

PLANNING COMMITTEE

13th March 2023

Present – The Chairman (Councillor Lis) and Councillors Brown, Handley, Heseltine, Ireton, Morrell, Pringle, Rose, Shuttleworth and Sutcliffe.

Officers – Legal Advisor (Kings' Chambers, Manchester), Planning Manager, Principal Planning Officer x 2, Planning Officer and Senior Democratic Services Officer.

Apologies for Absence and Substitutes: An apology for absence was received from Councillor Harbron. Harbron.

Ward Representatives: Application 2022/24448/FUL – Councillors Ireton and Lis. Application 2022/24234/FUL - Councillor Moorby. Application 2020/22109/FUL – Councillor Handley.

Confirmation of Minutes: The minutes of the Planning Committee held on 28th February 2023, were confirmed as a correct record and signed by the Chairman.

Start: 1.33pm

Finish: 3.49pm

PL.1092

DECLARATIONS OF INTEREST AND LOBBYING

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

b. Lobbying

The Chairman and Members indicated that they had been lobbied by the applicant's agents by way of a letter asking that application 2022/24448/FUL be granted against officer recommendation which was one of refusal.

PL.1093

PUBLIC PARTICIPATION

The following individual addressed the Committee:

Application 2022/24448/FUL –	Kirsty McGhie, (on behalf of the applicant)
Application 2020/22109/FUL -	Peter Thompson (on behalf of Burton-in-Lonsdale Parish Council)
	Stuart Pratt (applicant)

PL.1094

PLANNING APPLICATIONS

a. Applications determined by Planning Committee

Permission Granted

Application 2022/24448/FUL – application for the formation of new vehicular access onto Bentham Road. The erection of five detached dwellings with integrated garages, associated car parking and landscaping works (resubmission of withdrawn application reference 2022/23749/FUL) on land to the South of Bentham Road, Ingleton.

In addition to the case officer's initial report a late information report had been circulated to Members and the information published on the Council's website.

The application had been recommended for refusal and the reasons were explained to Members both in the case officer's report and during the presentation. However, Councillor Ireton proposed that the application should be granted and he asked that the following points in relation to allocated sites, of which there were sufficient, in Ingleton be recorded:

Site 29 – Craven District Council tried to develop the site with its preferred partner but it proved not to be viable unless the size of the site was increased. Therefore, the site was not available.

Site 28 – This site had no access and a considerable length of road would need to be constructed at considerable expense with access from Manor Close, and it was questionable as to whether the site would be viable.

Site 96 – Planning Committee had refused planning permission on this site.

Site 49 – This site was owned by North Yorkshire County Council and had been earmarked for extra care housing so not available for residential housing.

Site 10 – This site was currently a caravan park and so far, no development plans had come forward.

Members discussed the application and, having heard from the two ward councillors and listened to the debate, felt that, on balance there was a need for large family homes in Ingleton. Ingleton was an old mining town with lots of small cottages and four and five bedroom homes were much needed in the area.

Resolved – That the application is **GRANTED**.

Proposer: Councillor Ireton

Secunder: Councillor Lis

Voting: 9 for approval to grant planning permission; 1 against.

Application 2022/24234/FUL – application for the extension at Keeper's Cottage and conversion of single storey barns and outbuildings at The Granary, Peel Green, Hellifield BD23 4LD.

In addition to the case officer's initial report a late information report had been circulated to Members and the information published on the Council's website.

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

Conditions

Time Limit for Commencement

- 1 The development hereby permitted shall begin no later than 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).

Approved Plans

- 2 This consent relates to the following plans and documents

ROOF PLAN dated 11th August 2022
(AMENDED) REV C DRAWING PACKAGE dated 27th February 2023

(AMENDED) REV C LOCATION PLAN dated 18th November 2022

DRAINAGE STRATEGY dated 11th August 2022

SUSTAINABLE DESIGN_CONSTRUCTION STATEMENT dated 20th July 2022

HERITAGE ASSESSMENT dated 20th July 2022

DESIGN AND ACCESS STATEMENT dated 13th October 2022

TREE AND HEDGEROW PLAN - PLANTING SPECIFICATION, MANAGEMENT AND MAINTENANCE PLAN 3rd January 2023

The development hereby approved shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise.

Reason: To specify the terms of the permission and for the avoidance of doubt.

Before you Commence Development

- 3 No development to the buildings shall take place within the application site until the applicant has secured the implementation of a level 2 recording in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory preservation of these listed buildings and to comply with policy ENV2 of the Craven Local Plan and the National Planning Policy Framework.

