PLANNING COMMITTEE

28th November 2022

Present – The Vice-Chair (Councillor Ireton) and Councillors Brown, Handley, Harbron, Heseltine, Morrell, Pringle, Rose, Shuttleworth and Sutcliffe.

Officers – Legal Advisor (Kings' Chambers, Manchester), Planning Manager, Principal Planning Officer, Senior Democratic Services Officer and Democratic Services and Scrutiny Officer.

Apologies for Absence and Substitutes: An apology for absence was received from the Chairman, Councillor Lis.

Ward Representatives: Application 2022/23654/HH Councillor Noland. Application 2021/23443/FUL Councillor Brockbank. Application 2021/23291/FUL Councillors Myers and Noland.

Confirmation of Minutes:

Resolved – That the minutes of the meeting held on 3 October 2022 were, subject to a minor amendment, approved as a correct record and signed by the Chair.

Start: 1.38pm Finish: 3.16pm

PL.1082 <u>DECLARATIONS OF INTEREST AND LOBBYING</u>

a. Declarations of Interest – There were no interests declared.

b. Lobbying

Councillor Sutcliffe had been lobbied against application against 2021/23539/FUL. Councillor Morrell indicated he had been lobbied against application 2022/23966/FUL which had since been withdrawn from the agenda.

PL.1083 PUBLIC PARTICIPATION

The following individual addressed the Committee:

Application 2021/23539/FUL – Mr Peter Crossley (on behalf of the objectors)

Mr Richard Mowat (on behalf of the applicant)

Application 2022/24404/FUL - Councillor Simon Myers (for the applicant Craven District

Council)

PL.1084 PLANNING APPLICATIONS

a. Applications determined by Planning Committee (application 2022/23966/FUL Borks Hill, Sour Dale Lane, Long Preston, had been withdrawn from the agenda by the applicant).

Permissions Granted

Application 2021/23539/FUL – application for 41 no. dwellings, associated landscaping and infrastructure works, replacement sports pavilion, car parking and improvements to sports pitches on land at Lords Close, Giggleswick, Settle, BD24 0EG.

Resolved – That delegated authority is given to the Strategic Manager for Planning and Regeneration to GRANT planning permission subject to:

- (i) The completion by the landowner of a planning obligation entered into by way of a Section 106 Agreement to secure appropriate contributions in respect of open space and education contributions and provision of affordable housing provision.
- (ii) The imposition of the conditions set out below including additional conditions requested by the Committee (actual wording to be agreed by the Planning Manager) that solar panel should be fitted on every dwelling, that materials used should be of natural stone and the roofs should be of slate to reflect the surrounding environment and that permitted development rights to be withdrawn:

Conditions

Time Limit for Commencement

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

Reason: To comply with 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

The development permitted shall be carried out in accordance with the following approved plans and documents:

0792-EA-A-P001A	LOCATION PLAN
0792-EA-A-P010 FENCE	BOUNDARY DETAILS - 1800MM TIMBER
0792-EA-A-P011 AND TIMBER (AMENDED) 0792-EA-A-P004F TREATMENT P	BOUNDARY DETAILS - 900MM WALL
	(AMENDED) PROPOSED BOUNDARY
0792-EA-A-P020 0792-EA-A-P021 0792-EA-A-P022 0792-EA-A-P023 0792-EA-A-P027 0792-EA-A-P029	HOUSE TYPE A1 HOUSE TYPE A2 HOUSE TYPE A3 HOUSE TYPE N201 HOUSE TYPE N402 HOUSE TYPE N404
(AMENDED) 0792-EA-A-P024A (AMENDED) 0792-EA-A-P025A (AMENDED) 0792-EA-A-P026A (AMENDED) 0792-EA-A-P028A	(AMENDED) HOUSE TYPE N302 (AMENDED) HOUSE TYPE N303B (AMENDED) HOUSE TYPE N313 (AMENDED) HOUSE TYPE N403A

(AMENDED) 0792-EA-A-P005D TREATMENT	(AMENDED) PROPOSED ELEVATION
(AMENDED) PO15A	(AMENDED) SINGLE GARAGE DETAILS
AMENDED) 0792-EA-A-P007D ELEVATIONS	(AMENDED) PROPOSED STREET
(AMENDED) 0792-EA-A-P006C	(AMENDED) PROPOSED SITE SECTIONS
(AMENDED) 0792-EA-A-G001B LAYOUT	(AMENDED) PROPOSED OVERALL SITE
(AMENDED) 0792-EA-A-P002G	(AMENDED) PROPOSED SITE LAYOUT
CE-LC-1980-DW01 - DW01 CE-LC-1980-DW01 - DW02 CE-LC-1980-DW01 - DW03	PLANTING PLAN SHEET 1 OF 3 PLANTING PLAN SHEET 2 OF 3 PLANTING PLAN SHEET 3 OF 3
(AMENDED) 0792-EA-A-P003B SPORTS	(AMENDED) PROPOSED SITE LAYOUT -
(AMENDED) 0792-EA-A-P008B PAVILION	(AMENDED) PROPOSED SPORTS
(ADDITIONAL INFO) REV 2 DRAINA	*(ADDITIONAL INFO) FLOOD RISK AND
(AMENDED) AMA-20956-01 REV 2 DRAINAGE STRATE.	(AMENDED) FLOOD RISK AND
TREE REPORT & TREE SURVEY (AMENDED) AWA4269 METHOD STATEMENT ECOLOGICAL APPRAISAL REPORT DESK TOP BASED ARCHEOLOGY AS GEO ENVIRONMENTAL REPORT PA	

