

TOWN AND COUNTRY PLANNING ACT 1990
YORKSHIRE DALES NATIONAL PARK AUTHORITY
(Local Planning Authority)

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

To: Dr L Smith
Morgan Sindall

Decision No: C/26/127H

The above named Authority being the Local Planning Authority for the purposes of your application received on 21/11/2011 for full planning permission for erection of three buildings to house additional water treatment plant at Emsay Water Treatment Works, Pasture Road, Emsay, SE001544 have considered the said application and have GRANTED permission for the proposed Development subject to the following Conditions:

1. The development hereby permitted shall be begun (as defined by Section 56 of the Town and Country Planning Act 1990) before the expiration of three years from the date of this permission.
2. The development shall be carried out in accordance with the details indicated in the following drawings/documents:-

Drawing no.s 2011-I0039-01-10001 - rev. P2 titled 'Site Location Plan', 2011-I0039-01-10040 - rev. P2 'Site Layout Plan' and, 2011-I0039-01-10200 - rev.P2 ' Site Elevations' all received on the 21st November 2011, report titled 'Extended Phase 1 Habitat Survey & Arboricultural Report' prepared by Applied Ecological Services Limited dated November 2011 and report titled 'Emsay Water Treatment Works - Desk Based Assessment' prepared by Wessex Archaeology dated November 2011 (all received on the 21st November 2011).
3. Prior to the erection of the buildings hereby approved, a sample of the profile metal sheeting to be used, including the profile of the sheets, the colour and to have a matt finish, shall have been submitted to and approved in writing by the Local Planning Authority. The metal sheeting to be used shall match the sample thereby approved and retained as such thereafter.
4. The external stone walling of the buildings indicated on drawing no. 2011-00039-01-10200 rev. P2 date stamped received 21st November 2011 shall be built up in local natural stone laid and pointed to match in type, style and colour a sample panel of stonework measuring not less than 1 metre x 2 metres, and including a corner, which shall have been built up on the site and which shall have been inspected on behalf of and approved in writing by the Local Planning Authority.



YORKSHIRE DALES
National Park Authority

CERTIFIED COPY

Date: 16 JAN 2012

Designation

HEAD OF DEVELOPMENT MANAGEMENT

FOR NOTES AND RIGHTS OF APPEAL SEE OVERLEAF

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5. No development shall take place, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. measures to control the emission of dust and dirt on the highway during construction
 - v. routes to be used by construction traffic through Emsay village
 - vi. timing of access and exit by all construction traffic, including delivery of materials, plant and labour, through Emsay village, to include any weekend timing.
6. Prior to the first use of the buildings hereby approved, a natural dry-stone wall shall be constructed to a minimum height of 1.2 metres along the north-eastern boundary of the site as indicated on drawing no. 2011-I0039-01-10040 rev. P2 titled 'Site Layout Plan'. The dry-stone wall shall match in style and material the existing dry-stone wall enclosing the site on the south-eastern boundary, and shall be retained as such thereafter.
7. Except where they have been identified for felling on a landscaping plan approved by the Planning Authority all the trees on site, or on land immediately adjoining it, shall be protected for the duration of works in the following ways:

 - i) no demolition, site clearance or building operations shall commence until Chestnut paling fencing (or other type of fencing approved by the Local Planning Authority) of a height not less than 1.3 metres has been erected around each tree or group of trees, on or overhanging the site, at a radius from the trunk of 5 metres or around the crown spread, whichever is the greater. Such fencing shall be maintained until development is complete;
 - ii) no trenches, including any trench for services or drains shall encroach within the crown-spread of any trees which are on or overhang the site;
 - iii) the burning of materials, including any obtained by site clearance or demolition, shall not take place within 6 metres of the furthest extent of a canopy of any tree or group of trees on or overhanging the site. No tree felling, lopping or removal of branches from trees to be retained shall be carried out without the approval in writing of the Local Planning Authority. No topsoil or other spoil from excavations shall be disposed on site if such soil shall lie within the crown spread of trees which are on or overhang the site.

