

Working for you

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Our Ref: DCPCDEC
6.92.111.F.DVCMAJ
16/01074/DVCMAJ
Your Ref:
Date: 14 June 2016

PARISH COUNCIL - DECISION NOTIFICATION

CASE NUMBER: 16/01074/DVCMAJ

APPLICATION NO.: 6.92.111.F.DVCMAJ

<http://uniformonline.harrogate.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=O456OYHYIF400>

LOCATION:

Land West Of Brookfield Hampsthwaite North Yorkshire

PROPOSAL:

Variation and deletion of conditions of Planning Permission 6.92.111.E.FULMAJ to allow for revised layout facilitating footways to western cul-de-sac, removal of compliance with now revoked Code for Sustainable Homes, and approval of highway, drainage, contamination, landscaping, arboricultural and security details post commencement of development including initial highway construction from Brookfield Crescent.

APPLICANT: Barratt Homes

APPROVED subject to the following conditions:-

- 1 The development hereby permitted shall be begun on or before 13.06.2019.
- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Drawing numbers commencing P:14:467;
- 01L Proposed Planning Layout dated 26.04.16
- 04L Planning Layout (1:250 scale) dated 26.04.16
- 06B Garage Details Sheet 1 dated 24.03.15
- 07 Garage Details Sheet 2 dated Oct 14
- 08C Boundary Treatments dated 25.02.16

- 10F Proposed Site Sections dated 28.04.16
- 31B Plots 1, 49 & 50 H451 SP (OP) dated 03.03.15
- 32C Plots 15 & 35 H588 (AS) dated 11.02.15
- 33C Plots 2 18 & 39 H588 (OP) dated 11.02.15
- 34C Plots 10, 12, 16, 20 & 38 H421 (AS) dated 02.03.15
- 35B Plot 6 H421 (OP) dated 11.02.15
- 36B Plots 4, 5, 11, 14 & 37 H583 (AS) dated 02.03.15
- 37A Plots 8 & 36 H583 (OP) dated 02.12.14
- 38A Plots 21 & 22 H469 (AS) dated 02.12.14
- 39B Plots 3, 17, 19 & 23 H469 (OP) dated 02.03.15
- 40 Plots 24-26, 42-44, 45-47 & 51-53 SH27 (AS/OP/OP) dated Oct 14
- 41 Plots 27-28, 29-30 & 40-41 SH39 (AS & OP) dated Oct 14
- 42A Plots 7 & 34 H436 (OP) dated 02.12.14
- 43 Plots 54-57 Plans & Elevations dated Oct 14
- 44A Plots 9 & 48 SH436 (AS) dated 11.02.15
- 45 Plots 31-33 P382 (AS/AS/OP)dated Dec 14

Drawing numbers commencing 14.6810-;

- 03C Materials Layout dated May 2015
- 08D Build Route date 25.02.16

Drawing numbers commencing 14/614/;

- 7100T Engineering Layout dated 22/05/16
- 7101E Road Layout: Centreline Levels dated 12/02/16.
- 7102E Foul System: Manhole & Pipeline Schedules dated 04/02/16
- 7103J SW System: Manhole & Pipeline Schedules dated 04/02/16
- 7104F Flood Routing dated 12/02/16
- 7105G Carlow Tank Details dated 04/11/15
- 7106P S104 Plan date 12/02/16
- 7107B S104 Plan: Highway Details dated 12/07/15
- 7108C Impermeable Area Plan dated 25/08/15
- 7109D Long Sections Roads 1-4 dated 04/02/16
- 7110J Long Sections Road 5 & Sewers Outside Highway dated 04/02/16
- 7111A Manhole Construction: General Cross Sections, Types B & B1/e dated 18/03/15
- 7112A Manhole Construction: General Cross Sections, Type A and Backdrop dated 18/03/15
- 7113F Hydrobrake Manhole: S19 Construction Details dated 10/03/16
- 7114G Highway Construction: General Cross Sections dated 22/02/16
- 7115C Highway Construction: Typical Details dated 22/05/16

Drawing numbers commencing 15/614/;

- 7208E External Works: Sheet 1 dated 12/02/16
- 7209E External Works: Sheet 2 dated 12/02/16
- 7210E External Works: Sheet 3 dated 12/02/16
- 7240E Domestic Drainage: Sheet 1 dated 12/02/16
- 7241D Domestic Drainage: Sheet 2 dated 12/02/16
- 7242C Domestic Drainage: Sheet 3 dated 12/02/16
- 7483D S38 Plan dated 22/05/16

Drawing numbers commencing 16/614/;

- 7638 Road Setting Out Plan dated Feb 2016

- 7639 Road Setting Out Data dated Feb 2016

Drawings JCA Ref 11537;

- A/PH 'Appendix 5; Tree Protection Plan'

- 'Appendix 6: Tree constraints plan - Root Protection Area'(revision with T27 retained).

- /PH Appendix 7: Development Proposals (revision with T27 retained).