(AMENDED) NET03R1 - BOUND P1-27 (AMENDED) GEO-ENVIRONMENTAL

AMA 20956-01-FR&DS Rev 2 dated January 2022 with appendices

Reason: For the avoidance of doubt.

Before you Commence Development

REPORT

- No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
 - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;

(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

- 4 Prior to construction (including any demolition works) commencing on the site, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:
 - o Development contacts, roles, and responsibilities
 - o Public communication strategy, including a complaints procedure.
 - o Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
 - o Use of fences and barriers to protect adjacent land, properties, footpaths, and highways.
 - o Details of parking and traffic management measures.
 - o Measures to control light spill and glare from any floodlighting and security lighting installed.

The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction. The development shall only be carried out in accordance with the CEMP so approved.

Reason: To comply with Local Plan policy ENV3 of the Craven Local Plan.

Prior to the commencement of works (including site clearance, and construction works) the tree protection mitigation measures as specified in the AWSA Arboricultural Method Statement shall be installed to provide sufficient protection for the retained trees on site during the construction of the development.

Trees and hedgerows on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted Arboricultural Assessment and Method Statement AWA Tree Consultants.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

- 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.

No development shall take place until an appropriate Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority.

Site design must be such that when SuDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event.

The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site.

Reason: to prevent flooding to properties during extreme flood events and to mitigate against the risk of flooding on and off the site.

No development shall take place until a suitable maintenance of the proposed SuDS drainage scheme arrangement has been demonstrated to the local planning authority.

Details with regard to the maintenance and management of the approved scheme to include; drawings showing any surface water assets to be vested with the statutory undertaker/highway authority and subsequently maintained at their expense, and/or any other arrangements to secure the operation of the approved drainage scheme/sustainable urban drainage systems throughout the lifetime of the development.

Reason: To prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage system and to accord with Policy ENV6 of the Craven Local Plan and the National Planning Policy Framework.

During Building Works

9 Notwithstanding the details provided, prior to the commencement of any part above ground works of the hereby approved development, a detailed landscape masterplan and all final landscape details (planting and hard landscape), shall be submitted to and agreed in writing with the LPA. This shall follow an approved landscape framework to be agreed.

Notwithstanding details already submitted, such plans and details shall show all new planting of shrubs, hedgerows and trees including any necessary tree pits or root barrier systems. The plan shall show all streetlights, pipe ways and other underground service details in proximity to tree planting.

The landscape masterplan shall include a detailed phasing plan for all landscape works. Details will include all planting schedules, quantities, densities, sizes, mulching and irrigation features as well as hard landscape details for boundary treatments, surfaces and features.

Reason: In the interests of the appearance and character of the development and area and to comply with policy ENV3 of the Craven Local Plan.

10 Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

The hard and soft landscaping details as agreed shall be fully implemented and maintained in accordance with the agreed management and maintenance plans and any agreed phasing of those works. Planting works, if delayed, should be completed in the first available planting season (October-March).

If any planted areas fail or trees and shrubs die or become damaged or diseased within 5 years of planting, they shall be replaced with the same species (unless a written variation has been agreed beforehand with the LPA) in the next available planting season.

Following such an initial establishment period, all planting, shall then be maintained in accordance with the long-term landscape and maintenance provisions approved as part of this permission, including any relevant clauses set out in the accompanying Section 106 Agreement attached to this permission.

Reason: In the interests of the appearance and character of the development and area and to comply with Craven Local Plan policy ENV3 and the National Planning Policy Framework.

Prior to commencement of development above slab level of any of the dwellings a scheme for the placement of bird and bat boxes and swallow bricks for each dwelling shall be submitted to and agreed in writing with the LPA. The details agreed shall be completed for each house prior to occupation and maintained as such thereafter.

