

PLANNING COMMITTEE

14th July 2020

Present – The Vice-Chairman (Councillor Brockbank) and Councillors, Brown, Handley (substitute for Councillor Sutcliffe), Harbron, Lis, Morrell, Place, Pringle, Rose, Shuttleworth and Welch.

Officers – Planning Solicitor, Planning Manager, Democratic Services Manager and Senior Democratic Services Officer.

Apologies for absence were received from the Chairman (Councillor Sutcliffe) and Councillor Heseltine.

Councillor Welch left the meeting at 5.03pm.

Comfort breaks were taken at 3.43pm and 5.03pm

Ward Representatives : Councillor Rose (2019/21073/FUL), Councillor Brown (2020/21560/VAR) and Councillor Shuttleworth (2019/20654/REM)

Start: 1.38pm

Finish: 6.15pm

The minutes of the Committee's meetings held on 14th July 2020 were confirmed.

Minutes for Report

PL.975

LATE INFORMATION REPORTS

Members had received a late information report from the Planning Manager and all Members had read this in advance of the meeting except Councillor Brown who was given time to read the report before the applications were considered.

Councillor Pringle brought to the attention of Members the latest reports in relation to application 2019/21073/FUL and in response the Planning Solicitor stated that legal officers were content that all matters relating to the application had been brought before the Committee to enable them to make a decision. Councillor Pringle asked that it be recorded that after making a statement in relation to various issues he had with the highways aspects of the application, he asked for a full and thorough external investigation into this application. As a consequence, he would be withdrawing from the debate and would not be voting thereon.

PL.976

DECLARATIONS OF INTEREST AND LOBBYING

a. Declarations of Interest

Members were invited to declare any interests in the business before the Committee. None were declared.

b. Lobbying

Application 2019/21073/FUL – Councillors Brockbank, Brown, Morrell, Rose and Shuttleworth indicated they had been sent additional information about the application. Councillors Lis and Welch had been lobbied against the application.

Application 2020/21560/VAR – Councillor Brown indicated he has been lobbied for and against the application. Councillor Rose indicated she had been lobbied against the application.

Application 2019/20654/REM – Councillor Shuttleworth indicated he had been lobbied against the application.

PL.977

PUBLIC PARTICIPATION

The following persons had their statements read out on their behalf or addressed the Committee in person under its public participation scheme:

Application 2019/21073/FUL:	Mr Vic Craven (agent/applicant)
Application 2020/21560/VAR:	Kildwick Parish Meeting. Mr Roger Lee (agent/applicant)
Application 2019/20654/REM:	Embsay with Eastby Parish Council Mr Ian Swain (agent/applicant)

PL.978

APPLICATIONS FOR PLANNING PERMISSION

a. Delegated Matters

The Strategic Manager for Planning and Regeneration reported the following applications for planning permission which had been dealt with under delegated authority:

b. Applications

2018/19879/FUL Full planning application for seven residential units and the retention and re-cladding of existing commercial building. The application seeks the removal of the existing bund on site and a change of use from sui generis (plant hire) to B1 across the full unit. Land to North of Depot, Carleton Road, Skipton. Approved with Conditions.

2020/21474/OUT Construction of four dwellings (all matters reserved) Land Rear of 24 Canal Street, Skipton. Application Withdrawn.

2020/21514/FUL Conversion and extension of former NatWest Bank to form 2 residential properties and associated external works. National Westminster Bank, Station Road, High Bentham, Lancaster. LA2 7LF. Approved with Conditions.

2020/21518/HH Retrospective application for conversion of garage to ancillary granny annexe at Enoch House, Main Street, Cononley, Keighley BD20 8LL. Approved with Conditions.

2020/21537/OUT Outline application with some matters reserved for a proposed bungalow 4 Hall Court, Hall Drive, Sutton-in-Craven, Keighley. BD20 7NF. Approved with Conditions.

2020/21610/HH Extensions including addition of first floor and porch at Wellside, Glusburn Moor, Lothersdale Road, Glusburn, Keighley BD20 8JB. Approved with Conditions.