Drawing numbers commencing R/1563/

- 1L Landscape Masterplan dated Apr 2016

- 2D Landscape Details Shrub Beds S1-S15 dated April 2016

- 3C Landscape Details Shrub Beds S16-S37 dated April 2016

- 4C Landscape Details Shrub Beds S38-S63 dated April 2016

- 5C Landscape Details Shrub Beds S64-S82 dated April 2016

Carlow Precast Concrete Engineering Proposed General Sketch Layout Rev A dated 25/08/2015

Hamp 2016/01 rev B Overland Water Containment dated 24.02.16

Local Transport Projects drawing LTPO/17333/T2/02.01A Hollins Lane, Purposed Sign Replacement Locations date 11.03.2016

Sign Ref SDKAFJBHJKL Scheme Ref Hampsthwaite Gateway

- 3 The dwellings hereby approved shall incorporate the Secure by Design principles set out in the David Wilson Home Yorkshire East letter "Condition 3b" dated 15 March 2015.
- 4 A detailed scheme for ecological mitigation and enhancement shall be submitted for the written approval of the local planning authority and no external walling of any dwelling hereby approved shall take place until the written approval of the Local Planning Authority has been received to such a scheme. The scheme shall provide measures for wildflower meadows, Great Crested Newts, bat boxes and nesting birds including mitigation of the impacts of lighting.
- 5 The landscaping details hereby approved shall be carried out in the first available planting season following completion of the adjoining dwellings, unless otherwise approved in writing by the Local Planning Authority, in strict accordance with the approved details
- 6 In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to survive for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced by the developer with such live specimens of such species in such number as may be approved by the Local Planning Authority.
- 7 Works to trees and shrubs on site shall be undertaken:-
 - a) in strict accordance with the JCA 'Arboricultural Report and Arboricultural Impact Assessment' ref 11537/PH (retaining T27), and
 - b) outside the main birds nesting season (March-August inclusively) unless a survey undertaken by a suitably experienced ecologist within 48 hours of the commencement of works, demonstrates that no actively nesting birds are present and would be disturbed by these works.

- 8 The development shall be carried out in strict accordance with the details hereby approved (JCA drawing 11537/A/PH Appendix 5 Tree Protection Plan) in respect all areas where development impinges on root protection areas. Root protection fencing shall be provided around the trees or shrubs or planting to be retained, as indicated on JCA drawing 11537 'Appendix 6: Tree constraints plan - Root Protection Area' and drawing 11537/PH 'Appendix 7: Development Proposals' (retaining T27), in accordance with paragraph 6.4.3 of the 'Arboricultural Report and Arboricultural Impact Assessment'. The developer shall maintain such fences until all development has been completed and construction materials and equipment removed from the site. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any such fenced root protection area nor shall the level of the land within the fenced areas be altered without the prior written consent of the Local Planning Authority.
- 9 No soil shall be reused or brought onto the site without the prior written approval of the Local Planning Authority of details of a validation report demonstrating that the soil is suitable for its intended use prepared by a competent person in accordance with the Yorkshire and Humberside Pollution Advisory Council Guidance 'Verification Requirements for Cover Systems'.
- 10 The windows in:-
a) the first floor of the western elevation of plot 34,
b) the first floor of the north western elevation of plot 35, and
c) the ground floor of the western elevation of plot 39 shall be obscure glazed to level 3 or higher of the Pilkington scale of privacy or equivalent and that level of obscure glazing shall be retained throughout the life of the development.
- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and reenacting that Order):-

a) no further windows shall be inserted in the;
i) the first floor of the western elevation of plot 34,
ii) the first floor of the north western elevation of plot 35,
iii) the first floor gable of the north eastern elevation of plot 35,
iv) the western elevation of plot 39, and

b) none of the garages or carports on plots 1,2,19, 22, 23, 34, 48,49 or 50 shall not be converted into domestic accommodation, and

c) no extensions and roof / dormer windows shall be erected, and

d) no outbuildings shall be erected on plots 3 to 7, 37 to 39, 40, 45 to 50 other than any expressly authorised by this permission, and

e) no outbuildings shall be erected, excluding any expressly authorised by this permission, on plots 1, 2, 8 to 36, 41 to 44 exceeding 5 square metres floorspace cumulatively,

without the grant of further specific planning permission from the Local Planning

Authority.

