



Appeal Decision

Hearing held on 8 August 2023

Site visit made on 8 August 2023

by Helen Hockenhull BA (Hons) B.PI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 August 2023

Appeal Ref: APP/C2708/W/23/3319925

Land Between A59 and Gargrave Road, East Of The Gargrave Roundabout, Skipton

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Brookfield Property (Holdings) Ltd against the decision of Craven District Council.
 - The application Ref 2021/23291/FUL, dated 7 September 2021, was refused by notice dated 13 October 2022.
 - The development proposed is the erection of a roadside services facility comprising a petrol filling station, electric vehicle charging, car wash and ancillary retail kiosk, alongside associated hard and soft landscaping, parking, servicing area and access arrangements.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a roadside services facility comprising a petrol filling station, electric vehicle charging, car wash and ancillary retail kiosk, alongside associated hard and soft landscaping, parking, servicing area and access arrangements on land between A59 and Gargrave Road, Skipton, in accordance with the terms of the application, Ref 2021/23291/FUL, dated 7 September 2021, subject to the conditions in the attached schedule.

Preliminary Matters

2. The original planning application was determined by Craven District Council. Since that time, the Council has merged with other adjoining authorities to become North Yorkshire Council. The development plans for the merged local planning authorities will remain in place for the area within the new authority until such time as they are revoked or replaced. For the purposes of this appeal, the development plan comprises the Craven Local Plan 2019.
3. The appeal proposal was refused for four reasons, relating to the sites Local Green Space (LGS) designation, highway safety, biodiversity net gain (BNG) and retail impact. The Council set out in their Statement of Case that they were only defending the first reason for refusal concerning LGS. Whilst the matters of highway safety, biodiversity net gain and retail impact are no longer in dispute between the parties, due to the local objection from residents and interested parties, I consider these issues in my decision.
4. A completed Unilateral Undertaking capable of securing planning obligations pursuant to section 106 of the Town and Country Planning Act 1990 was

submitted after the hearing, in line with a previously agreed timetable, and has been taken into account.

Main Issues

5. In light of the above, the main issues in this case are:

- The effect of the development on the character and appearance of the area, with particular regard to the sites designation as Local Green Space (LGS);
- The effect of the development on highway safety;
- Whether the development would provide sufficient biodiversity net gain;
- Whether the proposal impacts on the vitality and viability of nearby local and town centres.

Reasons

Local Green Space

6. The appeal site forms part of an area designated as LGS in the Craven Local Plan. Policy ENV10 states that such sites will be protected from incompatible development that would adversely impact on their open character and the particular local significance placed on such green areas which make them valued by their local community. It goes on to say that incompatible development should not be approved except in very special circumstances. With regard to the construction of new buildings or structures on land designated as LGS, the policy states that they will be regarded as incompatible development though a number of exceptions are provided. This includes local transport infrastructure, providing that the development preserves the open character of the LGS and the local significance placed on such green areas which make them valued by their local community.
7. The supporting text to the policy does not explain what is meant by local transport infrastructure. An appeal decision in Essex¹ has been brought to my attention by the appellant that considers this issue. In that case, the Inspector concluded that a petrol filling station with sales building in the countryside could be considered to form a facility for motorists capable of being transport infrastructure. The main parties agree that the appeal proposal can be considered to form local transport infrastructure. I see no reason to disagree.
8. At the hearing, interested parties questioned whether the proposal could be considered to be local as it is described by the appellant as a roadside services facility providing petrol, electric vehicle charging as well as a retail kiosk. The development is located close to the A59 and A65, both strategic routes serving Harrogate, Ingleton, Ilkley and Gisburn with Preston beyond. Whilst it would clearly serve through traffic, it would also serve the local community.
9. Given that the development can be considered to form local transport infrastructure, I must consider whether it would preserve the open character of the LGS and its local significance which makes it valued by the local community. It is an important starting point to recognise that Policy ENV10, envisages some built development where the policy exceptions apply, and

¹ Appeal ref APP/W1525/W/14/3001905 Land at Fenn roundabout, Burnham Road, South Woodham Ferrers, Essex

therefore it is reasonable to assume that such development can be capable of preserving the open character.

