



Working for you

Stonebridge Homes
c/o Johnson Mowat
Mr Mark Johnson
Coronet House
Queen Street
Leeds
LS1 2TW

NOTICE OF DECISION ON PLANNING APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990

PROPOSAL: Outline application for the erection of up to 39 dwellings with access to, but not within, the site considered. (Site Area 1.34Ha)
LOCATION: Land Comprising Field At Grid Reference 426031 458228 Brookfield Garth Hampsthwaite North Yorkshire
APPLICANT: Stonebridge Homes

Harrogate Borough Council being the Local Planning Authority for the purposes of the application received on 26 April 2017 for Outline Planning Permission, as described above, have resolved to

GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS.

The conditions to which the permission is subject are as follows:

- 1 No development shall take place without the prior written approval of the Local Planning Authority of all details of the following reserved matters -
 - (a) access within the site;
 - (b) appearance
 - (c) landscaping
 - (d) layout; and
 - (e) scale.

Thereafter the development shall not be carried out otherwise than in strict accordance with the approved details.

- 2 Application for the approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission. The development hereby permitted shall be begun on or before the expiration of two years from the final approval of reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.
- 3 Development shall be carried out in substantial accordance with Stonebridge Homes drawing numbered sk05 dated 30.11.17 and received by the Local Planning Authority on 14 December 2017.
- 4 The development shall not be begun until a detailed assessment of the requirement for the provision of affordable housing as part of the development with regard to the "Planning obligations" section of the Planning Practice Guidance (or any guidance or legislation revoking and re-enacting that Guidance with or without modification), has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include where appropriate a scheme of provision of affordable housing which shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it and the affordable housing shall be provided in accordance with the scheme as approved by the Local Planning Authority. The scheme shall include:
 - (a) The numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 40% of housing units (subject to viability);
 - (b) The timing of construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - (c) The arrangements for the transfer of the affordable housing to an affordable housing provider (or the management of the affordable housing if no such provider is involved);
 - (d) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - (e) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.The development shall not be occupied until the approved scheme has been carried out and it shall thereafter be retained.
- 5 No development shall take place until either -
 - (a) Full details of public open space and village halls provision to serve the development in accordance with Policy C1 of the Harrogate District Core Strategy have been submitted to and approved by the Local Planning Authority and agreement has been reached with the Local Planning Authority as to the provision of the same and their subsequent management and maintenance.

(b) Alternative arrangements for the provision of open space and village halls have been submitted to and approved in writing by the Local Planning Authority.

6 No development shall take place until the Local Planning Authority has approved in writing the details of arrangements for the provision of improved educational facilities in the locality to serve future residents and details of the timescale for the provision of such facilities. Thereafter the measures shall be carried out in accordance with the approved scheme.

7 No plant or materials shall be brought onto site until:

i) A tree protection plan and specification has been submitted to and approved in writing by the Local Planning Authority demonstrating the provision of root protection fencing in line with the requirements of British Standard 5837:2012 'Trees in Relation to Construction - Recommendations' or any subsequent amendment to that document around all trees, hedges, shrubs or other planting to be retained;

ii) The root protection area fencing has been installed in accordance with the approved plan and specification.

Thereafter, development shall be carried out in accordance with the approved details and the fencing shall be retained until development subject to this consent is complete. There shall be no excavation or other alteration of ground levels, storage of materials or plant, parking of vehicles, deposition of soil or rubble, lighting of fires or disposal of liquids within any area fenced off as part of the tree protection plan and specification.

8 No vegetation removal shall take place within the main bird nesting season (March to September inclusive) until a pre-commencement check is carried out by a qualified ecologist no earlier than 48 hours before works take place and the qualified ecologist confirms in writing to the Local Planning Authority prior to vegetation removal that no actively nesting birds will be affected by the works.

9 Any reserved matters application shall be accompanied by a detailed ecological mitigation and enhancement plan that:

i) expands upon the recommendations provided in the preliminary ecological appraisal (Wold Ecology Extended Phase 1 Habitat Survey November 2016); and
ii) Demonstrates mitigation and enhancement proposals for both species and habitats during both construction and operational phases of development.

Thereafter no demolition or site clearance, or commencement of development shall take place until the Local Planning Authority has approved in writing the ecological mitigation and enhancement plan, and development shall thereafter be carried out in accordance with the approved details.

10 No development related to the formation of any highway to be retained upon completion of the development shall be carried out until the following drawings and details have been submitted to and approved in writing by the Local Planning Authority:

(a) Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:

- (i) the proposed highway layout including the highway boundary
- (ii) dimensions of any carriageway, cycleway, footway, and verges
- (iii) visibility splays
- (iv) the proposed buildings and site layout, including levels
- (v) accesses and driveways
- (vi) drainage and sewerage system
- (vii) lining and signing
- (viii) traffic calming measures
- (ix) all types of surfacing (including tactiles), kerbing and edging.