During Building Works

- 4 Prior to any works to walls of The Granary hereby approved being constructed/repared a specification for a lime mortar and a 1m x 1m sample panel shall be constructed on-site to demonstrate the repointing.

The sample panel shall be inspected and approved in writing by the Local Planning Authority, and the works carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure the satisfactory preservation of these listed buildings and to comply with policy ENV2 of the Craven Local Plan and the National Planning Policy Framework.

- 5 Prior to the installation of the 2 over 2 vertical slash windows full details of the proposed works including 1:10 scale sample elevation and 1:1 scale joinery profiles shall be submitted to and approved in writing by the Local Planning Authority.

The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been provided to ensure satisfactory preservation of this listed building and to comply with policy ENV2 of the Craven Local Plan and the aims and objectives of the National Planning Policy Framework.

- 6 No works to the roof structure of The Granary shall begin until a method statement for the retention/re-use has been submitted to and approved in writing by the Local Planning Authority.

The method statement shall include the timing of the removal and reinstatement and measures to be taken to secure the safety and stability of the building and protect the interior features against accidental loss/damage and against the weather during the works.

The work shall thereafter be carried out in accordance with the approved method statement.

Reason: Insufficient information provided and to accord with Policy ENV2 of the Craven Local Plan and the National Planning Policy Framework.

- 7 Any historic or archaeological features not previously identified which are revealed when carrying out the works/development shall be retained in-situ and reported to the Local Planning Authority in writing within 7 working days.

Works shall be halted in the area/part of the building affected until provision is made for the retention and/or recording of the feature by a suitably qualified person in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory preservation of these listed buildings and to comply with policy ENV2 of the Craven Local Plan and the National Planning Policy Framework.

- 8 Prior to any above ground works samples of materials (including stone, render, paintwork) to be used in the development of the external services of the works hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority.

The works shall be carried out in strict accordance with the approved details.

Reason: To ensure the satisfactory preservation of the listed building and to comply with policy ENV2 of the Craven Local Plan and the aims and objectives of the National Planning Policy Framework.

- 9 Unless otherwise previously agreed in writing with the Local Planning Authority, the rainwater goods to be used for the development shall be of metal, have a black finish and with the guttering having an ogee profile and the rainwater pipes having a circular profile.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990

- 10 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity in accordance with ENV4 of the Craven Local Plan

- 11 Prior to any above ground works 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

- 12 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

- 13 No individual residential dwelling hereby approved shall be occupied unless an Energy Statement applicable to that dwellinghouse 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.
- c) Full details of the proposed solar panels to be incorporated into the development.

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 (t) of the Craven Local Plan and the National Planning Policy Framework

- 14 No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at Keepers Cottage And The Granary, Peel Green, Hellifield, Skipton, BD23 4LD have been constructed in accordance with the details approved in writing by the Local Planning Authority.

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

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development and to accord with Policy INF4 of the Craven Local Plan

Informative

The proposals should cater for all types of vehicles that will use the site. The parking standards are set out in North Yorkshire County Council's 'Interim guidance on transport issues, including parking standards' and subsequent amendments available at

https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Interim_guidance_on_transport_issues_including_parking_standards.pdf

- 15 Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), none of the dwellings hereby approved shall be altered or extended, and no buildings or structures shall be erected within its curtilage.

Reason: In order to safeguard the character and appearance of the area and the amenities of future occupiers in accordance with policies ENV2 & ENV3 of the Local Plan.

- 16 Notwithstanding the provisions of Schedule 2, Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new windows shall be placed in any of the dwellings hereby approved without the granting of specific planning permission:

Reason: To protect the visual amenity of the neighbourhood and the amenities of future occupants in accordance with policy ENV3 of the Local Plan 2017

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. 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@cravencd.gov.uk or can be downloaded from the District Council website.

3. 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.

4. the Human Rights Act requires the Local Council to take into account the rights of the public under the European Convention on Human Rights and prevents the

Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

Having had due regard to the Human Rights Act, the relevant issues arising from the proposed development have been assessed as the potential effects upon those living within the vicinity of the site namely those affecting the right to the peaceful enjoyment of one's property and the right to respect for private and family life and homes and considering the limited interference with those rights is in accordance with the law, necessary and in the public interest.

5. The applicant should take all relevant precautions to minimise the potential for disturbance to the occupiers of neighbouring properties in terms of noise and dust during the demolition and construction phases of the development. This should include not working outside regular daytime hours, the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the environmental health service.
6. The County Planning Authority in carrying out its duties must have regard to the obligations placed upon it under the Equality Act and due regard has, therefore, been had to the requirements of Section 149 (Public Sector Equality Duty) to safeguard against unlawful discrimination, harassment, victimisation, and any other conduct prohibited by the Act. It also requires public bodies to advance equality of opportunity between people who share a protected characteristic and people who do not share it; and foster good relations between people who share a protected characteristic and people who do not share it.
9.89 It is considered that the proposed development would not give rise to significant adverse effects upon the communities in the area or socio-economic factors, particularly those with 'protected characteristics' by virtue that the impacts of the proposal can be mitigated so that they will not have a significant impact on groups with 'protected characteristics'.