10. The appellant has argued that the appeal site does not perform strongly against the criteria for the selection of LGS set down in paragraph 102 of the National Planning Policy Framework (the Framework). The designation of the site was confirmed through the examination of the Local Plan and supported by evidence. It is not a matter for me in this appeal to question the designation.
11. The appeal site lies in a prominent position next to the Gargrave roundabout where the A65, A59, A629 and Gargrave Road meet. Heading north on the A59, the appeal site is seen on the approach to the roundabout and forms an attractive green area of land with the Gateway House office development visible in the background at a higher level. Close to the roundabout itself, the signage and rooftop of the Burger King/Greggs and Travelodge to the south of Gargrave Road can also be seen above roadside landscaping. The appeal site is clearly situated on the edge of the settlement of Skipton.
12. The proposed retail kiosk is positioned in the northwest corner of the site where it is screened by the existing dense woodland along the A59 to the north west. Looking towards the site from the A65 itself, due to the presence of existing landscaping, the retail kiosk would be difficult to view. From the footpath running along the roundabout between the A65 and Gargrave Road, road users and pedestrians would view the canopy and part of the kiosk building. There would however be open views through the canopy structure to the elevated land, tree planting and stone wall beyond. The glazing of the kiosk building would give it a more open lighter appearance and enable filtered views through the building to the open land to the east.
13. The appeal site rises up towards the north. It is proposed that the development would in effect be cut into the hillside creating a flat development plateau with a retaining wall to the northern corner. The kiosk is a modest single storey building of approximately 300 square metres in floor area. It is not out of scale with the type of development proposed. It is to be constructed in natural materials, stone, red cedar cladding with a curved green roof. The green roof would assist to blend the building into its wider landscape context. A new dry-stone wall is also proposed on the southern site boundary with the highway. The proposed design is of high quality and materials are appropriate in this location.
14. Looking north east towards the site from the A59, partially screened views would be achievable on approaching the roundabout. The petrol filling station would be seen in the context of the grass land rising to the east and the elevated office building on the top of the hill, which dominates the skyline. I note that the development would occupy just over half of the area of LGS, the retained area continuing to be important to open character and providing a backdrop to the proposed development.
15. I accept that whilst the built form itself would be modest, the development includes hardstanding, car parking and an electric vehicle charging area. Whilst this would change the visual appearance of the site, these uses would have a limited impact on open character. Furthermore, landscaping proposed on the periphery of the site, together with the proposed meadow land to the north east and the woodland to the north west would filter views.

16. The appellant submitted a Landscape and Visual Impact Assessment with the original planning application. This concluded that on completion, the level of impact would be minor /moderate. I agree with this conclusion.
17. As I have stated above, Policy ENV10 accepts built development may take place on LGS as an exception to the policy and inevitably such development would give rise to some level of impact on open character. Having regard to the design, scale, massing and materials of the proposal, which respect the form and character of the surroundings, I find that the appeal proposal would overall preserve open character and local significance. The scheme would therefore comply with Policy ENV10 and cause no unacceptable harm to the character and appearance of the area.