2020/21621/NMA Non-material amendment on application referenced 2018/19971/HH granted 23 January 2019 at Mount Pleasant, 51 Duke Street, Settle, BD24 9AY. Non-material amendment approved.

2020/21623/VAR Application for variation of condition no's 2 (Approved Plans) and 5 (Tree Planting Scheme) of planning application referenced 2019/20986/MMA granted 22 November 2019 United Co-operatives Late Shop, Main Street, High Bentham, Lancaster LA2 7HE. Approved with Conditions.

2020/21659/CND Application to discharge condition no. 3 (Fire Safety) of planning permission referenced 2019/20642/FUL granted 07 August 2019 at 11 Highfield Terrace, Craven Street, Skipton. DOC satisfactory.

2020/21708/PNAG Prior notification for a proposed new agricultural building on land at Crow Nest Farm, Lawkland, Lancaster, LA2 8AT. Prior Approval Not Required.

Permission Granted

2019/21073/FUL application for proposed demolition of existing buildings and re-development of site to accommodate Council Depot building and light industrial units, with access service areas and parking at Locomotive Building, Engine Shed Lane, Skipton BD23 1UP - subject to the conditions below

Conditions

Time Limit for Commencement

- 1 The development must be begun not later than the expiration of three years beginning 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 and documents:

Location Plan dated 15th October 2019
Scheme Layout Plan 18850/50B dated 4th March 2020
Topographic Survey of Existing 1880/49 dated 15th October 2019
Depot Floor Plans and Elevations 1880/61 dated 15th October 2019
Unit Floor Plans 1880/62 dated 15th October 2019
Unit Floor Elevations 1880/63A dated 13th February 2020
19098-PWA-00-XX-RP-C-1000 P04 (revised 19.6.2020)
19098-PWA-00-XX-RP-C-1000 P05 (revised 19.6.2020)
Flood Risk Assessment by Paul Waite Associates November 2019 (updated June 2020)

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 that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Craven Local Plan to 2032 and National Planning Policy Framework

Before you Commence Development

- 3 The development hereby approved shall not commence until actual or potential land contamination at the site has been investigated and a Phase I desk study report has been submitted to and approved in writing by the local planning authority.

The Phase 1 desk study report shall be prepared in accordance with current best practice.

In the event that the Phase 1 desk study report identifies a need for further intrusive investigation then the development hereby approved shall not commence until a

Phase II intrusive site investigation report has been submitted to and approved in writing by the local planning authority.

The Phase II Intrusive Site Investigation report shall be prepared in accordance with current best practice.

Should the need for remediation be recommended in the Phase II Intrusive Site Investigation report, the development hereby approved shall not commence until a Remediation Strategy has been submitted to, and approved in writing by, the local planning authority. The Remediation Strategy shall be prepared in accordance with current best practice.

The approved remediation measures shall be implemented in accordance with the agreed timescales set out in the approved Remediation Strategy.

In the event that remediation is unable to proceed in accordance with an approved Remediation Strategy or unexpected significant contamination is encountered at any stage of the process, the local planning authority shall be notified in writing immediately. Revisions to the Remediation Strategy shall be submitted to, and approved in writing by, the local planning authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Following completion of the measures identified in the approved Remediation Strategy, a Validation Report shall be prepared and submitted to, and approved in writing, by the Local Planning Authority. The submission of the Validation Report shall be undertaken within the approved timescales.

The Validation Report shall be prepared in accordance with current best practice.

The site shall not be brought into use until such time as all the validation data has been submitted to and approved in writing by the local planning authority.

Reason: To ensure that actual or potential land contamination at the site has been investigated and that any associated environmental risks have been assessed and mitigated against in an appropriate and effective manner.

- 4 Prior to the commencement of development, the developer shall submit a Dust Management Plan in writing for approval of the Local Planning Authority. 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. Should any equipment used to control dust fail, the site shall cease all material handling operations immediately until the dust control equipment has been repaired or replaced.

