for business purposes and vice versa. The dwelling space and workshop shall be occupied and operated by the same person(s) and the workspace shall be operated to the extent that at least one occupant of the dwelling shall derive the

6) The business floorspace of the live/work unit shall not be used for any purpose other than for purposes within Class [B1] in the Schedule to the Town and Country Planning (Use Classes) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification. The only exception to this is where the barn is occupied by a resident dependent or retired person who has met the requirements of condition 4. In such cases, when the occupation of the live/work unit by a resident dependent or retired person has ceased, the originally approved business floorspace must be used for employment purposes.

7) The business floorspace of the live/work unit shall be finished ready for occupation before the residential floorspace is occupied and the residential use shall not precede commencement of the business use.

Reason (for 4 to 7): The dwelling has been permitted only in recognition of the need for ancillary living accommodation in connection with the primary use of the site for business purposes. A dwelling in this location would not otherwise have been permitted, and to accord with Saved Local Plan Policy EMP9.

8) No internal alterations which would lead to a reduction in the area of the barn allocated on approved plans as being used for employment purposes shall take place without the prior consent of the Local Planning Authority. In addition no internal openings into the approved business space shall be made or closed up without the prior consent of the Local Planning Authority.

Reason: In order that sufficient employment space, and the relationship of the employment space to living accommodation, is maintained in accordance with the requirements of Saved Local Plan Policy EMP9.

9) The existing building shall be retained and adapted for its new use in accordance with the approved details and shall not be demolished and reconstructed.

Reason: The site is in an open countryside location where new residential development would not normally be permitted and the permission hereby granted therefore relates specifically to the re-use and adaptation of the existing building and not to its demolition and the erection of a new building, and to accord with Saved Local Plan Policy EMP9.

10) All new windows and doors shall be of timber construction, and painted in an appropriate colour (such as deep red, green, blue, dark grey, green/grey, dark grey, or natural stone colour) the precise colour of which shall have first been agreed in writing with the Local Planning Authority, and set in a minimum reveal of 100mm. Once in place, the windows and doors shall be retained as such thereafter, unless otherwise agreed in writing with the Local Planning Authority.

11) The existing stone roof slates shall be retained and re-used on the conversion of the building. Any replacement roof slates required during conversion works, and any additional slates required for the scheme, shall match the existing, unless otherwise approved in writing by the Local Planning Authority.

Reason (for 10 & 11): To ensure that the proposed conversion works retain the character of this traditional building and do not have an adverse effect on the character and appearance of the surrounding area, and to comply with Saved Local Plan Policy EMP9, and PPG15 'Planning and the Historic Environment'.

12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the buildings shall not be extended or altered, no new buildings or means of enclosure shall be constructed, and no plant or machinery shall be installed or hardstanding provided outside the buildings (unless expressly authorised by this permission).

Reason: To avoid ancillary development of a type which may detract from the appearance of the building or its setting, in the interests of preserving the character of the rural locality, and to accord with Saved Local Plan Policy EMP9, and PPG15 'Planning and the Historic Environment'.

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13) No areas outside the building shall be used for the carrying out of any industrial operations or for the storage of materials, plant, equipment, products or waste.

Reason: For the avoidance of doubt and to ensure that the use of the site does not detract from the general amenities of the countryside, and to accord with Saved Local Plan Policy EMP9, and PPG15 'Planning and the Historic Environment.'

14) No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of the development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

15) The landscaping scheme required by condition 14 above, shall be implemented during the first planting season following completion of the development hereby approved and shall thereafter be retained and maintained as such. Any trees or shrubs planted in accordance with this condition shall, in the event of their death within 5 years from their date of planting, be replaced by similar specimens as soon as is practicably possible and no later than the end of the planting season following their death.

Reason (for 14 & 15): To ensure that the development is of attractive appearance in the interests of visual amenity, and to accord with Saved Local Plan Policy EMP9.

16) Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Drawing no. 2138.2B for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

Reason: In accordance with saved local plan policy EMP9 and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

Informatives:

1) This development relates only to the amended plans (Drawing No 2138.2B) received by the Local Planning Authority on 23rd January 2009.

2) In accordance with condition No. 4 above, the premises shall revert back to a dual use of workspace with ancillary living accommodation after a retired person, widow/widower or any resident dependants vacate the property.

3) The Environment Agency recommend that in areas at risk of flooding consideration be given to the incorporation into the design and construction of the development of flood proofing measures. These include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.

Additional guidance can be found in the Environment Agency Flood line Publication 'Damage Limitation.' A free copy of this is available by telephoning 0845 988 1188 or can be found on our website www.environment-agency.gov.uk click on 'flood' in subjects to find out about, and then on 'floodline.' Reference should also be made to the Department for communities and local Government publication 'Preparing for Floods' please e-mail: communities@twoten.com for a copy.

4) The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as any alternative route has been provided and confirmed under an Order made under the Town and Country Planning Act 1990.

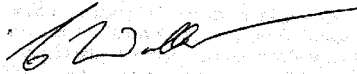
Applicants are advised to contact the County Council's Access and Public Rights of Way Manager at County Hall, Northallerton on 0845 8 727374 to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.

5) The applicant is reminded that this approval is for full planning permission only, and that no works relating to this permission shall be undertaken until such a time as Listed Building Consent has been granted for the conversion of the building.

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Reason for Approval

The conversion of this traditional rural building is considered to provide an appropriate ratio of workspace to living accommodation, and involves minimal and sympathetic alterations to the existing structure which will ensure the development does not harm the landscape character of the surrounding area. The building is structurally sound, and capable of conversion for future use, and is in a position which is well related to an existing road network, and would not be detrimental to highway safety. The conversion would also support the retention of a Grade II Listed Building. The development is therefore considered to meet the requirements of Saved Local Plan Policy EMP9, PPS7 'sustainable development in rural areas', PPS9 'Biodiversity and Ecological Conservation' and PPG15 'Planning and the Historic Environment'. The Wildlife and Countryside Act 1981.



Mr Colin Walker
Strategic Director Environmental Services