Highway safety

18. It is proposed that the development be accessed from Gargrave Road through a new four arm mini roundabout incorporating the access to the Burger King, Greggs and Travelodge site immediately opposite.
19. Local residents and the Parish Council have expressed concern that the proposal would exacerbate existing congestion and traffic problems on Gargrave Road, which serves a number of secondary schools and also the Auction Mart. Concerns have also been raised about the suitability of a mini roundabout in this context.
20. The Transport Statement accompanying the planning application concludes that the vast majority of vehicle trips generated by the development would be passing and diverted trips, not new trips on the network. Any new trips generated, which would be minimal, would be offset by a reduction in vehicle movements in the congested town centre. I have no reason to disagree with this overall assessment. I acknowledge that there are existing congestion issues on Gargrave Road, particularly at peak times, however I am satisfied that the development would add very few trips to the network and would not make the existing congestion issues significantly worse.
21. The appellant undertook an additional traffic survey for 7 days in June/July 2023 to update the previous survey undertaken in October 2020 when Covid restrictions were still in place. This additional work found that vehicles were traveling at a speed suitable for the road conditions and that there was a decrease in the number of vehicles and HGV's travelling on Gargrave Road in the peak hour. The decrease in vehicles could be attributed to the fact that school traffic may be slightly reduced at this time of year, as some pupils would be on study leave for examinations etc.
22. The most recent survey included a day when a sale was taking place at the Auction Mart. I was advised that there was a 3% increase in traffic on that day, equating to around 120 vehicles and a 30% increase in HGV's. It is not clear whether this was a particularly busy sale or not. Nevertheless, I acknowledge that on auction days, traffic levels including HGV's and trailers will increase. The appeal proposal is estimated to have a trip generation of 42 vehicles arriving during the weekday AM peak, 46 vehicles during the PM peak and 55 vehicles arriving in a Saturday peak period. I am not persuaded that this level of traffic would cause significant highway safety or congestion issues for vehicles attending the auction.

23. It was brought to my attention that the highways evidence prepared for the Local Plan suggested that the Gargrave roundabout was operating over capacity with background traffic growth and local plan growth combined. I note that at the time an improvement was suggested but that this has not been implemented. The appeal proposal would be likely to result in diverted or passing trips, with vehicles already on the network, it would therefore result in a negligible increase in overall traffic. The Highway Authority have not requested any contributions to secure highway improvements at the roundabout junction.
24. Turning to the mini roundabout itself, I am advised that it has been designed in accordance with the Department for Transport Mini Roundabout Good Practice Guidance and the Design Manual for Roads and Bridges. The arrangement would include improved visibility splays to the right and more width for HGV's turning left out of the Burger King site. I note that no objection has been raised by the local Highway Authority.
25. I was informed at the hearing that the mini roundabout would be painted onto the road surface and would not have any raised elements. This design should therefore cause no problems for HGV's or vehicles with trailers who may in practice run over the roundabout rather than navigate around it.
26. At peak times if traffic was backed up from the Gargrave roundabout, vehicles turning right out of the Burger King site should not be delayed due to the normal operation of the roundabout. Vehicles turning right out of the petrol station may have to wait for vehicles queuing on the approach to the roundabout to move up and the road ahead to clear. This would be no different to any vehicles turning right out of a junction and would cause no safety issues or affect the flow of traffic on Gargrave Road itself. Any vehicle turning right into the petrol station from Gargrave Road may interrupt the flow of traffic as a vehicle heading east into Skipton may need to give way at the roundabout junction. However, this would be for a very short time to allow a single vehicle to access the site. Bearing in mind the estimated traffic generated at peak times of 1 vehicle every 2-3 minutes, not all of which would be turning right into the site, no significant queuing should occur.
27. The scheme also includes the provision of a pedestrian refuge on Gargrave Road. This would not be a controlled crossing point and would simply enable pedestrians to cross the road in two phases. It would therefore have no implications for traffic flows.
28. In terms of accident data on Gargrave Road, the submitted Transport Statement identifies 6 incidents in the last five years in the proximity of the site access. I understand that these were classed as slight and attributed to driver error. I have no evidence before me to lead me to the conclusion that the appeal scheme would have any impact on accident levels on Gargrave Road.
29. Given the above, I find that the appeal scheme would provide a safe and suitable access to the site and that there would be no unacceptable impacts on highway safety. The residual cumulative impacts on the road network would not be severe and accordingly the proposal would comply with paragraphs 110b) and 111 of the Framework. It would also comply with Policy INF7 of the Craven Local Plan which seeks to promote sustainable transport, provide safe,

suitable and convenient access to all development sites and ensure the residual cumulative impact of traffic generated by developments is mitigated.