Reason: To safeguard the living conditions of nearby residents particularly with regard to the effects of dust.

- 5 No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved

in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:

- a. the parking of vehicles of site operatives and visitors.
- b. loading and unloading of plant and materials.
- c. storage of plant and materials used in constructing the development.
- d. erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate.
- e. wheel washing facilities.
- f. measures to control the emission of dust and dirt during construction.
- g. a scheme for recycling/disposing of waste resulting from demolition and construction works.
- h. HGV routing to avoid Skipton town centre.

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

- 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: To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

During Building Works

- 7 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those detailed on the approved plans unless otherwise approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and to accord with Policy ENV3 of the Craven Local Plan and guidance contained within the National Planning Policy Framework.

- 8 Regard should be had for the safe removal of any potential asbestos containing material present on site, i.e. roof material. The applicant should ensure removal of any such material is carried out by a suitably qualified, competent contractor/registered waste carrier, licenced in the removal and offsite disposal of asbestos to a registered hazardous waste landfill site.

Reason: To ensure that risks from asbestos to the environment, future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 9 Prior to the site opening to operation traffic 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: To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

- 10 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: To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development and to accord with guidance contained within the National Planning Policy Framework.

Before the Development is Occupied

- 11 No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number 5:

- a. 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 of the Craven Local Plan and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

- 12 The development shall not be brought into use until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements
- a. The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority
 - e. Any gates or barriers shall be erected a minimum distance of 15metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
 - g. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details shown on the drawings and maintained thereafter to prevent such discharges
 - h. The final surfacing of any private access within 2m metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
 - i. Provision of tactile paving in accordance with the current Government guidance

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highways users and compliance with guidance contained within the National Planning Policy Framework.

- 13 Prior to the buildings being brought into use a scheme of hard and soft landscaping works shall be submitted to and approved in writing by the planning authority.

Details of the scheme shall include:

- a) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- b) The location, design and materials of all hard landscaping works
- c) A programme for the implementation, completion and subsequent management of the proposed landscaping.

The Landscaping Scheme MUST include timescales for the implementation of the works.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and improvements to local biodiversity and to accord to Policies ENV3 & ENV 4 of the Craven Local Plan and the National Planning Policy Framework.

- 14 The development hereby approved shall not be brought into use unless the essential matter, e.g. bat boxes, bird boxes, have been installed.

Reason: In the interests of protecting and enhancing the biodiversity of the environment and to accord with policy ENV4 of the Craven Local Plan and the National Planning Policy Framework.

- 15 Prior to the development being brought into use a Breeam Certificate confirming that the non- residential development built has achieved a Breeam rating of Very Good has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes effective use of energy, water and materials and to comply with policy ENV3 of the Craven Local Plan and the National Planning Policy.

- 16 Prior to first occupation, a finalised maintenance plan of the proposed SuDS drainage scheme arrangement must be submitted and approved by the local planning authority. Details with regard to the maintenance and management of the approved scheme to include; details of the funding mechanisms 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.

Informatives

1. 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.
2. The applicant is advised that if the proposed development will physically affect the PROW then an application to the LPA for a Public Path Order/Diversion Order will be required under S.257 of the TCPA 1990 Act. If however, the impact on the PROW is temporary then an application to the Highway Authority for a Temporary Closure Order is required.
3. Hours of Construction

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.

4. Your attention is drawn to the attached note relating to demolition and the requirements of The Building Act.

2020/21560/VAR – application to vary condition no. 2 (approved plans) of Minor Material Amendment to allow plots 1 and 7 to be detached on planning application reference number 2019/20416/FUL granted on 1st August 2019 on land to the West of The Old Smithy, Skipton Road, Farnhill.

Conditions

Time Limit for Commencement

- 1 The development must be begun not later than the 1st August 2022.

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:

Location Plan 21.4.2020
Site Location Plan 702.02A
Floor Plans 702.03B
Elevations 702.04C
Landscaping Plan 21.5.2020

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings or where alternative details have been subsequently approved following an application for a non-material amendment.

