

## **PLANNING COMMITTEE**

27 September 2021

**Present** – The Chair (Councillor Brockbank) and Councillors Brown, Heseltine, Lis, Morrell, Pringle, Rose and Shuttleworth.

**Officers** – Legal Advisor (Kings' Chambers, Manchester), Strategic Manager for Planning and Regeneration, Planning Manager, Principal Planning Officer, Planning Officers x 2 and Democratic Services and Scrutiny Officer.

**Apologies for Absence and Substitutes:** Apologies for absence were received from Councillors Handley, Harbron, Place, Sutcliffe and substitute Member Councillor Ireton (sub for Handley).

**Ward Representatives:**

**Confirmation of Minutes:**

**Resolved** – That the minutes of the meeting held on 1 September 2021 were approved as a correct record.

Start: 1.35pm

Finish: 5.55pm

A short comfort break was taken at 3.11pm.

**Duration of Meeting:** In accordance with Council Procedure Rule 9, the Committee agreed that the meeting should continue beyond three hours.

PL.1042

### **DECLARATIONS OF INTEREST AND LOBBYING**

#### **a. Declarations of Interest**

There were no declarations of interests.

#### **b. Lobbying**

Councillor Ireton was lobbied in favour and against applications 2020/22109/FUL and 2019/2126/FUL. Councillor Brown was lobbied on both application 2020/22109/FUL and 2019/2126/FUL on matters of detail.

PL.1043

### **PUBLIC PARTICIPATION**

The following individual addressed the Committee:

**Application 2020/22109/FUL** – Mr Ian Thompson, Parish Council  
Mrs Belinda Hornyold-Strickland, objector  
Mr Stuart Pratt, Agent for Applicant  
Councillor Stuart Handley, Ward Councillor

**Application 2019/21261/FUL** – Mr Will Rogers, Agent for the Applicant

PL.1044

### **PLANNING APPLICATIONS**

#### **a. Applications determined by Planning Committee**

## Permissions Granted

**Application ref: 2019/2126/FUL** – Full planning permission for the erection of 38 residential dwellings with off street parking, green infrastructure and all associated works. Land to The South Of Brockhole View Settle BD24 9RF. Consideration of the application is deferred and delegated authority is given to the Head of Planning Services to approve the planning application conditionally subject to the conclusion of the S106 Agreement to cover the delivery of affordable housing, public open space and if necessary education facilities. Members also voted in favour of the following being added to the conditions as set out in the case officer's report:

Condition 13 – to include details of solar panels and heat exchange units.

Condition 14 – that this condition is re-worded for clarity to reflect that all dwellings on the site would provide an electric vehicle charging point.

### Conditions

#### **Time Limit for Commencement**

- 1 The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of 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 This permission relates to the following plans:

Proposed Site Plan 8243 BOW AD XX DR A 0004 P6

Proposed Landscape Plan 1281 001E

Site Location Plan 8243-BGP-00-XX-DR-C-90.4-00101

Topographical Site Survey

TYPE A - 1 Bed Affordable Floor Plans, Elevations 8243-BOW-AA-ZZ-DR-A-0020

TYPE B - 2 Bed Affordable Floor Plans, Elevations 8243 8243-BOW-AB-ZZ-DR-A-0021

TYPE C - 3 Bed Affordable Floor Plans, Elevations 8243 8243-BOW-AC-ZZ-DR-A-0022

TYPE D - 3 Bed Private Floor Plans, Elevations 8243 8243-BOW-AD-ZZ-DR-A-0023

TYPE E - 3 Bed Private Floor Plans, Elevations 8243 8243-BOW-AE-ZZ-DR-A-0024

TYPE F - 3 Bed Private Floor Plans, Elevations 8243 8243-BOW-AF-ZZ-DR-A-0025

TYPE G - 4 Bed Private Floor Plans, Elevations 8243 8243-BOW-AG-ZZ-DR-A-0026

TYPE H - 4 Bed Private Floor Plans, Elevations 8243 8243-BOW-AH-ZZ-DR-A-0027

TYPE I - 4 Bed Farmhouse Floor Plans, Elevations 8243 8243-BOW-AI-ZZ-DR-A-0028

TYPE J - 5 Bed Farmhouse Floor Plans, Elevations 8243 8243-BOW-AJ-ZZ-DR-A-0029

TYPE K - 5 Bed Farmhouse Floor Plans, Elevations 8243 8243-BOW-AK-ZZ-DR-A-0030

TYPE L + M 4 Bed Semi Barn Floor Plans, Elevations 8243 8243-BOW-ALM-ZZ-DR-A-0031