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8. No development shall be commenced on the application site in implementation of this permission until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. This scheme shall provide details of the following;
- i) all existing trees, hedgerows and other plants, walls, fences and other features which it is proposed to retain on the site the subject of this permission and on adjoining land in the same ownership;
 - ii) the area(s) whether within or adjoining the site to which this permission relates in which new plantings of trees and/or shrubs will take place, the species of plant(s) to be used, their size, their number, their spacing and the means to be used to maintain, support and protect them;
 - iii) other landscape treatments to be carried out or features to be created, for example, remodelling of existing landforms, surface treatments, including grassed areas and areas to surfaced using grasscrete (or similar material) and any paving and any means of enclosure.
9. The approved landscaping plan shall be completed in accordance with the following:-
- All hard and soft landscaping shall be completed in accordance with the approved scheme, within the first planting season following the completion of the development hereby approved, prior to first occupation, or in accordance with a programme agreed with the local planning authority;
 - All trees shrubs and hedge plants supplied shall comply with the standards of British Standard 3936 - Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance shall be carried out in accordance with the requirements of British Standard 4428 (1989) Code of Practice for General Landscape Operations;
 - All new tree plantings shall be positioned in accordance with the requirements of Table 2 of British Standard 5837 A Guide for Trees in Relation to Construction;
 - Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or seriously diseased within 5 years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of like size and species to those originally required to be planted.
10. In the event of the discovery of archaeological remains at the site, the development shall cease until a detailed scheme of excavation and recording, including a timetable for the implementation of the scheme, has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
12. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order) 1995, Schedule 2, Part 2, Class A or Part 17, Class E or any Order revoking and re-enacting those Orders, no fencing, gates or other means of enclosure or hardsurfacing shall be erected on the site unless specified on the approved plans, condition 4 or within the landscaping scheme as approved under condition 9 of this permission.
13. The works hereby permitted shall be carried out in strict accordance with the mitigation methods and recommendations within section 7.0 the ecological report/survey titled Extended Phase 1 Habitat Survey prepared by Applied Ecological Services Limited dated November 2011, including the timing and extent of any works to the site .

Reason(s):

1. To comply with the requirements of Sections 91-93 of the Town and Country Planning Act 1990.
2. To define the plans/details to which this permission relates.
3. To ensure satisfactory external appearance in the interest of visual amenity in accordance with saved policy GP2 of the Yorkshire Dales Local Plan (2006).
4. To ensure that the external appearance of the buildings is acceptable, having regard to saved policy GP2 of the adopted Yorkshire Dales Local Plan (2006).
5. In the interests of both vehicle and pedestrian safety and the visual amenity of the area, in accordance with saved policy GP2 of the Yorkshire Dales Local Plan (2006).
6. In the interests of visual amenity in accordance with saved policies GP2 and B7 of the adopted Yorkshire Dales Local Plan (2006).
7. To ensure the continued well-being of trees and to ensure they continue to contribute to the general amenity of the area in accordance with saved policies NE9 and NE10 of the adopted Yorkshire Dales Local Plan (2006).
8. To ensure that provision is made for a landscaping regime that will enhance the development and help to assimilate it into the landscape, in accordance with saved policy GP2 of the Yorkshire Dales Local Plan (2006).
9. To ensure appropriate landscaping to the site having in accordance with saved policies GP2, NE9 and NE10 of the adopted Yorkshire Dales Local Plan (2006).
10. In the event of the discovery of archaeological remains, to help protect and thereafter to provide for the recording of the features of archaeological interest, in accordance with saved policy B3 of the Yorkshire Dales Local Plan (2006) and Planning Policy Statement 5 'Planning for the Historic Environment'.
12. To ensure that the external appearance of the site is acceptable, having regard to saved policy GP2 of the adopted Yorkshire Dales Local Plan (2006).
13. To ensure protected species are not affected by the works to the existing building in accordance with saved policy NE7 of the Yorkshire Dales Local Plan (2006).

Notes to Applicant:

reason/s for Approval:

The Local Planning Authority considers that the works have been well justified and the buildings proposed have been positioned and designed to minimize their impact whilst still fulfilling their function. The screening proposed will help to mitigate any landscape impact. The proposed development is therefore considered to be acceptable in accordance with saved policies GP1, GP2, U3, B3, B7, NE7 and NE10 of the Yorkshire Dales Local Plan (2006).

NOTE:-

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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 site of 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.

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