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 shall take place until a Construction Exclusion Zone has been formed around the Root Protection Areas of the protected trees identified as being retained on the approved plan. The Construction Exclusion Zone shall be provided in the form of protective fencing of a height and design which accords with the requirements BS 5837: 2012. The Construction Exclusion Zone shall be maintained in the duly installed positions during the entirety of the construction period insofar as it relates to these areas of the site.

Reason: To ensure that adequate measures are put in place to protect existing trees which are to be retained as part of the development before any construction works commence in accordance with the requirements of Policy ENV4 of the Craven Local Plan and guidance contained within the National Planning Policy Framework.

- 4 No development shall commence on this site until a Scheme for the provision, implementation and maintenance of a surface water regulation system has been approved in writing by the Local Planning Authority in consultation with the Internal

Drainage Board. The rate of discharge would not be expected to exceed that of a 'greenfield site' taken as 1.4 lit/sec/ha.

Reason: To prevent the increased risk of flooding and to comply with policy ENV6 of the Craven Local Plan and the National Planning Policy Framework.

During Building Works

- 5 Prior to any works commencing to the protected trees identified as area A2 within the Ian Tavendale Survey Report dated 23rd August 2017 a detailed scheme for the crown lifting and selective thinning of the protected trees along the field boundaries shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented as in accordance with the approved details.

Reason: To ensure the protection during development of the trees and in order to ensure that the character and amenity of the area is not impaired. To comply with Policy ENV4 of the Craven Local Plan and guidance contained within the National Planning Policy Framework.

- 6 No tree felling, tree works or works to hedgerows shall take place during the optimum period for bird nesting (March to August inclusive) unless a report, undertaken by a suitably qualified person immediately prior to any clearance, has been submitted to and approved in writing by the Local Planning Authority, demonstrating that nesting/breeding birds have been shown to be absent.

Reason: To protect and prevent unnecessary disturbance of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and the requirements of the National Planning Policy Framework.

- 7 No above ground works shall take place until a scheme for the disposal of foul and surface water from the site has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- (i) separate systems for the disposal of foul and surface water;
- (iv) details of how the scheme will be maintained and managed after completion.

The scheme shall be implemented in accordance with the duly approved details before any of the plots are first occupied, and shall be maintained and managed as such thereafter.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements

- 8 The development hereby approved shall be carried out in conformity with the details contained within the Flood Risk Assessment and retained thereafter.

Reason: To ensure that Flood Risk is satisfactorily addressed and to comply with policy ENV6 of the Craven Local Plan and the National Planning Policy Framework.

- 9 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 materials on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements

The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highways Authority.

The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience and to comply with policy INF4 of the Craven Local Plan and the National Planning Policy Framework.

- 10 Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, within three months of development first taking place a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs. The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: In the interests of the amenity of the area and to comply with the requirements of policy ENV3 of the Craven Local Plan and the National Planning Policy Framework

- 11 Within 3 months of development first taking place, details of the height, design, materials and finish of all boundary treatments at the site (the siting of which is shown on the approved plan submitted with application showing siting of boundary wall and fencing shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be constructed in accordance with the duly approved details before the building is first occupied, and retained as such thereafter.

Reason: In the interests of site security and to ensure a satisfactory relationship with the character of surrounding buildings and the street scene and to comply with the requirements of policy ENV3 of the Craven Local Plan and the National Planning Policy Framework

- 12 Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, within three months of development first taking place a scheme for the construction of all hard surfaced areas of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the design, construction (including sub layers and surfacing materials) and drainage of all hard surfaced areas, and a timetable for their provision. The hard surfaced areas shall thereafter be delivered in accordance with the duly approved scheme and the timetable contained therein.

Reason: In order to ensure satisfactory treatment of hard surfaced areas and a satisfactory standard of engineering works in the interests of visual amenity in accordance with Policy ENV3 of the Craven Local Plan and guidance contained within the National Planning Policy Framework.

- 13 Wildlife boxes shall be installed around the site, so far as practicable and retained thereafter.