Biodiversity

30. The Preliminary Ecological Appraisal accompanying the original application concludes that the site forms species poor neutral grassland. No protected species were found to be present.
31. The woodland belt to the north western site boundary running along Skipton Bypass and extending round to the southern site boundary, forms a Site of Importance for Nature Conservation (SINC). It was originally proposed that a pedestrian access to the site would be provided through a section of the SINC resulting in part of the area having to be removed. However, this has now been omitted from the scheme.
32. The parties agree that the impact of the scheme on the SINC would be minimal. The SINC lies next to a busy highway and is subject to high levels of noise and disturbance. I am satisfied that the appeal scheme would have no significant adverse effects on its designation. Appropriate mitigation measures can be put in place secured through a planning condition requiring a Construction Management Plan to be prepared and implemented.
33. Turning to the issue of biodiversity net gain (BNG), Policy ENV 4 of the Craven Local Plan seeks improvements in biodiversity in new developments. Part b) of the policy states that development proposals should achieve benefits in biodiversity that are equal to or where possible exceed the biodiversity value of the site prior to development. This Policy pre dates the Environment Act which comes into effect in November 2023 and requires a net gain of 10%.
34. The Council's third reason for refusal refers to the absence of a Biodiversity Management Plan demonstrating off site provision for BNG. The appellant has submitted a Unilateral Undertaking under section 106 of the Town and Country Planning Act 1990 which sets out how a 10% gain would be achieved and includes a Management Plan.
35. The Plan identifies a piece of land approximately 350 metres to the north of the appeal site which would be enhanced to provide the minimum habitat units required to achieve the net gain. A suitable management regime would be implemented, and the site would be managed for a minimum period of 30 years.
36. The proposed scheme goes beyond the requirement of Policy ENV4. The appeal proposal is therefore policy compliant.

Retail Impact

37. Local Plan Policy EC5 concerns town, district and local centres and sets out thresholds for the submission of retail impact assessments to demonstrate that a proposal would not result in significant adverse impacts on vitality or viability of nearby centres. The appeal scheme has a floor area of approximately 300 square metres and is below the threshold at which such an assessment would be required. Whilst local residents have questioned the impact of the proposal on local shops and raised concern about the amount of retail floorspace proposed, the proposal complies with the Local Plan in this regard.

Other Matters

38. Interested parties have argued that there is no need for a roadside service facility in Skipton and that there are other petrol stations at the large supermarkets in the town. I was advised that there used to be a petrol station on Gargrave Road on the site of the Keelham Farm Shop, but this closed as it was not economically viable. There is however no policy requirement to demonstrate need. The development would assist to address a deficit of this type of facility on this part of the strategic road network.
39. Interested parties suggested that there were alternative sites available for the development which would be preferred, such as Wyvern Park to the south of the town. That may be the case, but my decision must determine whether the appeal site is suitable or not for the use proposed, not whether there are alternative options.

Planning Obligation

40. A Unilateral Undertaking pursuant to section 106 of the Town and Country Planning Act 1990 was submitted by the appellant. It provides an obligation that prior to the first occupation of the development, the appellant will implement an Off-Site Biodiversity Gain Plan. I have discussed the details of this earlier in my decision. The obligation is necessary to make the development acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development.
41. Accordingly, the Undertaking meets the tests of the Community Infrastructure Levy Regulations 2010 and paragraph 47 of the Framework. I have taken the obligation into account in reaching my decision.

Planning Balance

42. Section 38(6) of the Planning and Compulsory Purchase Act 2004 indicates that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be in accordance with the plan unless material considerations indicate otherwise.
43. The proposed roadside service area is located in a prominent position close to the A59/A65 and would fill a gap in such provision along these routes including rapid electric vehicle charging facilities. I have found that the scheme would not cause harm to the character and appearance of the area, would preserve the open character of this area of LGS and would be of an appropriate scale, design and layout for its location. It would have a safe and suitable access and cause no harm to highway safety. BNG of at least 10% would be achieved through an offsetting scheme and there would be no adverse impact on local or town centres.
44. The proposal accords with the development plan and there are no other material considerations that would indicate that determination should be made otherwise in accordance with it. Planning permission should therefore be granted.