(b) Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:

- (i) the existing ground level
- (ii) the proposed road channel and centre line levels
- (iii) full details of surface water drainage proposals.

(c) Full highway construction details including:

- (i) typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
- (ii) when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
- (iii) kerb and edging construction details
- (iv) typical drainage construction details.

(d) Details of the method and means of surface water disposal.

(e) Details of all proposed street lighting.

(f) Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.

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

(h) A programme for completing the works.

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

- 11 There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and programme.
- 12 No dwelling to which this planning permission relates shall be occupied until:
- A) 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;
- B) The related parking facilities have been constructed in accordance with the details approved under condition 8. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- C) The foul and surface water drainage network serving the dwelling has been completed.
- 13 Unless otherwise approved in writing by the Local Planning Authority, there shall be no HCVs brought onto the site until a survey recording the condition of the existing highway (Brookfield from its junction with Hollins Lane to Brookfield Garth, and Brookfield Garth in its entirety) has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- 14 No development for any phase of the development shall take place until a Construction Management Statement and plan 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. location(s) for the parking of vehicles of site operatives and visitors clear of the public highway;
- b. location(s) for the loading and unloading of plant and materials;
- c. locations (s) for the 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. measures to prevent the deposit of mud/grit/dirt on the public highway with wheel washing facilities where appropriate;
- f. measures to control the emission of noise, vibration and dust during construction;
- g. management, routing and control of HCV construction traffic (no HCV construction traffic to use Dale Close);
- h. Construction phase delivery and working hours not to exceed 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 on Saturday, and not at all on Sunday or Public Holidays;

i. Construction phase surface water management proposals including detailed drawings as appropriate.

15 No development above ground floor slab level shall take place until the following has been submitted for the approval in writing of the local planning authority:

A) A scheme demonstrating the type and location of electric vehicle charging points to serve the development hereby permitted at a minimum standard of one 'Mode 3' charging point per dwelling.

B) A scheme demonstrating the type and location of secure, covered cycle storage for each dwelling.

Thereafter development shall be carried out as approved and no dwelling shall be occupied until its electric vehicle charging point and cycle storage facility has been provided.

16 No surface water drainage infrastructure shall be installed until a scheme has been submitted to, and approved in writing by the Local Planning Authority showing details of the proposed surface water drainage strategy. No piped discharge of surface water from the application site shall take place until the approved works to provide a satisfactory outfall has been completed. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development and will include:

(a) a timetable for its implementation;

(b) a restricted discharge of surface water to Greenfield rates: 1.4 l/s/ha for all storm scenarios, or as otherwise agreed with the local planning authority and/or Yorkshire Water, and the outfall location;

(c) a drainage system designed with sufficient on site attenuation so that flooding does not occur on any part of the site for a 1 in 30 year rainfall event, and that storm water resulting from a 1 in 100 year rainfall event, plus 40% to account for climate change & urban creep can be stored on the site without risk to people or property and without increasing the restricted flows to the watercourse;

(d) The results of a condition survey of the receiving watercourse both on and off site and proposals for dealing with any remedial items;

(e) Measures to protect the development from overland ground water flows from higher ground to the south during heavy storm conditions; and

(f) a site plan showing the exceedence flow routes during extreme storm conditions over the 1 in 100 year event or exceedence or failure of the drainage system.

Thereafter development shall be carried out in accordance with the approved details.

- 17 No dwelling to which this permission relates shall be occupied until the following has been submitted to and approved in writing by the Local Planning Authority:

On-going management and maintenance proposals for the surface water drainage scheme approved under condition 16 to include drawings showing any surface water drainage assets to be adopted by the statutory undertaker/local highway authority and subsequently maintained at their expense along with written confirmation of their agreement to adopt the same. For any surface water drainage assets not to be adopted by the statutory undertaker/local highway authority and not falling within individual dwelling curtilages the following shall be demonstrated:

- i) funding arrangements for on-going maintenance;
- ii) the organisation responsible for future maintenance;
- iii) copies of any legal agreement to be established with future home owners;
- iv) physical access arrangements;
- v) establishment of legal rights of access in perpetuity;
- vi) maintenance requirements and frequency;
- vii) procedures to assure on-going maintenance if the organisation responsible for future maintenance ceases to exist.

Thereafter development shall be carried out and operated in accordance with the approved details.

- 18 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, and where remediation is necessary a remediation scheme must be prepared, 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.