Reason: To promote biodiversity in accordance with the requirements of policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

- 14 Unless otherwise agreed in writing by the Local Planning Authority, no above ground works shall commence until:
a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM showing that the development will achieve an BREEAM rating 'Very Good' shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials to comply with policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

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

Reason: In the interest of sustainable travel and to comply with policy ENV3 of the Craven Local Plan and the National Planning Policy Framework.

Before the Development is Occupied

- 16 Prior to the occupation of any dwellings, a management plan for the future maintenance of the open grassed spaces and trees/hedges as shown on the approved drawings (excluding the private amenity spaces associated with each dwelling) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the open grassed areas shall be permanently maintained in accordance with the approved management plan.

Reason: In the interests of visual amenity and residential amenity and to accord with the requirements of Policy ENV3 of the Craven Local Plan and the requirements of the National Planning Policy Framework.

- 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: To ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents in

accordance with the requirements of Craven Local Plan policy INF4 and the National Planning Policy Framework.

Ongoing Conditions

- 18 Notwithstanding the provisions of Schedule 2, Part 1, Class A 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), no windows other than those expressly authorised by this permission shall be inserted in the western side facing elevation of the dwelling on plot 1 (as identified on the approved plans).

Reason: To safeguard the privacy of occupiers of neighbouring dwellings and ensure satisfactory levels of amenity for adjoining residents in accordance with the

- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2018, for the time being in force, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

- 20 The disposal of surface water shall be implemented in accordance with approved details considered under application 2020/21689/CND.

Reason: To ensure the development is provided with satisfactory means of drainage and to reduce the risk of flooding and to comply with policy ENV6 of the Craven Local Plan and the National Planning Policy Framework.

- 21 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage and in accordance with the National Planning Policy Framework.

- 22 The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellings.

Reason: To reduce the risk of flooding and pollution and increase the levels of sustainability of the development.

- 23 The external surfaces of the development shall be constructed in accordance with approved details considered under application 2020/21689/CND.

Reason: To ensure use of appropriate materials which are sympathetic to the character of the rural area and the site's surroundings in the interests of visual amenity in accordance with the requirements of Craven Local Plan policy ENV3 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. Bats

The applicant is reminded that under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during the development all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Any works involving the destruction of a bat roost will require a European Protected Species Licence from Natural England.

3. All wild birds, nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that persons undertaking site clearance, hedgerow removal, demolition works etc. between March and August may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September-28 February wherever possible. Otherwise, a qualified ecologist should make a careful check before work begins.

4. 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).

5. Noise

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.

6. The applicant is kindly requested to give the Council's Tree Officer 14 days prior notice in writing of any approved tree works that are to be undertaken as part of this development. This will enable the Council to inform local Councillors about imminent tree works, who can then answer enquiries from members of the public. Tree works, in particular tree felling associated with development, are often controversial and this information is requested because it will assist in reducing the potential for conflict when tree works are taking place.

7. 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.

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

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.

Delegated Authority

2019/20654/REM reserved matters application for residential development (submitted pursuant to approved planning reference 2017/18839/VAR that authorises the construction of housing on the site) – delegated authority is given to the Planning Manager to approve the application subject to satisfactory resolution of outstanding flood risk issues with the Local Lead Flood Authority and subject to the following conditions –

Conditions

Time Limit for Commencement

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

Reason: Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

- 2 The permission relates to the following plans:
 - Drawing No. 0140 Rev A "Culvert Works" received 12th March 2020.
 - Drawing No. 0141 "Culvert Details" received 12th March 2020.
 - Drawing No. 0801 Rev C "Proposed Full Model" received 12th March 2020.
 - Drawing No. 142-EX-01 Rev F "Proposed Site Layout" received 12th March 2020.
 - Drawing No. 142-EX-02 Rev C "Proposed Street Scenes/Sections" received 12th March 2020.