Reason: In the interests of increasing biodiversity on the site in accordance with Local Plan policy ENV4 of the Craven Local Plan

Prior to the commencement of any works above slab level of any of the dwellings hereby permitted a full schedule of materials (including manufacturer names, type and colour) to be used on all dwellings based on the external materials plans submitted i.e. facing bricks, wall renders, weatherboarding, tile hanging including finish and colours, roofing materials, eaves boards, ridge tiles, together with the materials for all hard surfaced areas including any roadways, pavements and footway/cycleways, fences and walls (with typical elevation sections including straights and where there are changes in alignment supplied for both including any coping details, decorative brickwork and piers etc.), shall be submitted to and agreed in writing with the LPA.

The development shall be completed in accordance with the details as may be agreed.

Reason: In the interests of the appearance and character of the development and to comply with policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

The Development shall be built in accordance with the following submitted document:

Flood Risk and Drainage Strategy, Andrew Moseley Associates, Reference 20956-FRDS-001XX, Revision 3, Dated January 2022.

The flowrate from the site shall be restricted to a maximum flowrate of 6.5 litres per second. A 30% allowance shall be included for climate change and an additional 10% allowance for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change plus urban creep critical storm event.

The scheme shall include a detailed maintenance and management regime for the storage facility. Principles of sustainable urban drainage shall be employed wherever possible.

Reason: To ensure that the development is built to the submitted drainage design; to prevent the increased risk of flooding; to ensure the provision of adequate and sustainable means of drainage in the interests of amenity.

Prior to any above-ground works on the housing hereby approved being commenced, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England.

The scheme shall include details of an affordable pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review.

The approved scheme shall be implemented upon commencement of use of the development.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy ENV4 of the Craven Local Plan and the National Planning Policy Framework.

Prior to any above-ground works on the housing hereby approved being commenced, a scheme for delivery and completion of the rugby pitches, replacement eight wicket cricket square, pavilion and car park shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England.

The scheme shall include full details of the rugby pitches, replacement eight wicket cricket square, pavilion and car park including a timetable of when the rugby pitches, replacement eight wicket cricket square, pavilion and car park will be commenced and completed and made available for sporting use.

The approved scheme shall be complied with in full and made available for use for sport before the housing hereby permitted is first occupied.

Reason: To ensure the satisfactory quantity, quality and accessibility of sporting provision and to accord with Development Plan Policy ENV4 of the Craven Local Plan and the National Planning Policy Framework.

No development on the existing playing field shall commence until a scheme to ensure the continuity of the existing sports use of the playing fields and pitches during construction of the works proposed on the playing field is submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England.

The scheme shall ensure that the sports facilities remain at least as accessible and at least equivalent in terms of size, usefulness, attractiveness and quality to the existing sports facilities and shall include a timetable for implementation.

The approved scheme shall be implemented and complied with in full throughout the carrying out of the development.

Reason: To protect playing fields and sports facilities from damage, loss or availability of use and to accord with Development Plan Policy ENV4 of the Craven Local Plan and the National Planning Policy Framework.

Before any of the protected trees to be felled as part of this permission (annotated on the approved plan) are removed, a scheme for the replacement of each tree at a minimum 2:1 (replacement trees: protected trees) ratio shall first be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include details of the size, species and location of the replacement trees. Each replacement tree shall be planted during the first planting season after the existing protected tree is removed in full accordance with the duly approved scheme.

If any of the replacement trees are removed, die, become severely damaged or seriously diseased within 10 years of planting, they shall be replaced by trees of a similar size and species.

Reason: To ensure appropriate compensatory planting following the loss of protected trees on the site in the interests of visual amenity in accordance with the requirements of Craven Local Plan policy ENV3 and the National Planning Policy Framework.

The development shall be completed in strict accordance with the following documents and drawings as submitted with the planning application]:

ECOLOGY REPORT

ECOLOGICAL APPRAISAL REPORT

CE-LC-1980-DW01 - DW01 PLANTING PLAN SHEET 1 OF 3
CE-LC-1980-DW01 - DW02 PLANTING PLAN SHEET 2 OF 3
CE-LC-1980-DW01 - DW03 PLANTING PLAN SHEET 3 OF 3

All the biodiversity mitigation measures shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority, and all mitigation features shall thereafter be permanently retained for the stated purposes of biodiversity conservation.

Reason: To accord with Policy ENV4 of the Craven Local Plan and the National Planning Policy Framework.

20 Electric charging points shall be provided for each dwelling and retained as such thereafter.

Reason: To comply with Policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

Before the Development is Occupied

Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, boundary treatments to each plot shall be erected in accordance with the details (including their siting, height, design, materials and finish) shown on the approved drawings before the dwelling on that plot is first occupied, and shall be retained as such thereafter.

Reason: In the interests of the security of future occupiers, to ensure adequate levels of privacy between neighbouring dwellings and to achieve an acceptable relationship with the street scene in accordance with the requirements of Craven Local Plan policy ENV3, and the National Planning Policy Framework.