Conditions

45. A list of agreed conditions was provided in the Statement of Common Ground.

These were discussed in detail at the event. I highlighted some issues with condition wording and the parties provided an agreed revised list after the event. Where necessary, I have made minor amendments for clarity, brevity, consistency or to ensure compliance with the relevant tests.

46. I impose a standard timeframe condition and a condition referencing the approved plans for the avoidance of doubt and in the interests of certainty (conditions 1 and 2).
47. In the interest of highway safety, condition 3 is necessary to require the submission of a scheme for the construction of the site access. Conditions 14, 17 and 18 are also required to ensure the provision of appropriate visibility splays, to ensure the mini roundabout is in place before the first opening of the development and to secure the implementation of the travel plan. To ensure the site has adequate foul and surface water drainage, condition 4 is required.
48. In order to protect biodiversity, I impose conditions to ensure the protection of bird nests during the breeding season and to require a Construction Environmental Management Plan for biodiversity (conditions 5 and 6). I do not impose a condition suggested by the parties for the submission of a Biodiversity Net Gain Plan. Such a Plan is included within the UU so that a separate condition is not necessary.
49. Conditions requiring the submission of samples of materials to be used in the development and also a scheme of lighting are necessary to protect the character and appearance of the area (condition 7 and 16). In the interests of protecting the amenity of pedestrians, drivers and residents in the vicinity of the development, condition 8 requires the submission of a construction method statement.
50. Due to the nature of the proposal, I impose condition 9 requiring a risk assessment to determine whether adequate measures are in place to control fire, explosions or environmental contamination from the storage and handling of vehicle fuel. A further condition is also necessary to ensure appropriate mitigation is put in place should any on site contamination be found during the development (Condition 10).
51. To ensure the provision of electric vehicle charging points, I impose condition 11 to achieve sustainable travel. Conditions 12 and 13 are necessary to control the frequency and hours of deliveries and servicing and the hours of opening of the retail kiosk. These are required to protect residential amenity and in the interest of highway safety.
52. Finally, condition 15 is required to ensure the retail shop remains ancillary to the petrol station use in order to manage any retail impacts.

Conclusion

53. For the reasons given above, and having regard to all other matters raised, I allow this appeal.

Helen Hockenhull

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Satnam Choongh
James Cox
Karen Smith
Ben Pickering
Chris Shaw
Neil Jennings

Counsel
Lichfields
Sanderson Consulting Engineers
Rosetta Landscape Design
Brooks Ecological
Jennings Design

FOR THE LOCAL PLANNING AUTHORITY:

Mark Moore

Principal Planning Officer,
North Yorkshire Council

INTERESTED PARTIES:

Karen Darvell

Chair, Stirton with Thorlby Parish
Council

Jenny Andrews

Resident and member of the Parish
Council

Brian Shuttleworth

Read statement on behalf of Cllr Andy
Brown

Councillor Simon Myers
Councillor Andy Brown
Jeremy Eaton

North Yorkshire Council
North Yorkshire Council
Craven Cattle Marts

DOCUMENTS SUBMITTED AFTER THE EVENT

1. Signed and dated Unilateral Undertaking
2. Revised list of agreed conditions

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Number 190507_PLG_101 Location Plan, Drawing Number 190507_PLG_108 Proposed Building Floor Layout, Drawing Number 190507_PLG_106 Proposed Building Elevations and Roof,, Drawing Number (ADDITIONAL INFO) 21346-100 (P3) Additional Information Drainage Strategy, Drawing Number (AMENDED) 190507-PLG 105B Amended Proposed Site Sections, Drawing Number (AMENDED)190507 PLG 104 F Amended Proposed Site Plan, Drawing Number (AMENDED)19057 PLG 107 D Amended Proposed Tracking Plan, Drawing Number (AMENDED) 3684/4 D Amended Detailed Landscape Proposals.
- 3) Notwithstanding any indication on the approved plans, no development shall be commenced unless and until a scheme for the construction of the site access, internal layout of the site and off-site works of highway improvement has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include all the recommendations contained within the Transport Statement (ref. 11678/001/03) prepared by Sanderson Associates.