- Drawing No. 142-EX-03 Rev A "Proposed Street Scenes/Sections" received 12th March 2020.
- Drawing No. 142/100 Rev A "Plot 1 & 2 - Ground Floor Plans" received 23rd August 2019.
- Drawing No. 142/101 Rev A "Plots 1 & 2 - Elevations" received 23rd August 2019.
- Drawing No. 142/102 Rev B "Plots 3 to 4 & 18 to 19 - Ground Floor Plans" received 08th January 2020.
- Drawing No. 142/103 Rev B "Plots 3 to 4 & 18 to 19 - Elevations" received 08th January 2020.
- Drawing No. 142/104 Rev B "Plots 5 to 6 & 20 to 21 (Handed) - Floor Plans" received 08th January 2020.
- Drawing No. 142/105 Rev B "Plots 5 to 6 & 20 to 21 (Handed) - Elevations" received 08th January 2020.
- Drawing No. 142/106 Rev B "Plots 7 to 10 - Ground Floor Plans" received 08th January 2020.
- Drawing No. 142/107 Rev B "Plots 7 to 10 - Elevations" received 08th January 2020.
- Drawing No. 142/108 Rev B "Plots 11 (Handed) & 33 - Floor Plans" received 08th January 2020.
- Drawing No. 142/109 Rev B "Plots 11 (Handed) & 33 - Elevations" received 08th January 2020.
- Drawing No. 142/110 Rev B "Plots 12 - Floor Plans" received 08th January 2020.
- Drawing No. 142/111 Rev A "Plot 12 - Elevations" received 08th January 2020.
- Drawing No. 142/112 Rev A "Plot 13 - Floor Plans" received 08th January 2020.
- Drawing No. 142/113 Rev B "Plot 13 - Elevations" received 08th January 2020.
- Drawing No. 142/114 Rev B "Plot 14 - Floor Plans" received 08th January 2020.
- Drawing No. 142/115 Rev A "Plot 14 - Elevations" received 08th January 2020.
- Drawing No. 142/116 Rev A "Plots 15 & 31 - Floor Plans" received 08th January 2020.
- Drawing No. 142/117 Rev B "Plots 15 & 31 - Elevations" received 08th January 2020.
- Drawing No. 142/118 Rev B "Plots 16 & 17 - Floor Plans" received 08th January 2020.
- Drawing No. 142/119 Rev B "Plots 16 & 17 - Elevations" received 08th January 2020.
- Drawing No. 142/120 Rev C "Plots 22 - Floor Plans" received 12th March 2020.
- Drawing No. 142/121 Rev C "Plots 20 to 26 - Floor Plans" received 12th March 2020.
- Drawing No. 142/122 Rev C "Plot 27 - Floor Plans" received 12th March 2020.
- Drawing No. 142/123 Rev B "Plot 22 - Elevations" received 12th March 2020.
- Drawing No. 142/124 Rev B "Plot 23 - Elevations" received 12th March 2020.
- Drawing No. 142/125 Rev B "Plots 24 to 26 - Elevations" received 12th March 2020.
- Drawing No. 142/126 Rev C "Plots 27 - Elevations" received 12th March 2020.
- Drawing No. 142/127 Rev B "Plots 28 & 29 - Ground Floor Plans" received 08th January 2020.
- Drawing No. 142/128 Rev B "Plots 28 & 29 - First Floor Plans" received 08th January 2020.
- Drawing No. 142/129 Rev B "Plots 28 & 29 - Elevations - Sheet 1" received 08th January 2020.

- Drawing No. 142/130 Rev B "Plots 28 & 29 - Elevations - Sheet 2" received 08th January 2020.
- Drawing No. 142/131 "Plots 30 - Floor Plans" received 18th June 2019.
- Drawing No. 142/132 "Plots 30 - Elevations" received 18th June 2019.
- Drawing No. 142/133 Rev A "Plots 32 - Ground Floor Plans" received 23rd August 2019.
- Drawing No. 142/134 Rev A "Plots 32 - Elevations" received 23rd August 2019.
- Drawing No. 142/135 "Plots 34 to 35 & 37 to 38 - Floor Plans" received 18th June 2019.
- Drawing No. 142/136 "Plots 34 to 35 & 37 to 38 - Elevations" received 18th June 2019.
- Drawing No. 142/137 "Plots 36 - Floor Plans" received 18th June 2019.
- Drawing No. 142/138 "Plots 36 - Elevations" received 18th June 2019.
- Drawing No. 142/139 Rev B "Plots 39 & 40 - Floor Plans" received 08th January 2020.
- Drawing No. 142/140 Rev B "Plots 39 & 40 - Elevations" received 08th January 2020.
- Planning Statement received 18th June 2019.
- Drainage Strategy received 18th June 2019.