7. 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
Secunder: Councillor Rose
Voting: Unanimous for approval

Application 2020/22109/FUL –revised description in respect of an application for the construction of 11 dwellings with landscaping, infrastructure, associated works and off-street parking on an allocated site at Richard Thornton’s School, Burton-in-Lonsdale, Carnforth, Lancaster LA6 3JZ.

In addition to the case officer's initial report, a late information report had been circulated to Members and the information published on the Council's website.

At the Chair's discretion, the Chair of the Parish Council and the applicant addressed the meeting. The Chair of the Parish Council queried, given the passage of time since the application was first considered, if the projects on which the Public Open Space commuted sum might be spent within the Parish could be revisited as priorities had changed. The applicant confirmed they were amenable to this.

The Planning Manager stated that whilst the level contributions that would be levied from the development could not be altered, there was some flexibility over the projects on which they could be spent, and that this could be revisited. Members were content to delegate to officers to engage with the Parish Council in drafting instructions for the S.106 Agreement.

In the interests of clarity and precision, Councillor Shuttleworth sought agreement to an amended wording of the second line of the recommended Condition No 3 (Construction Management Plan requirement), to refer to '...the development hereby approved must be...' as opposed to '...the permitted development must be...'. The Planning Manager confirmed and the Committee agreed to this minor wording amendment.

Resolved – That, the application is GRANTED subject to a S.106 Agreement in relation to affordable housing and public open space policy requirements, and the following conditions (as amended by the late information report and the above):

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 and documents:

Location Plan, Drawing No 022004 05 Rev J
Site layout, Drawing No 02 Rev K
Elevations, Drawing No 03 Rev A
First Floor Plan, Drawing No 04 Rev A
Roof Plan
Design and Access Statement
Heritage Statement
Tree Report (except as it may relate to junction widening works)
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 must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan. The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

- 1) details of any temporary construction access to the site including measures for removal/any reinstatement following completion of construction works;
- 2) wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
- 3) the parking of contractors' site operatives and visitor's vehicles;
- 4) areas for storage of plant and materials used in constructing the development clear of the highway;
- 5) details of site working hours;
- 6) details of the measures to be taken for the protection of trees; and contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity.

- 4 Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority. The development must only be carried out in compliance with the approved engineering drawings.

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.

- 5 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.

- 6 No development shall commence until a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained, and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

During Building Works

- 7 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.

- 8 No development above ground level shall take place until full details of the materials to be used on the external surfaces of the following elements of the development have been submitted to and approved in writing by the Local Planning Authority:

- a) A sample panel (measuring no less than 1 metre x 1 metre) of the stonework to be used on the external surfaces of the buildings. The sample panel shall demonstrate the type, texture, size, colour, bond, and method of pointing for the stonework.
- b) The type, texture, size, and colour of the slates to be used on the external surfaces of the building's roof.
- c) The type, texture, finish, colour treatment and extent of the external rendering of the approved houses.
- d) Details of all windows casements and external doors including materials and colouring.

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.

- 9 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.

Before the Development is Occupied

- 10 Prior to occupation of any dwelling hereby approved 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.

- 11 Prior to occupation of any dwelling hereby approved, a scheme for the improvement of the existing junction with the A687 shall have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include resurfacing and re-lining works, and measures to ensure that the junction is adequately drained. Thereafter, the scheme shall have been implemented prior to first occupation.

Reason: In the interests of highway safety, in accordance with Policy INF7 and the National Planning Policy Framework.

- 12 Prior to occupation of any dwelling hereby approved, a scheme for the provision of a simple priority junction within the housing site where it meets the unadopted lane shall first have been submitted to and approved in writing by the local planning authority. Thereafter, the scheme shall have been completed prior to first occupation.

Reason: In the interests of highway safety, in accordance with Policy INF7 and the National Planning Policy Framework.

- 13 Prior to occupation of any dwelling hereby approved, the existing school access shall be gated in accordance with details which shall first have been agreed in writing by the Local Planning Authority. Thereafter, the gate shall be kept locked at all times, other than when required to provide emergency access to the site.

Reason: In order to ensure that the access is not used other than for emergencies in the interests of highway safety.

