

Hooper Homes
c/o Mr Ben Brown
Stantec
Fourth Floor
2 Whitehall Quay
Leeds
LS1 4HR

**NOTICE OF DECISION OF PLANNING AUTHORITY ON APPLICATION FOR
PERMISSION TO CARRY OUT DEVELOPMENT**

This decision does **not** constitute approval under the Building Regulations
Please read notes at the end of this notice

The above named council being the Local Planning Authority for the purposes of your application dated 19 July 2023 in respect of the following:

Proposal: Erection of 29 dwellings and associated infrastructure

Location: Land Off Junction Of A645 And A1041, Selby Road, Camblesforth

have considered your application and have determined to GRANT permission in accordance with the application drawings and particulars subject to the following conditions and reasons and the signed Section 106 legal agreement OR Unilateral agreement.

01. The development for which permission is hereby granted shall be begun within a period of three years from the date of this permission.

Reason:

In order to comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

02. The development hereby permitted shall not be carried out otherwise in complete accordance with the approved plans and specifications as set out below:

Site Plan Rev K

Landscape Master Plan R-2700-1F

Section 38 Layout Plan 2110/02/02.01 Rev F

Proposed Floors and Elevations House Type 1 of 3 1663-152 Rev B

Proposed Floors and Elevations House Type 2 of 3 1663-153 Rev. A

Proposed Floors and Elevations - House Type 3 of 3 1663-154 Rev C

Bin Management 1663-155 Rev G

Boundary Treatments Plan 1663-156 Rev G

EV Charging Points 1663-158 Rev G
External Materials 1663-157 Rev H
House Type Materials 1663-159 Rev H
Site Management Plan 1663-160 Rev H
Management Company Plan 1663-162 Rev D
Sections C-D 1663-163 Rev A
Phase Build Out Plan 1663-164 Rev A
Large Car Swept Path Analysis 2151/01/SK05 Rev A
Refuse Vehicle Swept Path Analysis 2151/01/SK04 Rev C
Biodiversity Metric Calculation Tool October 2023
Indicative Foul and Surface Water Drainage Strategy 2151/01/SK03 Rev D

Reason:

To ensure that no departure is made from the details approved and that the whole of the development is carried out, in order to ensure the development accords with Policy ENV1.

03. Before any materials are brought onto the site or any development is commenced, the developer shall implement the agreed specification for root protection area (RPA) fencing (Lakeland Tree Consultancy June 2023) and ground protection measures in line with the requirements of British Standard BS 5837: 2012 Trees in Relation to Construction - Recommendations, or any subsequent amendments to that document, around the trees or shrubs or planting to be retained, as indicated on the approved plan and for the entire area as specified in accordance with BS 5837:2012. The developer shall maintain such fences and ground protection until all development the subject of this permission is completed.

Reason

To ensure the trees identified for retention are protected during the course of the construction in accordance with policy ENV1 of the Selby District Local Plan.

04. No operations shall commence on site in connection with the development hereby approved (including any demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the root protection area (RPA) and ground protection works required by the approved tree protection scheme (above) are in place.

Reason

To ensure that trees are protected during the course of the development in accordance with policy ENV1 of the Selby District Local Plan.

05. 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 area designated as being fenced off or otherwise protected in the approved root protection area scheme. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority.

Reason

to ensure that the trees are protected during the course of the development in accordance with policy ENV1 of the Selby District Local Plan.

06. In the event that unexpected land contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, if remediation is necessary, a remediation strategy must be

prepared, which is subject to approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation strategy, a verification report must be submitted to and approved by the Local Planning Authority. It is strongly recommended that all reports are prepared by a suitably qualified and competent person.

Reason:

To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination.

07. Prior to any development above ground being commenced a Biodiversity Enhancement Plan or Landscape Enhancement Plan shall be submitted to and agreed in writing with the LPA to secure the Biodiversity Net Gain proposals in accordance with the Ecological Impact Assessment April 2024, the Biodiversity Metric dated October 2023 and the Landscape Master Plan R-2700-1F.

Reason:

To ensure that the Biodiversity Net Gain is delivered in accordance with the approved details and policy SP18 of the Core Strategy and Paragraph 180 d) of NPPF.

08. Notwithstanding the approved plans, prior to the commencement of any development above slab level, details of the materials to be used in the construction of the walls, roofs, windows, doors and any other external materials of the dwellings hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. Only these agreed materials shall be used.

Reason:

In the interest of visual amenity and the character of the area in line with policy ENV1 of the Selby District Local Plan.

09. No dwelling must be occupied until the related parking facilities have been constructed in accordance with the details approved. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times

Reason

To ensure that adequate parking provision is provided and to protect the character of the area in accordance with policy ENV of the Selby District Local Plan.

10. The development shall strictly accord with the measures contained within the Construction Method Statement May 2023.

Reason:

To protect the residential amenity of the locality during construction and to comply with the National Planning Policy Framework (NPPF), the Noise Policy Statement for England (NPSE) and Selby District Council's Policy's SP19 and ENV2

11. The development shall be carried out in accordance with the details shown on the submitted Flood Risk Assessment and Drainage Statement P21-216-3E-00-XX-RP-C-9000 (issue 3) dated June 2023 prepared by 3e Consulting Engineers Ltd, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

In the interest of satisfactory and sustainable drainage

12. No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 hours and 18:00 hours Mondays to Fridays and 08:00

hours to 13:00 hours on Saturdays and at no time on Sundays or Bank or National Holidays.

Reason:

To protect the residential amenity of the locality during construction and to comply with the National Planning Policy Framework (NPPF), the Noise Policy Statement for England (NPSE) and Selby District Council's Policy's SP19 and ENV2

13. Should any of the proposed foundations be piled, no development shall commence until a schedule of works to identify those plots affected, and setting out mitigation measures to protect residents from noise, dust and vibration has been submitted to and approved in writing by the local planning authority. The proposals shall thereafter be carried out in accordance with the approved schedule.

Reason:

To protect the residential amenity of the locality during construction and to comply with the National Planning Policy Framework (NPPF), the Noise Policy Statement for England (NPSE) and Selby District Council's Policy's SP19 and ENV2.

14. Should on-site SuDS or flow restriction be proposed, those restricted flow measures or attenuation are put in place before occupancy and within 3 months of development progressing on site.

Reason:

To ensure that flood risk downstream of sites during temporary works / development.

15. Prior to first occupation or use, the agreed gas protection system (as detailed in ARP Geotechnical Ltd's Statement on Gas Protection, dated 1 June 2023) must be installed and a verification report, which demonstrates the effectiveness of the gas protection system, shall be submitted to and approved by the Local Planning Authority. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason:

To ensure that the agreed gas protection system is fully implemented and to demonstrate that the site is suitable for its proposed use with respect to ground gas.

INFORMATIVES:

01. INFORMATIVE:

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

02. The use of flood resistance and resilience measures is recommended. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department.

03. The occupiers are recommended to sign up the EA flood warning system.

04. Please note that there is a legal agreement under Section 106 of the Town and Country Planning Act 1990 associated with this approval.



Trevor Watson
Assistant Director - Planning

DATE 26 July 2024

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.

YOUR RIGHTS OF APPEAL ARE AVAILABLE AT www.northyorks.gov.uk/planning

Decision No
ZG2023/0724/FULM

05. 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](https://www.gov.uk).