

**TOWN AND COUNTRY PLANNING ACT 1990**  
**YORKSHIRE DALES NATIONAL PARK AUTHORITY**  
**(Local Planning Authority)**

**NOTICE OF DECISION OF PLANNING AUTHORITY ON APPLICATION FOR:  
PERMISSION TO CARRY OUT DEVELOPMENT**

To: Mr D Clare  
Capita Symonds Ltd

Decision No: C/44/243A

**The above named Authority being the Local Planning Authority for the purposes of your application received on 28/11/2008 for full planning permission for the construction of a suitable surface over which a section of Public Bridleway that will form part of the National Trail known as The Pennine Bridleway is to be aligned at Pennine Bridleway, Selside, SD793752 have considered the said application and have GRANTED permission for the proposed Development subject to the following Conditions:**

1. The development hereby permitted shall be begun (as defined by Section 56 of the Town and Country Planning Act 1990) before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the details of the application received at the National Park Office on the 28 November 2008 except as may be varied by written agreement with the Local Planning Authority.
3. No development shall take place until a scheme specifying the methods of recording or preserving any archaeological deposits or fabric which may be affected by the approved works and including a timetable for such recording has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in strict accordance with the approved scheme.
4. Prior to the commencement of works on the top dressing of the bridleway – including a non-slip surface to Far Moor Bridge , details of the top dressing stone to be used including details of a non-slip surface to Far Moor Bridge (including colour) shall be submitted to and approved in writing by the LPA. Works shall then be completed in accordance with the approved details and shall be thereafter retained.
5. The three construction compounds and any materials and machinery etc shall be fully removed from the site and the land restored to its former condition either one year from the date of their first erection or on completion of the works, whichever is the sooner. Unless an alternative time period had first been agreed in writing by the Local Planning Authority.
6. Details of the proposed crossings of the highway verge and/or footway shall be submitted to the Local Planning Authority for approval. The use of the bridleway shall not be commenced until such details have been approved and all crossings have been constructed in accordance with the approved details. Such crossings shall be thereafter retained.

*YDNPA  
CERTIFIED COPY*

Date: 15 APR 2009

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Designation  
HEAD OF PLANNING

**FOR NOTES AND RIGHTS OF APPEAL SEE OVERLEAF**

Continuation Sheet 1

C/44/243A

7. The works hereby permitted shall be carried out in strict accordance with the mitigation measures as set out on pages 3 & 4 of the Badger Report dated November 2008 carried out by Capita Symonds.
8. The works hereby permitted shall be carried out in strict accordance with the mitigation measures as set out on pages 9 - 12 (including avoiding construction during sensitive and/or breeding seasons) of the Ecological Assessment dated November 2008 carried out by Capita Symonds.
9. Barbed wire to be erected to the stock side of the route only with protective wire strands placed to the user side of the route.
10. No storage of machinery or materials to take place outside of the designated site compounds.
11. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order) 1995, or any Order revoking and re-enacting that Order, or the details submitted with the application, no consent is hereby granted for installation of external lighting. A scheme of external lighting shall have been submitted to and approved in writing by the Local Planning Authority prior to installation of external lighting. The scheme shall detail lighting that projects downwards only and that is of the minimum luminosity required. Thereafter the development shall proceed strictly as approved.
12. Hours of construction involving plant/machinery restricted to 8am – 5.30pm Monday to Friday and 8am to 1.30pm on Saturdays and no construction on Sunday's or Bank Holiday's.
13. Highways works to be completed prior to first use of route.
14. Prior to commencement of development, details of mounting blocks to be provided and approved in writing and to be thereafter completed in strict accordance with the approved details and be retained as such in perpetuity.
15. Prior to commencement of development, a detailed plan indicating the location of the bridge to be submitted and approved works to then be carried out in accordance with the approved details.
16. Any new (as opposed to reclaimed) slate stoops to be used shall be traditionally worked and not sawn.
17. All pointing to the stone faced abutments shall be recessed. Reason: to ensure that a satisfactory visual appearance is obtained.
18. notwithstanding the details provided on drawing number CS/27503A/02 Rev 2 the boundary treatment between points 2 and 4 (to the east of the B6479) shall comprise a dry stone wall to match those in the vicinity. Reason: in terms of visual amenity and to ensure that the development is satisfactory in terms of its appearance.
19. where stone or slate stoops are specified, these shall be selected to match the surrounding boundary treatments.
20. Prior to the commencement of the development hereby approved details of the following shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in strict accordance with the approved details:
  - cross sections of the proposed bridge between chain points 1530 and 1625
  - details for Ch 1705 including a vertical dimension to establish the gradient

## Reason(s):

1. To comply with the requirements of Sections 91-93 of the Town and Country Planning Act 1990.
2. To prohibit the development being carried out in a way that, in the absence of Local Planning Authority assessment and approval, may prove unacceptable and contrary to the public interest.
3. To help protect and thereafter to provide for the recording of the features of archaeological interest believed to be present in the site - being an interest which is of acknowledged public importance in a national as well as local context.
4. To ensure that the path has a satisfactory visual appearance in the interests of the visual amenity of the locality.
5. Reason: In the interests of preserving the visual amenity of the area and to protect the amenity of local residents.
6. To ensure a suitable standard of crossing for pedestrian safety.
- 7, 8. To ensure that the development would not be prejudicial to the ecological value of the site and would not harm protected species.
9. In the interests of protecting the users of the bridleway.
10. To control the use of open land in the vicinity of the site in order to conserve the general amenities of the locality and to protect the landscape quality.
11. In order to protect the amenity of neighbours and the area from unnecessary light pollution.
12. In the interests of amenity.
13. In the interests of highway safety and amenity.
14. As no such details were submitted with the application and to ensure that the development has a satisfactory visual appearance.
15. As no such details were submitted with the application.
16. To ensure that the visual appearance is satisfactory and to reflect traditional methods of construction in evidence in the area.
17. To ensure that a satisfactory visual appearance is obtained.
18. To ensure that the development in terms of visual amenity and to ensure that the development is satisfactory in terms of its overall appearance.
19. To ensure that the development has a satisfactory visual appearance.

20. As no such detail was submitted with the application and to ensure that the finished details are satisfactory in terms of their visual appearance

**Notes to Applicant:**

N.B. This permission does not authorise the doing of anything which interferes with any public right of way which passes close to the site. Insofar as the carrying out of this development may affect the right of way you are reminded that the right of way must remain free of obstruction and be available for use at all times.

**reason for approval:**

The proposed development is considered to be acceptable in terms of its visual impact - including the impact on the Settle Carlisle Conservation Area and would therefore comply with the provisions of Policies GP2, B1, B8 & B12. The impacts in terms of archaeology, ecology, trees, hydrology and flood risk are also deemed to be acceptable and would adequately comply with the provisions of Policies B3, NE7, NE8, NE9, EP1 & EP2. The proposals are also deemed to be acceptable in terms of impact on amenity of the surrounding residents and would satisfy the requirements of Policy GP2 in this regard. The proposals would provide a facility to support informal recreation and would protect the existing rights of way network in accordance with the provisions of Policies SR3, TA1, TA2 TA3, VF1.

The proposals would adequately conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park and would also provide the opportunities for the understanding and enjoyment of the special qualities of the National Park by the public and as such would very clearly comply with the provisions of Policy GP1.

**NOTE:-**

*No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed Development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.*

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