

Stephen Craven Building Design Ltd
The Old Stables
4 Station Road
Settle
BD24 9AA

Planning Decision Notice
Town and Country Planning Act 1990

Application No:	ZA24/26197/OUT
Date Valid:	28th October 2024
Applicant:	Mr M Storey
Proposal:	Outline application for demolition of existing bungalow and construction of 5 no. dwellings. All matters reserved except access.
Location:	Conifers, New Village, Ingleton, Carnforth, LA6 3DJ,

North Yorkshire Council (Craven) has considered this application under the Town and Country Planning Act 1990 (as amended) and **Grants Outline Planning Permission** for the development described above.

This permission is granted subject to the following Condition(s) and Reason(s) which are laid out in the order by which they must be complied with:-

Time Limit for Commencement

- 1 Application for approval of reserved matters must be made not later than the expiration of three years from the date of this permission and the development must be begun not later than:

- (i) the expiration of three years from the date of this permission; or
- (ii) two years from the date of approval of the last of the reserved matters to be approved.

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.

- 2 The approval of the Local Planning Authority shall be sought in respect of the following matters before any development takes place:

- the layout
- the scale
- the appearance
- the landscaping.

Reason: The application is granted in outline only under the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015 and

details of the matters referred to in the condition have not been submitted for consideration.

Approved Plans

- 3 This permission relates to the following plans:

Drawing no. 02 Rev B - Location and block plan. Received 16th June 2025

Drawing no. 01 Rev C - Proposed site plan. Received 16th June 2025

Except as provided for by other conditions to this permission, any application for approval of reserved matters submitted pursuant to condition 2 of this permission shall accord with the outline permission insofar as it relates to the means of access to the site and the maximum number of dwellings.

Reason: The application is granted in outline only in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015. Access has been applied for and any application for reserved matters must be in accordance with the parameters established as part of this permission.

Before you Commence Development

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

The development must only be carried out in compliance with the approved engineering drawings.

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users in accordance with the National Planning Policy Framework.

Informative(s):

Detailed Plans of Road and Footway Layouts

It is recommended that in order to avoid abortive work, discussions are held between the applicant, the Local Planning Authority and the Local Highway Authority before a draft layout is produced and any detailed planning submission is made.

To assist, the Local Highway Authority can provide a full list of information required to discharge this condition. It should be noted that approval to discharge the condition does not automatically confer approval for the purposes of entering any Agreement with the Local Highway Authority.

Other Permissions required from the Local Highway Authority

The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition.

Applicants are reminded that in addition to securing planning permission other permissions may be required from North Yorkshire Council as Local Highway Authority. These additional permissions can include, but are not limited to: Agreements under Sections 278, 38, and 184 of the Highways Act 1980; Section 38 of the Commons Act 2006, permissions through New Roads and Streetworks Act 1991 and Local Authorities'

Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended and including all instruments, orders, plans, regulations and directions).

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

- 5 There must 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) at Conifers, New Village, Ingleton, Carnforth, LA6 3DJ until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- vehicular, cycle, and pedestrian accesses;
- vehicular and cycle parking;
- vehicular turning arrangements including measures to enable vehicles to enter and leave the site in a forward gear, and;
- loading and unloading arrangements.

The development must only be carried out in compliance with the approved details.

Reason: To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development in accordance with Craven Local Plan policy INF4 and the National Planning Policy Framework.

Informative(s):

Details of Access, Turning and Parking

The proposals should cater for all types of vehicles that will use the site. The parking standards are set out in North Yorkshire Council's 'Interim guidance on transport issues, including parking standards' and subsequent amendments available at: <https://www.northyorks.gov.uk/sites/default/files/2023-05/Interim%20guidance%20on%20transport%20issues%20including%20parking%20standards%20-%20accessible>

- 6 No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The Plan must include, but not be limited to, arrangements for the following in respect of each phase of the works:

- i. details of any temporary construction access to the site including measures for removal following completion of construction works;
- ii. restriction on the use of access gable end of 108 New Village for construction purposes;
- iii. wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
- iv. the parking of contractors' site operatives and visitor's vehicles;
- v. areas for storage of plant and materials used in constructing the development clear of the highway;
- vi. details of site working hours;

vii. details of the measures to be taken for the protection of trees; and

viii. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity in accordance with the National Planning Policy Framework.