TYPE N 3 Bed Bungalow Floor Plans, Elevations 8243 8243-BOW-AN-ZZ-DR-A-0032

Proposed Site Sections 8243 8243-BOW-ZZ-XX-DR-A-0005\_P1  
Impermeable area plan 1 OF 2  
Impermeable area plan 2 OF 2  
Flood Flow Exceedance Plan  
Proposed Drainage Plan 1 OF 3  
Proposed Drainage Plan 2 OF 3  
Proposed Drainage Plan 3 OF 3

Planning Statement Addendum dated 16.3.2020  
Heritage Statement Addendum Part 1 dated 16.3.2020  
Planning & Heritage Statement Addendum Part 2 dated 25.8.2021  
Arboricultural survey  
Design and Access Statement

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.

### **Before you Commence Development**

- 3 No development including earthworks shall take place until a suitable temporary construction surface water management plan has been submitted and approved in writing by the Local Planning Authority. Method statements and plans/drawings detailing surface water management proposals must include the following:
  - a. Temporary drainage systems, including any dewatering.
  - b. Measures for managing pollution / water quality and protecting controlled waters and watercourses, including and emergency control measures.
  - c. Measures for managing any on or offsite flood risk associated with construction (If applicable)
  - d. Required consents, e.g. Land Drainage Act, Environmental Permit (If required)
  - e. Construction management, maintenance and remediation schedule.

Reason: To ensure that surface water quality and quantity is managed through construction and prevent the impact of work off site.

Informative - Land Drainage Consent and Culverted Watercourse Improvements Any works in, over, under or near an Ordinary Watercourse (outfall, retaining wall) might require Land Drainage Consent from the LLFA, North Yorkshire County Council. For example, the 'naturalisation' works on the culverted watercourse may require land drainage consent. This is to be considered separate to the planning process.

The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document).

Please note that at discharge of conditions stage, should the requirements not have been approved as part of a planning application, the applicant is exposed to the risk of being unable to discharge the relevant planning condition.

- 4 No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for the following all clear of the highway:

Safe access into the site

The parking of vehicles of site operatives and visitors

Loading and unloading of plant and materials

Storage of plant and materials used in constructing the development

Wheel and underbody washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety.

- 5 There shall be no access or egress by any vehicles between the highway and the application site until vehicle wheel washing facilities have been installed on the access road to the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept in full working order at all times. All vehicles involved in the transport of waste materials or finished products to or from the site shall be thoroughly cleaned before leaving the site so that no mud or waste materials are deposited on the public highway.

Reason: In accordance with policy INF7 and in the interests of highway safety and amenity

- 6 Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway

b. on-site materials storage area capable of accommodating all materials required for the operation of the site.

c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

Reason: In accordance with policy INF7 and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

- 7 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of

mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal

Reason: In accordance with policy INF4 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

### **During Building Works**

- 8 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site, until the following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:
- a. Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:
    - o the proposed highway layout including the highway boundary
    - o dimensions of any carriageway, cycleway, footway, and verges
    - o visibility splays
    - o the proposed buildings and site layout, including levels
    - o accesses and driveways
    - o drainage and sewerage system
    - o lining and signing
    - o traffic calming measures
    - o all types of surfacing (including tactiles), kerbing and edging.
  - b. Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:
    - o the existing ground level
    - o the proposed road channel and centre line levels
    - o full details of surface water drainage proposals.
  - c. Full highway construction details including:
    - o typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
    - o when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
    - o kerb and edging construction details
    - o typical drainage construction details.Details of the method and means of surface water disposal.
  - e. Details of all proposed street lighting.
  - f. Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions

for their setting out including reference dimensions to existing features.

g. Full working drawings for any structures which affect or form part of the highway network.

h. A programme for completing the works.

The development shall only be carried out in full compliance with the approved drawings and details unless agreed otherwise in writing by the Local Planning Authority with the Local Planning Authority in consultation with the Highway Authority.

Reason: In accordance with policy INF7 and to secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users.

In imposing condition numbered above it is recommended that before a detailed planning submission is made a draft layout is produced for discussion between the applicant, the Local Planning Authority and the Highway Authority in order to avoid abortive work. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition.

- 9 There shall be no access or egress between the highway and the application site by any vehicles other than via the existing access with the public highway at Brockholes View . The access shall be maintained in a safe manner which shall include the repair of any damage to the existing adopted highway occurring during construction.

Reason: In accordance with policy INF7 and in the interests of both vehicle and pedestrian safety and the visual amenity of the area.