The development shall subsequently be constructed in accordance with the approved details and retained as such thereafter.
- 4) Prior to the commencement of development, details of foul and surface water drainage schemes, with the surface water drainage scheme to be based on sustainable drainage principles, shall be submitted to and approved in writing by the Local Planning Authority. The approved schemes shall be implemented and completed prior to any part of the development being first brought into use. The approved drainage schemes shall thereafter be retained in perpetuity.
- 5) No development shall be commenced, including site clearance or demolition works between the period of 1st March and the following 31st July inclusive unless a detailed bird nest survey by a suitably qualified ecologist has been carried out immediately prior to clearance and written confirmation has been submitted to the Local Planning Authority to demonstrate that there are no active bird nests that are present and this has been agreed in writing by the Local Planning Authority.
- 6) No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

- 7) Prior to the commencement of the construction of the approved buildings, representative samples and details of external materials of construction to be used on the walls and roof of the development and all other hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved materials.
- 8) No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - a) the temporary means of access during the construction period;
 - b) the parking of vehicles of site operatives and visitors;
 - c) loading and unloading of plant and materials;
 - d) storage of plant and materials used in constructing the development;
 - e) the erection and maintenance of security hoarding;
 - f) measures to control the emission of dust and dirt during construction;
 - g) wheel washing facilities;
 - h) details of working hours; and,
 - i) contact details for the site manager.
- 9) No development shall commence until a risk assessment to determine whether adequate and sufficient safeguards are in place to control the risks of fire, explosion or environmental contamination from the storage and handling of vehicle fuels has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 10) Should any significant contamination be encountered during development, the Local Planning Authority shall be notified in writing immediately and a Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further works being undertaken. 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.

- 11) Prior to the first use of the approved development, a minimum of two electric car charging points have been provided and are available for use. The electric charging points shall thereafter be retained and remain available for use at all times during the approved opening hours.
- 12) No later than three months prior to any part of the development being first open for business, details of the frequency and hours of deliveries and servicing, including details of how these will be managed, shall be submitted to and approved in writing by the Local Planning Authority. Deliveries and servicing to the site shall thereafter only take place in accordance with the approved hours and details of management.
- 13) Prior to the first use of the approved development, details of opening hours shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved hours. No external lighting shall be illuminated outside of the approved opening hours.
- 14) Prior to the occupation and use of the facility, the approved off-site highway mitigation measures comprising the proposed mini roundabout and pedestrian refuge island and all associated accommodation works must be completed.

For each element of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.

An independent Combined Stage 1/Stage 2 Road Safety Audit carried out in accordance with GG119 - Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site.

A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site. Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

- 15) The retail shop hereby approved shall operate as a shop in association with and ancillary to the approved Roadside Services Scheme only and shall not at any time function as an independent unit.
- 16) Prior to its installation, a scheme for the provision of external lighting which shall include details of lighting levels and shall demonstrate that it does not adversely impact the local landscape or existing ecological networks, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the first use of the approved development, and operated at all times in accordance with the approved scheme.
- 17) There must be no access or egress by any vehicles between the highway and the application site on land between A59 And Gargrave Road, East Of the Gargrave Roundabout, until splays are provided giving clear visibility of 45 metres measured along both channel lines of the major road from a point measured 2.4 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.
- 18) The development must be carried out and operated in accordance with the approved Travel Plan (ref. 11678-002-02) prepared by Sanderson Associates. Those parts of the Travel Plan that are identified therein as being capable of implementation after occupation must be implemented in accordance with the timetable contained therein and must continue to be implemented as long as any part of the development is occupied.