7 Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);

(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;

(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and

(v) Foul and surface water shall drain on separate systems.

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

The development must only be carried out in compliance with the approved drainage schemes.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Craven Local Plan policies ENV6 and ENV8 and paragraphs 181, 182 of the National Planning Policy Framework.

8 No development shall take place until a scheme for tree protection measures (both above and below ground) applicable to Oak T5 (as identified in the Arboricultural Impact Assessment by Envirotech, dated 14th April 2025) within the site to be implemented during the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

(i) Details of a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837: 2012) to be formed around the root protection areas of those trees within and/or overhanging the site to be retained.

(ii) Details of any excavation to take place within the root protection areas of those trees within and/or overhanging the site to be retained.

(iii) Details of the foundations of any building, hardstandings and/or boundary treatments to be constructed within the root protection areas of those trees within and/or overhanging the site to be retained.

No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the planning authority and no fire shall be lit in the position where the flames

could extend to within 5 metres of foliage, branches or trunks. The approved tree protection measures shall be retained in situ until the development has been completed.

The development shall thereafter be carried out in strict accordance with the protection measures contained in the duly approved scheme throughout the entirety of the construction period.

Reason: To ensure that adequate measures are put in place to safeguard Oak T5 within the site before any construction works commence in accordance with the requirements of Craven Local Plan policy ENV4 and the National Planning Policy Framework.

During Building Works

9 The development shall be carried out in accordance with the Flood Risk Assessment by KRS Enviro dated October 2024 (ref. KRS.0828.001.R.001.A) and the following mitigation measures it details:

- there will be no ground raising in Flood Zone 3;
- the dwellings will be built outside of Flood Zone 3;
- risk management measures set out in section 7.4 shall be incorporated.

These mitigation measures shall be fully implemented prior to occupation. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Craven Local Plan policy ENV6 and paragraphs 170 and 181 of the National Planning Policy Framework.

10 Notwithstanding any description of materials in the application, no above ground works shall take place until full details of all materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials.

The development shall thereafter be implemented in accordance with the duly approved materials.

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

11 There must be no access or egress by any vehicles between the highway and the application site at Conifers, New Village, Ingleton, Carnforth, LA6 3DJ until splays are provided giving clear visibility of 32 metres measured along both channel lines of the major road from a point measured 2 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres.

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

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

Informative(s):

Visibility Splays

An explanation of the terms used above is available from the Local Highway Authority.

- 12 No mechanical excavation of land shall take place beneath the canopy of Oak T5 (as identified in the Arboricultural Impact Assessment by Envirotech, dated 14th April 2025) within the site. All excavation for those parts of the development located beneath the canopy of the abovementioned tree shall be carried out by hand.

Reason: To ensure that appropriate mitigation measures are put in place to safeguard the health of Oak T5 within the site in the interests of visual amenity in accordance with the requirements of Craven Local Plan policy ENV4 and the National Planning Policy Framework.

- 13 Construction of hardsurfaced areas shall not take place until details and samples of all surfacing materials to the areas of hard standing have been submitted to and approved in writing by the Local Planning Authority.

The surfacing works shall be constructed from the approved materials.

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

Before the Development is Occupied

- 14 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 the Craven Local Plan policy INF4 and the National Planning Policy Framework.

- 15 No part of the development must be brought into use until the vehicle access, parking, manoeuvring and turning areas at Conifers, New Village, Ingleton, Carnforth, LA6 3DJ have been constructed in accordance with the details approved in writing by the Local Planning Authority.

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

Reason: To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development in accordance with Craven Local Plan policy INF4 and the National Planning Policy Framework.

- 16 The development must not be brought into use until the existing site accesses onto Conifers and garages, New Village, Ingleton, Carnforth, LA6 3DJ have been permanently closed off in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

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

- 17 Prior to occupation of the proposed development, the drainage schemes approved under condition 7 shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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 of requirements of Craven Local Plan policies ENV6 and ENV8 and paragraph 181 of the National Planning Policy Framework.

- 18 Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing.

The sustainable drainage management and maintenance plan shall include as a minimum:

(i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and

(ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

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

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with Craven Local Plan policy ENV6 and paragraph 181 of the National Planning Policy Framework.