- 10 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

- a. tactile paving
- b. vehicular, cycle, and pedestrian accesses
- c. vehicular and cycle parking
- d. vehicular turning arrangements
- e. manoeuvring arrangements
- f. loading and unloading arrangements.

Reason: In accordance with policy INF7 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development

- 11 No development above ground level shall take place until details of existing and finished site levels, finished floor and ridge levels of the buildings to be erected and finished external surface levels have been submitted to and approved in writing by the Local Planning Authority.

Reason: The proposed levels of the development are required prior to commencement for clarity and in order to ensure that any works in connection with the development hereby permitted respect the height of adjacent properties.

- 12 No development above ground level shall take place until details/samples of all materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

Reason: For clarity and in the interests of proper planning to ensure the preservation of visual interest.

- 13 No development above ground level shall take place until an energy strategy demonstrating a reduction in carbon dioxide emissions has been submitted to and approved in writing by the Local Planning Authority. A certificated Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, to demonstrate that the agreed standards have been met.

Reason: To ensure that the proposed development is constructed in an environmentally sustainable manner.

- 14 2 electric vehicle charging points (providing active electric vehicle charging provision to 4 spaces) shall be constructed and marked out and the charging points installed prior to the occupation of the development, and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To encourage the use of electric cars in order to reduce carbon emissions

- 15 No development above ground level details of all materials to be used for hard surfaced areas within the site including roads, driveways and car parking area have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the details so approved.

Reason: For clarity and in the interests of proper planning to ensure the preservation of visual interest.

- 16 No development (excluding site clearance and demolition) shall take place until a detailed surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:

- o Limiting discharge rates to 2.8l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.
- o Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- o Final modelling and calculations for all areas of the drainage system.
- o The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753, including the proposed bioretention channelling systems.
- o Detailed engineering drawings of each component of the drainage scheme.
- o A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.

o A written report summarising the final strategy and highlighting any minor change to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason: The surface water drainage scheme is required prior to commencement of development in order to reduce the risk of flooding.

### **Before the Development is Occupied**

- 17 No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.

The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.

Reason: In accordance with policy INF7 and to ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.

- 18 No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number 8:
- a. have been constructed in accordance with the submitted approved drawing
  - b. have been constructed in accordance with Standard Detail Number
  - c. are available for use unless otherwise approved in writing by the Local Planning Authority.

Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times

Reason: In accordance with policy INF4 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development

The proposals shall cater for all types of vehicles that will use the site. The parking standards are set out in the North Yorkshire County Council publication 'Transport Issues and Development - A Guide' available at [www.northyorks.gov.uk](http://www.northyorks.gov.uk)

- 19 Prior to the occupation of the dwellings hereby approved, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.



Reason: In order to provide high quality communications infrastructure for future occupiers.

- 20 The development hereby approved shall not be occupied until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies has been submitted to and approved in writing by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

- 21 Prior first occupation of the development hereby approved, whichever is the sooner; details of any remedial works to trees that are to be retained on site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details of any remedial works.

Reason: For clarity and in the interests of proper planning to ensure the preservation of visual interest.

- 22 Prior to first occupation of the development hereby approved, a schedule of landscape maintenance for a period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: For clarity and in the interests of proper planning to ensure the preservation of visual interest.

- 23 Prior to first occupation of the development hereby approved, details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

1) location, type and materials to be used for hard landscaping including specifications, where applicable for:

a) permeable paving b) tree pit design c) underground modular systems d) Sustainable urban drainage integration e) use within tree Root Protection Areas (RPAs);

2) a schedule detailing sizes and numbers/densities of all proposed trees/plants;  
3) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and

4) the provision for bird and bat nesting boxes that accord with the advice set out in "Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build" (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

Unless required by a separate landscape management condition, all soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Section 197 of the Town and Country Planning Act 1990 (as amended).

- 24 Prior to first occupation of the development hereby approved, whichever is the sooner; the vehicle/cycle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.

Reason: To ensure that appropriate parking and turning is provided.

- 25 Prior to occupation a scheme for the provision of seating, litter and dog bins to be located within the approved landscaping plan shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved details and retained thereafter unless agreed in writing with the Local Planning Authority.

Reason: To ensure the provision of adequate facilities within the provision of green infrastructure.

### **Ongoing Conditions**

- 26 The development hereby approved shall not be occupied until a scheme for the storage and disposal of refuse has been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of future occupiers and adjoining occupiers.

- 27 Following substantial completion of the development hereby approved, the applicant and/or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

- 28 The dwellings hereby approved shall comply with Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition). Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or

Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that accessible housing is provided.