- 12 The dwellings which are to be externally constructed in brickwork shall be either Ibstock 'Hardwicke Lenton Cream Multi' or Ibstock 'Bradgate Golden Purple' unless otherwise samples of alternative brick materials are made available for the written approval of the local planning authority prior to their use. Thereafter the development shall be carried out in accordance with those approved details.
- 13 Samples, or details (as may be appropriate), of materials to be used in the construction of:-
 - a) the exterior roofs of all the dwellings,
 - b) the artificial stone to be used in the dwelling indicated as such on the Materials Layout drawing 14.6810-03C, and
 - c) areas of hard surfacingshall be made available for the written approval of the local planning authority prior to their use. Thereafter the development shall be carried out in accordance with the approved details.
- 14 No construction above ground level shall take place until the accesses that are to be retained to the site have been set out, constructed and resurfaced as appropriate in accordance with the published Specification of the Highway Authority, approved details Standard Detail number E6, to accord with the proposed site layout plan for the entrance amendments.
- 15 The highway works hereby approved shall be completed in strict accordance with the approved details and carried out in the timescale shown on the submitted Grange Park Planning Program.
- 16 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 shall be in accordance with the details approved under case no. 16/00061/DISCON.
- 17 There shall be no access or egress between the highway and the application site by any construction vehicles other than via the existing access with the public highway at Brookfield apart from the initial construction of the access roads. The access shall be maintained in a safe manner which shall include the repair of any damage to the existing adopted highway occurring during construction.
- 18 The measure hereby approved to prevent surface water from non-highway areas discharging on to the existing or proposed highway together shall be implemented in strict accordance with the approved details and programme.
- 19 The gateway feature to Hollins Lane hereby approved shall be provided before the first occupation of any of the dwellings hereby approved and shall be carried out in strict accordance with the approved details.
- 20 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the layout drawing hereby approved. Once created

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

- 21 Precautions to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site shall be provided in strict accordance with the details contained in the David Wilson Home Yorkshire East letter dated 11 March 2016. 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.
- 22 Construction working hours shall not to exceed 0730 to 1800 Mondays to Fridays with no construction work, deliveries or collection on Saturdays, Sundays and Bank Holidays and no Heavy Goods Vehicles exceeding 7.5 tonnes shall be permitted to arrive, depart, be loaded or unloaded at any time, except between the hours of 10am and 4pm on Mondays to Fridays.
- 23 Heavy Construction Vehicles in association with the construction of the development hereby approved shall strictly follow the routing set out in David Wilson Homes Yorkshire East letter "Condition 24 i)" dated 15 March 2016.
- 24 The staff and sub-contractors vehicle parking area and on site materials storage area shown on Build Route drawing 14.6810-08D hereby approved shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.
- 25 Prior to the development being brought into use, the Travel Plan shall be implemented, with the appointment of a travel co-ordinator in post. The development thereafter shall be operated in accordance with the approved Travel Plan.
- 26 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirement of section A below , and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section B below, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with section C below.

Section A. Site characterisation:

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The

written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:-

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- * human health,

- * property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

- * adjoining land,

- * groundwaters and surface waters

- * ecological systems

- * archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Section B. Submission of remediation scheme:

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Section C. Implementation of approved remediation scheme:

The approved remediation scheme must be carried out in accordance with its terms prior to the re-commencement of development other than that required to carry out the remediation, unless otherwise approved in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

- 27 The site security arrangements for construction equipment and materials detailed in the David Wilson Home Yorkshire East letter "Condition No 27" dated 15 March 2016 shall remain in place at all times during the construction phase.
- 28 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
- 29 The development shall be carried out in strict accordance with the drainage details hereby approved including the management of surface water during construction phase and any discharges to the relevant public sewers shall not exceed ten litres per second in respect of surface water and one litre per second in respect of foul water. Management and maintenance arrangements of the surface water drainage systems/land drainage systems for the lifetime of the development shall accord with details contained in the David Wilson Homes letter "Condition 29 iii)" dated 15 March 2016.

- 30 No piped discharge of surface water from the development shall take place prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to the completion of the approved foul drainage works.

Reasons for Conditions:-

- 1 To ensure compliance with Sections 91-94 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt and interests of proper planning.
- 3 To reduce crime and the fear of crime.
- 4 To enhance ecological networks and for the incorporation of biodiversity enhancement into the development.
- 5 and 6. To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 7 To safeguard ecology.
- 8 To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 9 To ensure no hazards to people, the environment and/or property.
- 10 In the interests of privacy and residential amenity.
- 11 In the interests of privacy and residential amenity, and 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 the general amenity the development.
- 12 and 13. In order to ensure that the materials used conform to the amenity requirements of the locality.
- 14 To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
- 15 To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users
- 16 To ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.
- 17 In the interests of both vehicle and pedestrian safety.
- 18 In the interests of highway safety.
- 19 In the interests of the safety and convenience of highway users.
- 20 To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.
- 21 To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
- 22 and 23. In the interests of highway safety and the general amenity of the area.
- 24 To provide for appropriate on-site vehicle parking and storage facilities.
- 25 To promote sustainable transport.
- 26 To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policies SG4 and EQ1 of the Harrogate District Core Strategy.
- 27 To reduce the potential for theft.
- 28 In the interests of satisfactory and sustainable drainage.
- 29 To ensure that the development can be properly drained

- 30 To ensure that no foul or surface water discharge take place until proper provision has been made for their disposal.

INFORMATIVES

- 1 No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development. Applicants are advised to contact the County Council's Access and Public Rights of team at County Hall, Northallerton via paths@northyorks.gov.uk to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.
- 2 The applicant is encouraged to consider the provision of electric car charging points especially on shared parking areas, Such charging points may be a "permitted development" under the terms of Schedule 2 Part 2 Classes D & E of The Town and Country Planning (General Permitted Development) (England) Order 2015.

Date Decision Issued: 14 June 2016