Ongoing Conditions

- 19 Any application which seeks approval for the reserved matters pursuant to this permission shall include an appropriate mix and density of dwellings in accordance with Craven Local Plan policy SP3.

Reason: To ensure an appropriate mix and density of residential dwellings in accordance with Local Plan Policy SP3 and the National Planning Policy Framework.

- 20 Any application which seeks approval for the reserved matters pursuant to this permission shall ensure all plots are no taller than two storeys in height. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure a satisfactory relationship between the proposed dwellings and surrounding buildings, and to preserve the character and appearance of the area in the interests of residential and visual amenity in accordance with the requirements of Craven Local Plan policy ENV3 and the National Planning Policy Framework.

- 21 Any application which seeks approval for the reserved matters pursuant to this permission shall include a landscaping scheme for the site which contains details of:

(i) any trees, hedgerows and any other vegetation on/overhanging the site to be retained;

(ii) compensatory planting to replace any trees or hedgerows to be removed;

(iii) the introduction of additional planting within the site which forms part of the internal development layout and does not fall within (i) or (ii); and

(iv) the type, size, species, siting, planting distances and the programme of planting of hedges, trees 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 or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure suitable retention and strengthening of existing landscaping on the site in the interests of visual amenity in accordance with the requirements of Craven Local Plan policy ENV3 and the National Planning Policy Framework.

Informative(s)

1 Prior to the commencement of this development, a scheme for the implementation of the approved Biodiversity Gain Plan (BGP), required by the deemed planning condition attached to this permission, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- A programme for the implementation and completion of the biodiversity enhancement measures set out in the approved BGP.
- Proposals for the maintenance and monitoring of the on-site biodiversity enhancement measures. Where the biodiversity enhancements proposed in the BGP are considered by the Local Planning Authority to be "significant" in relation to the pre-development baseline biodiversity value of the site, provision shall be made for their maintenance and monitoring for a period of not less than 30 years from the date of completion of the development (including completion of the on-site habitat enhancements).
- Proposals for the submission of monitoring reports to the Local Planning Authority.

The scheme as approved shall be implemented in its entirety in accordance with the programme set out in the approved scheme or such other period which has first been approved in writing by the Local Planning Authority.

The Local Planning Authority shall be notified in writing within 28 days of the date of completion of the development (including completion of the on-site habitat enhancements).

If the development has commenced but completion of development is not reached, and construction works have ceased for a period of 12 months, notice shall be served to the Local Planning Authority in writing within 13 months of the last construction works on site with a timetable for the completion of the approved habitat enhancement works. In the event that the development (excluding any approved on-site habitat enhancements) is not completed, the on-site habitat enhancements shall still be implemented in full in accordance with the timetable approved by the Local Planning Authority and they shall be maintained and monitored in accordance with the provisions set out in the approved BGP.

Reason: In order to meet the requirements of Schedule 7A of the Town and Country Planning Act to achieve biodiversity net gain.

Note: "Significant increases from the on-site pre-development biodiversity value" is the term used in the Environment Act

2 Development Low Risk Area - Standing Advice

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

- 3 All noisy construction works (works that are audible at the boundary of the nearest noise sensitive receptor i.e. residential premises) shall be restricted to the following hours to minimise disruption:

- 8:00am to 6:00pm Monday to Friday
- 8:00am to 1:00pm Saturday
- No Sunday or Bank Holiday working.

- 4 The applicant shall identify all areas of the site and the site operations where dust may be generated and ensure that dust is controlled so as not to travel beyond the site boundary.

- 5 It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout.

Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition.

- 6 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.

- 7 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.

- 8 Statement of Positive Engagement:

In dealing with this application North Yorkshire Council (Craven) has sought to approach the decision making process in a positive and creative way, in accordance with the requirements of paragraph 39 of the NPPF.



Martin Grainger
Head of Development Management

DATE 18 June 2025

NOTES

This is an approval under the Town and Country Planning Act only. It does not absolve the applicant from the necessity of obtaining Listed Building consent if necessary or approval under the Building Regulations, 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.

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.

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 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.

If this is a decision to refuse planning permission or prior approval for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

Otherwise, 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.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>

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 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.uk.