### Informatives

1. Adherence to approved plans/conditions

Failure to adhere to the details of the approved plans or to comply with the conditions contravenes the Town and Country Planning Act 1990 and enforcement action may be taken.

1. The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).
2. Existing Public Rights of Way on the site should remain unobstructed and available for use unless and until an application (whether temporary or permanent) under Sections 247 or 257 of the Town and Country Planning Act (or any other relevant legislation) is approved to allow the diversion or stopping up of any of these routes. Approval of any such application should be confirmed prior to the carrying out of any operations that would obstruct the use of the relevant Public Rights of Way.
4. Topsoil  

The applicant is advised it is the responsibility of the developer to ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 Specification for Topsoil. Supplier(s) details and confirmation on the source(s) of any topsoil materials brought on site should be made available for inspection at the request of the Council's Environmental Health Department.
5. S 106 of the Town and Country Planning Act 1990 (as amended) allows the Local Planning Authority to request a developer to contribute towards the impact it creates on the services. The contribution in the amount £42,660.49 sought will go towards the gap in the funding created by each potential patient from this development. The detailed explanation and calculation are provided within the attached document. Without the requested contribution, the access to adequate health services is rendered more vulnerable thereby undermining the sustainability credentials of the proposed development due to conflict with NPPF and Local Development Plan policies as explained in the attached document.
6. 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.

Applications Deferred

**Application ref: 2020/22109/FUL** – Revised description Construction of eleven dwellings with landscaping, infrastructure, associated works and off-street parking on allocated site. Land At Richard Thornton's School Burton In Lonsdale, LA6 3JZ. The application is deferred so clarification can be sought in relation to arrangements for fresh water supply, drainage, sewage treatment, access road and solar panels and a site visit can be arranged.

Conditions

**Time Limit for Commencement**

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

**Approved Plans**

- 2 This permission relates to the following plans:

Drawing nos.

022004 05 Rev B Location Plan  
02 Rev F Site Plan and Ground Floor Plan  
03 Rev A Elevations  
04 Rev A First Floor Plan  
06 Rev A Roof Plan  
Design and Access Statement  
Heritage Statement  
Tree Report  
Public Right of Way Statement

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 District Local Plan 2012 - 2032 and the National Planning Policy Framework.

**Before you Commence Development**

- 3 No development above ground level shall take place until details of existing and finished site levels, including the finished floor and ridge levels of the buildings to be erected, and finished external site surface levels have been submitted to and approved in writing by the Local Planning Authority.

Reason: The proposed levels of the development are required prior to commencement of above ground works for the avoidance of doubt and in order to ensure that any works in connection with the development hereby permitted respect the height of adjacent properties.

- 4 Prior to their first use on site full details of all materials to be used on the external surfaces of the development hereby approved shall be 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 policy ENV3 of the Craven District Local Plan 2012 to 2032 and the National Planning Policy Framework.

- 5 Prior to their first use on site full details of all materials to be used for hard surfaced areas within the site including roads, driveways and car parking area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

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 policy ENV3 of the Craven District Local Plan 2012 to 2032 and the National Planning Policy Framework.

### **Before the Development is Occupied**

- 6 Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:
- 1) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
  - 2) location, type and materials to be used for hard landscaping including specifications, where applicable for:
    - a) permeable paving
    - b) tree pit design
    - c) underground modular systems
    - d) Sustainable urban drainage integration
    - e) use within tree Root Protection Areas (RPAs);
  - 3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;
  - 4) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
  - 5) types and dimensions of all boundary treatments
  - 6) the provision for bird and bat nesting boxes that accord with the advice set out in "Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build" (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

Unless required by a separate landscape management condition, all soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years

of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to enhance its setting within the immediate locality in accordance with Section 197 of the Town and Country Planning Act 1990 (as amended) and policies ENV3, ENV4 and ENV5 of the Craven District Local Plan 2012 to 2032.

- 7 Prior to completion or first occupation of the development hereby approved, whichever is the sooner; a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved management plan.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to enhance its setting within the immediate locality in accordance with Section 197 of the Town and Country Planning Act 1990 (as amended) and policies ENV3, ENV4 and ENV5 of the Craven District Local Plan 2012 to 2032.

- 8 Prior to completion or first occupation of the development hereby approved, whichever is the sooner; a schedule of landscape maintenance for a period of five years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to enhance its setting within the immediate locality in accordance with Section 197 of the Town and Country Planning Act 1990 (as amended) and policies ENV3, ENV4 and ENV5 of the Craven District Local Plan 2012 to 2032.