- 14 Prior to occupation of any dwelling hereby approved, the access, parking, manoeuvring, and turning areas for all users at Land At Richard Thornton's School, Burton In Lonsdale, Carnforth, Lancaster, LA6 3JZ have been constructed in accordance with the details approved in writing by the Local Planning Authority.

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

The proposals should cater for all types of vehicles that will use the site. The parking standards are set out in North Yorkshire County Council's 'Interim guidance on transport issues, including parking standards' and subsequent amendments available at

https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Interim_guidance_on_transport_issues__including_parking_standards.pdf

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

- 15 Prior to occupation of any dwelling 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.

- 16 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, including tree protection measures, 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.

- 17 Two 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.

- 18 Prior to occupation of any dwelling 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.

- 19 Prior to occupation of any dwelling hereby approved, 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.

- 20 No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting, details of which shall first have been agreed in writing by the Local Planning Authority, installed and in operation.

The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

Reason: To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.

Ongoing Conditions

- 21 In the event of the solar PV equipment hereby approved or as may be approved under the above conditions ceasing to produce electricity, they shall be permanently removed from the relevant 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.

- 22 Foul and surface water shall be drained on separate systems.

Reason: To ensures satisfactory drainage in the interests of protecting the water environment and to manage the risk of flooding and pollution.

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. Applicants are reminded that in addition to securing planning permission other permissions may be required from North Yorkshire County Council as Local Highway Authority. These additional permissions can include, but are not limited to: Agreements under Sections 278, 38, and 184 of the Highways Act 1980; Section 38 of the Commons Act 2006, permissions through New Roads and Streetworks Act 1991 and Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended and including all instruments, orders, plans, regulations and directions).

Further information on these matters can be obtained from the Local Highway Authority. Other permissions may also be required from third parties. It is the applicant's responsibility to ensure all necessary permissions are in place.

6. Public Rights of Way:

- i) There is a Public Right of Way or a 'claimed' Public Right of Way within or adjoining the application site boundary - please see the attached plan.
- ii) If the proposed development will physically affect the Public Right of Way permanently in any way an application to the Local Planning Authority for a Public Path Order/Diversion Order will need to be made under S.257 of the Town and Country Planning Act 1990 as soon as possible. Please contact the Local Planning Authority for a Public Path Order application form.
- iii) If the proposed development will physically affect a Public Right of Way temporarily during the period of development works only, an application to the Highway Authority (North Yorkshire County Council) for a Temporary Closure Order is required. Please contact the County Council or visit their website for an application form.
- iv) The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as an alternative route has been provided by either a temporary or permanent Order.
- v) It is an offence to obstruct a Public Right of Way and enforcement action can be taken by the Highway Authority to remove any obstruction.
- vi) If there is a "claimed" Public Right of Way within or adjoining the application site boundary, the route is the subject of a formal application and should be regarded in the same way as a Public Right of Way until such time as the application is resolved.
- vii) Where public access is to be retained during the development period, it shall be kept free from obstruction and all persons working on the development site must be made aware that a Public Right of Way exists, and must have regard for the safety of Public Rights of Way users at all times.

Applicants should contact the County Council's Countryside Access Service at County Hall, Northallerton via CATO@northyorks.gov.uk to obtain up-to-date information regarding the exact route of the way and to discuss any initial proposals for altering the route.

7. The developer should note the requirements of Condition 3 1) of this permission which requires submission and approval of a Construction Management Plan and includes prior approval of any temporary access roads to facilitate construction of the development hereby approved.
8. The applicant is advised that this permission does not entitle the alteration or removal of any of the built structures associated with the Grade II listed school building other than those expressly approved by virtue of this permission. Such works would require Listed Building Consent and would constitute an offence under the Planning (Listed Buildings and Conservation Areas) Act 1990 if undertaken without consent having first being obtained.
9. If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand,

this could be a significant project and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk.

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

10. Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets - DeveloperServicesWater@uuplc.co.uk

Wastewater assets - WastewaterDeveloperServices@uuplc.co.uk

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>

You can also view the plans for free. To make an appointment to view UU's sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at the Lingley Mere offices based in Warrington, please ring 0370 751 0101 to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and UU do not always show private pipes on their plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

The applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on their website <http://www.unitedutilities.com/builders-developers.aspx>

11. 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 Handley
Secunder: Councillor Ireton
Voting: unanimous for approval

b. Delegated Matters

The Strategic Manager for Planning and Regeneration submitted a list of new enforcement cases registered between 6th January 2023 and 2nd March 2023.

Minutes for Decision

There were no items for decision requiring confirmation by Council.

Craven District Council

Date of Next Meeting: No meetings of this Committee had been scheduled.

Chairman.