- 19 PART A

Reserved matters shall be submitted alongside a Crime Prevention Statement demonstrating how the appearance, landscaping, layout and scale of the development has addressed the issues raised by the Police Designing Out Crime Officer at Outline stage. Justification should be given for any measures proposed by the Officer that are not to be incorporated into the development. The Crime Prevention Statement shall be subject to the approval in writing of the Local Planning Authority as part of the reserved matters application, and shall thereafter be carried out as approved.

PART B

Prior to commencement of development, a scheme demonstrating the measures to be taken to minimise the risk of crime on the site during the construction phase shall be submitted for the written approval of the Local Planning Authority. Thereafter the scheme shall be implemented as approved.

- 20 No more than 39 dwellings shall be constructed pursuant to this permission
- 21 No dwelling to which this permission relates shall be occupied until the following highway works have been constructed in accordance with details which have first been approved in writing by the Local Planning Authority in consultation with the Local Highway Authority;
- i) The provision of two pairs of dropped kerb pedestrian crossing points with tactile paving to current government guidelines at the junction of Hollins Lane and Brookfield. One pair across Brookfield and one pair across Hollins Lane, south of Brookfield.

The reasons for the conditions are shown below:-

- 1 To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- 2 To ensure compliance with sections 91-94 of the Town and Country Planning Act 1990.
- 3 In the interests of proper planning and for the avoidance of doubt
- 4 To ensure that affordable housing is provided on site.
- 5 In order to secure compliance with Policy C1 of the Harrogate District Core Strategy in relation to the provision of open space and village halls for residential development.
- 6 In order to secure compliance with Policy C1 of the Harrogate District Core Strategy.
- 7 In the interests of the health and amenity of the tree(s).
- 8 To ensure the development avoids harm to biodiversity in accordance with paragraph 118 of the National Planning Policy Framework
- 9 To ensure the development avoids harm to biodiversity, and takes the available opportunities for enhancement, in accordance with paragraph 118 of the National Planning Policy Framework.
- 10 To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users.
- 11 In the interests of highway safety.

- 12 In the interests of highway safety and amenity, and satisfactory and sustainable drainage
- 13 In the interests of highway safety and amenity
- 14 In the interests of highway safety, residential amenity and to minimise the risk of flooding.
- 15 To ensure the development makes provision for ultra-low emission vehicles and sustainable travel choices in accordance with paragraph 35 of the National Planning Policy Framework.
- 16 In the interests of satisfactory and sustainable drainage.
- 17 In the interests of satisfactory and sustainable drainage
- 18 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.
- 19 To minimise the risk of crime and disorder, and the fear of crime from undermining quality of life, in accordance with paragraph 69 of the National Planning Policy Framework.
- 20 In the interests of proper planning and for the avoidance of doubt
- 21 To ensure a satisfactory means of access to the site for pedestrians in the interests of highway safety and amenity.

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 You are advised that a separate license will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide a detailed constructional

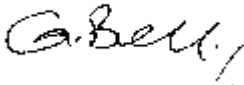
specification for the purposes of constructing the pedestrian crossing points referred to in condition 21.

You can see the officer's report on the application by visiting www.harrogate.gov.uk/planning, selecting Planning Committees then Planning Committee – view Agenda and Minutes and selecting the date of committee which is the same as the date of decision on the decision notice. Alternatively, you can see the application report by either contacting Customer Services Tel No: 01423 500600 or e-mailing customerservices@harrogate.gov.uk.

STATEMENT OF COMPLIANCE WITH ARTICLE 31 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

In dealing with this planning application Harrogate Borough Council as the Local Planning Authority has adopted a positive and proactive manner. The Council offers a pre-application service for planning proposals and applicants are encouraged to undertake this. Proposals are assessed against the National Planning Policy Framework, the documents that form the Development Plan, and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption, and are referred to in this notice of decision. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed through seeking solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant/agent as necessary.

Signed:



G Bell
Chief Planner

Date of Decision: 20.02.2018

Date of Issue: 21.02.2018

NOTE: No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the proposed development is situated, or of obtaining approval under any other bye-laws, local acts, orders, regulations and statutory provisions in force, and no part of the proposed development should be commenced until such further approval has been obtained.

Discharging Conditions – A fee is payable for the discharge of conditions attached to planning and other applications. Applications must be made in writing clearly identifying the application number and the conditions. The standard application form can be used but is

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APPLICATION NO:

not mandatory. The scale of fees can be found on the planning website
www.harrogate.gov.uk/planning. Please note a fee is payable for each separate request
and applications should be determined within 8 weeks of a valid request being received.

NOTE TO APPLICANT/AGENT: The Borough Council posted a site notice publicising this
application. If it is still on display, please remove it.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES SET OUT OVERLEAF.

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Where this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- Otherwise, if an enforcement notice is subsequently served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- Appeals can be made online at <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of an appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.