- 9 Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of any remedial works to trees that are to be retained on site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details of any remedial works.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to enhance its setting within the immediate locality in accordance with Section 197 of the Town and Country Planning Act 1990 (as amended) and policies ENV3, ENV4 and ENV5 of the Craven District Local Plan 2012 to 2032.

- 10 2 electric vehicle charging points (providing active electric vehicle charging provision to 4 spaces) shall be constructed and marked out and the charging points installed prior to the occupation of the development, and shall thereafter be retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To encourage the use of electric cars in order to reduce carbon emissions in accordance with policy ENV9 of the Craven Local Plan 2012 to 2032

- 11 No development above ground level shall take place until an energy strategy demonstrating a reduction in carbon dioxide emissions over Part L of the Building Regulations (2013) has been submitted to and approved in writing by the Local Planning Authority.

Once the energy strategy is in place a certificated Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, to demonstrate that the agreed standards have been met.

Reason: To ensure that the proposed development is constructed in an environmentally sustainable manner in accordance with policy ENV9 of the Craven Local Plan 2012 to 2032.

- 12 Prior to the occupation of the dwellings hereby approved, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide high quality communications infrastructure for future occupiers in accordance with policy ENV3 of the Craven Local Plan 2012 to 2032.

- 13 Prior to the occupation of the dwellings hereby permitted, a site plan showing the proposed locations of Solar PV Panels and samples of the materials to be used in the construction of the solar panel array shall be submitted to, and approved in writing by, the local planning authority. Development shall be carried out in accordance with the approved samples and retained as such thereafter.

Reason: To promote sustainability through renewable energy in accordance with policy ENV9 of the Craven Local Plan 2012 to 2032.

### **Ongoing Conditions**

- 14 In the event of the solar PV equipment hereby approved ceasing to produce electricity, they shall be permanently removed from the building within 3 months of the date they become redundant, and the roof covering shall be restored to match the remainder of the roof.

Reason: In the interest of the visual amenity in accordance with Policy ENV3 and ENV9 of the Craven Local Plan and the National Planning Policy Framework.

### Informatives

1. The hours of operation during the construction phase of development and delivery of construction materials or equipment to the site and associated with the construction of the development hereby permitted should be limited to 0730 hours to 1800 hours on Monday to Fridays and 0730 hours to 1300 hours on Saturday. No work should take place on Sundays or Bank/Public Holidays.
2. The applicant needs to have regard to the BS8233:2014 Guidance on 'Sound Insulation and Noise Reduction for Buildings' which presents guideline noise levels for both inside and outside dwellings.

3. The applicant is advised it is the responsibility of the developer to ensure that any topsoil brought on site is free from metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils as specified in BS 3882: 2015 Specification for Topsoil. Supplier(s) details and confirmation on the source(s) of any topsoil materials brought on site should be made available for inspection at the request of the Council's Environmental Health Department.
4. The developer shall ensure that a plan is implemented in order to control dust created during the construction phase of the development. The plan shall be in line with the Institute of Air Quality Management Guidance on the Assessment of Dust from Demolition and Construction.  
The dust management plan shall identify all areas of the site and the site operations where dust may be generated and further identify control measures to ensure that dust does not travel beyond the site boundary. Once in place, all identified measures shall be implemented, retained and maintained for the duration of the approved use.
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.

Applications Refused

None.

**b. Delegated Matters**

The Strategic Manager for Planning and Regeneration submitted a list of new and closed planning enforcement cases between 19 August 2021 and 16 September 2021.

PL.1045	<b><u>REVIEW OF BEST PRACTICE GUIDANCE ON MAKING PLANNING DECISIONS</u></b>
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Vincent Haines submitted a report which summarised three recent reports relevant to the review of planning decision making procedures at Craven District Council. Members noted the content of the report and the best practice guidance.

PL.1046	<b><u>PLANNING DECISION MAKING PROCEDURES</u></b>
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Members considered and discussed in detail the opinions for change set out in the report which was due to be taken forward by Vincent Haines and presented to Policy Committee on 19 October 2021 for consideration.

PL.1047	<b><u>SUPPLEMENTARY PLANNING DOCUMENTS – NOTE FOR MEMBERS</u></b>
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Members noted the report submitted by the Interim Spatial Planning Manager which set out the Spatial Planning Team's work programme for preparing a number of Supplementary Planning Documents (SPDs) together with details of progress made on each SPD and training to be provided to the Planning Committee following adoption.

PL.1048	<b><u>ANY OTHER ITEMS</u></b>
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Craven District Council

There were no late items of business to consider.

**Minutes for Decision**

There were no items for decision requiring confirmation by Council.

Chairman.