- No individual dwelling house hereby approved shall be erected unless an Energy Statement applicable to that dwelling house has been submitted to and approved in writing by the planning authority. The Energy Statement shall include the following items:
 - a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
 - b) Calculations using the SAP or SBEM methods which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with Policy ENV3 of the Craven Local Plan.

The development shall not be occupied unless it has been constructed in full accordance with the approved details in the Energy Statement. The carbon reduction measures shall be retained in place and fully operational thereafter.

Reason: to ensure this development complies with the on-site carbon reductions required in Policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

Ongoing Conditions

Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the garages hereby approved shall be retain for their intended use and shall not be used converted to form ancillary residential accommodation.

Reason: In order to prevent overdevelopment of the site, to ensure that satisfactory provision of car parking for the dwelling house is maintained in accordance with the requirements of Craven Local Plan policy INF4 and the National Planning Policy Framework.

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.

2. 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).

3. Charging Points

The applicant/developer is advised that in the interests of promoting sustainable travel opportunities electric vehicle charging points should be provided.

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. Broadband Connectivity

The applicant is advised to undertake early engagement with telecommunication providers to ensure the development benefits from the highest quality broadband connectivity available. Lead times for the provision of broadband services can be in excess of 9 months prior to occupation of the first dwelling.

The District Council has produced a document, "Broadband Connectivity for New Developments in Craven - A Briefing Note for Developers" which provides a general introduction to broadband connectivity in the District. The briefing note is available by emailing edu@cravendc.gov.uk or can be downloaded from the District Council website.

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.

Proposer: Councillor Brown. Seconder: Councillor Pringle.

Voting: 8 for approval; 2 for refusal; and 1 abstention.

Application 2022/24404/REG4 application for a single storey extension to existing crematorium chapel building, Skipton Crematorium, Waltonwrays, Carleton Road, Skipton BD23 3BT.

Resolved – That the application is GRANTED subject to the following conditions:

Conditions

Time Limit for Commencement

1 The development hereby permitted shall be begun not later than the expiration of three years with 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:

8391-BOW-ZZ-XX-RP-A-0003	SUSTAINABLE DESIGN AND
CONSTRUCTION STAT	
8391-BOW-ZZ-XX-RP-A-0007	D AND A STATEMENT
8391-BOW-ZZ-XX-RP-A-0008-DRAFT	HERITAGE STATEMENT
8391.1-BOW-ZZ-ZZ-DR-A-P001-P1	LOCATION PLAN
8391.1-BOW-ZZ-ZZ-DR-A-P002-P1	BLOCK PLAN
8391.1-BOW-ZZ-ZZ-DR-A-P005-P1	EXISTING LAYOUT(S)
8391.1-BOW-ZZ-ZZ-DR-A-P006-P1	EXISTING ELEVATION(S)
8391.1-BOW-ZZ-ZZ-DR-A-P010-P1	PROPOSED LAYOUT(S)
8391.1-BOW-ZZ-ZZ-DR-A-P011-P1	PROPOSED ELEVATION(S)
8391.1-BOW-ZZ-ZZ-DR-A-P015-P1	PROPOSED SECTION(S)

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 2012-2032 and the National Planning Policy Framework.

During Building Works

Prior to the commencement of any above ground works of the approved buildings, representative samples and details of external materials of construction to be used on the walls and roof of the development 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.

Reason: To ensure a satisfactory appearance to the development, in accordance with the requirements of Craven Local Plan policy ENV3 and the National Planning Policy Framework.

The development shall be implemented in accordance with the details contained within the Sustainability and Design Construction Statement.

Reason: To ensure that the proposed development is an environmentally sustainable and accords with Policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

Before the Development is Occupied

Prior to the first use of the development hereby approved, a schedule of the biodiversity enhancement measures including planting details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with approved details.

Reason: For clarity and in the interests of biodiversity net gain in accordance with Policy ENV4 of the Craven Local Plan and the National Planning Policy Framework.

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.

2. 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.

Proposer: Councillor Rose. Seconder: Councillor Sutcliffe. Voting: 9 for approval; 2 for refusal.

b. Delegated Matters

The Strategic Manager for Planning and Regeneration submitted a list of new and closed planning enforcement cases between 24th September 2022 and 17th November 2022.

PL.1085 QUARTERLEY PLANNING PERFORMANCE MONITORING REPORT

The Planning Manager submitted a report informing Committee of the performance of the development management service during the period July – September 2022. As well as looking at the Council's performance against national indicators for planning applications, the report included information for the quarter for enforcement, appeals and speed of validation of planning applications.

Resolved – That, the contents of the report are noted.

Minutes for Decision

There were no items for decision requiring confirmation by Council.

Date of Next Meeting: 19th December 2022.

Chairman.