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 Development shall not commence until the detailed design for the watercourse flood mitigation scheme, in accordance with the proposal set out in the approved Technical Note JBA, Project Code 2019s1583 Revision1.0. Dated January 2020, has been submitted to and approved in writing by the Local Planning Authority. The flood mitigation strategy shall provide protection from flooding for all events up to the 1 in 100 year + climate change event. The scheme shall include a detailed maintenance and management regime for the mitigation scheme.

Reason: To ensure the provision of adequate flood mitigation for the lifetime of the development and in the interests of amenity and flood risk in accordance with Policy ENV6 of the Craven Local Plan and the National Planning Policy Framework.

During Building Works

- 4 Prior to first use, full details of all materials to be used on the external surfaces of the development. Such details shall include the type, colour and texture of the materials. Prior to first use, the construction of a sample panel of walling of at least 2m² area, showing the stone to be used, the method of coursing and the styles and colour of its pointing shall be constructed on site and inspected and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved materials.

Reason: To ensure the use of appropriate materials which are sympathetic to the character of the surrounding area in the interests of visual amenity in accordance with Policies ENV2 and ENV3 of the Craven Local Plan.

- 5 Notwithstanding any details shown on the approved plans of this permission, within 3 months of development first taking place details of the siting, height, design, materials and finish of boundary treatments for each plot shall be submitted to and approved in writing by the Local Planning Authority. The duly approved boundary treatments shall be constructed in full accordance with the approved details 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.

- 6 Notwithstanding any details shown on the approved plans of this permission, within three months of development first taking place a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs. The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of the National Planning Policy Framework.

- 7 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 paves (as approved) and kerbed and connected to the existing highway network with any street lighting 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 by 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

- 8 No building or other obstruction including landscape features shall be located over or within 3 (three) metres either side of the centre line of the sewer i.e. a protected strip width of 6 (six) metres, that traverses the site. If required the stand-off distance is to be achieved via diversion of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant

statutory undertaker and prior to construction in the relevant area of the site, implemented in full accordance with the approved details.

Reason: In order to allow sufficient access for maintenance and repair work at all times.

- 9 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order revoking or re-enacting that Order (with or without modification) the areas shown on the approved plans for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) the garages hereby approved shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason: To ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and general amenity of the development.

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no development consisting of the erection of any outbuildings within the curtilage of the dwellinghouses hereby approved shall take place without the prior written approval of the Local Planning Authority.

Reason: In order to enable the Local Planning Authority to retain a degree of control over the development having regard to the amenities of neighbouring properties within the locality.

- 12 Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall be undertaken with the finished floor levels set above the 1 in 100 year plus climate change flood level with an additional 300mm freeboard above the flood level.

Reason: In the interest of amenity of the occupiers of the adjoining properties and flood risk mitigation in accordance with Policy ENV6 of the Craven Local Plan and the National Planning Policy Framework.

Informatives

1. 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.

2. Hours of Construction

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.

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. This decision notice should be read in conjunction with outline planning permission 26/2015/15886 (as varied by permission 2017/18839/VAR). All conditions that were imposed on that planning permission apply to the development as now approved (in addition to the conditions imposed under this permission), except where these have already been discharged.

PL.979

PLANNING ENFORCEMENT

The Strategic Manager for Planning and Regeneration submitted details of enforcement cases closed, and new enforcement complaints registered in the period from 26th June 2020 to 9th July 2020.

Minutes for Decision

- None -

Chairman.