



Planning Committee

6 April 2021

Outline Application for Residential Use of Brownfield Site for 50 Residential Units (As Amended - Revised Plans and Ecology Survey received by Richmondshire District Council on 5th July, 2019 ; Revised Indicative Proposed Site Plan and Apartment Block Plans received by Richmondshire District Council on 16th March, 2020 and a Drainage Impact Assessment received by Richmondshire District Council on 30th October 2020)

Land North of Heatherdene, Heatherdene Road, Catterick Garrison, North Yorkshire

Report of the Planning Manager

**Scotton - Historic 160519
Key Decision = N**

Date Application Received:	4 July 2018	Target Date for Decision:	3 October 2018
Applicant:	Mr M Dudhwala		
Agent (where applicable):	Mr Andrew Stoddart		
View Application Documents, Consultation Responses, Representations Received and Other Background Papers Online:	https://documents.richmondshire.gov.uk/planning/planning-documents?SDescription=18/00433/OUT&viewdocs=true		

1.0 Purpose of the Report and Decisions Sought

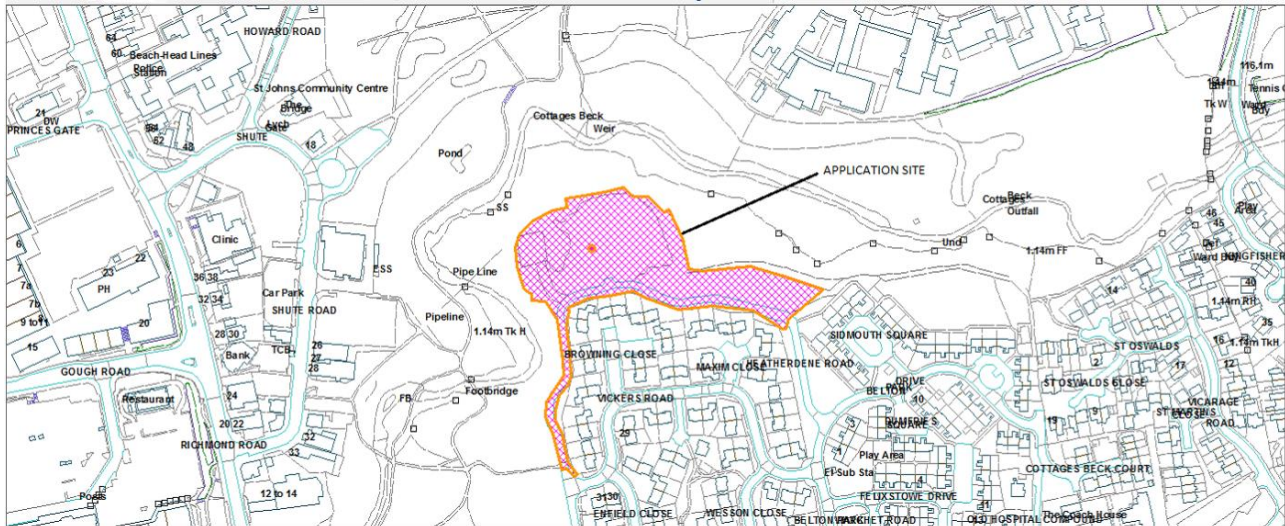
- 1.1 To set out details of the proposal, a description of the site and its surroundings, a summary of planning policy and planning history, details of views expressed by consultees, a summary of the relevant planning issues and a recommendation to assist the Committee in considering and determining this application for planning permission.

2.0 Background and Details of the Proposal

- 2.1 This application (as amended) is seeking outline planning permission (all matters reserved) for a residential development of 50 units on a site located to the north of Heatherdene Road in Catterick Garrison.

- 2.2 Following negotiations with Officers, the agent has submitted amended plans and documents during the course of the application process, including an amended proposed site plan, amended elevation and floor plans for the apartment accommodation, and a comprehensive Drainage Impact Assessment (October 2020) and a Bat and Great Crested Newt Survey (July 2019).
- 2.3 The amended proposed site plan has reduced the number of units within the scheme by 14, from 64 units to 50 units. The amended scheme would comprise of 34 houses (terrace and semi-detached) and a total of 16 apartments within two separate blocks. Although an outline application, details of the proposed house types and apartment blocks (including elevations and floor plans) have been provided:
- House Type 1 (2 bedroom) – 7 units
 - House Type 2 (3 bedroom) – 17 units
 - House Type 3 (3 bedroom) - 7 units
 - House Type 4 (4 bedroom) – 3 units
 - Apartments (2 bedroom) – 16 units
- 2.4 The 16 apartments would comprise of the on-site affordable housing provision, equating to 32 per cent on-site affordable housing provision. The indicative elevation drawings show that the dwellings and apartment blocks would be constructed out of a mixture of brick and coloured render with tiled roofs.
- 2.5 The amended proposed site plan shows designated areas of public open space and landscaping buffer areas, including a 'village green'-style area around which the houses and apartment block within the west of the site would be sited around. Off-street parking would be provided for the dwellings through a mixture of driveways and integral garaging for individual properties, whilst parking for the two apartment blocks would be provided in front of each respective block within the west and east parts of the site.
- 2.6 The proposed layout plan shows three vehicle accesses to the proposed development from Heatherdene Road, one to serve Apartment Block 1 in the eastern part of the site, and two to serve a loop internal road layout within the western part of the site. A new section of footway would be created along the southern side of the main road (Heatherdene Road), this which would link to the existing footway at Vickers Road.
- 2.7 The concepts of the scheme as originally submitted are explained in further detail in the accompanying Design and Access Statement at **Appendix 1** of this report, the amended indicative site layout plan is provided at **Appendix 2**. A selection of the proposed indicative house and apartment plans are provided at **Appendix 3**. All other documents are available to view as required through the 'Public Access' area of the Council's web site using the link at the beginning of this report.

3.0 Description of the Site and Surroundings



- 3.1 The 1.2 hectares application site is part of the former military hospital site to the north of Heatherdene Road within Catterick Garrison. The site has largely re-wilded itself, consisting of grassland and self-seeded shrubs and trees. There are mature trees to the north and west of the site, beyond which is Cottages Beck (to the north) and Leadmill Beck (to the west)
- 3.2 Heatherdene Road is a partial crescent, connecting to Catterick Road (A6136) to the south and Belton Park Drive (which in turn also connects with Catterick Road) to the south of the site, on the opposite side of Heatherdene Road, are residential properties sited on the northern sides of Browning Close and Maxim Close.

4.0 Planning Policies

Richmondshire Local Plan 2012/2028 Core Strategy

- 4.1 The following policies of the Local Plan Core Strategy are relevant in considering this application:

- SP1: Sub Areas
- SP2: Settlement Hierarchy
- SP4: Scale and Distribution of Housing Development
- Central Richmondshire Spatial Strategy
- CP1: Planning Positively
- CP2: Responding to Climate Change
- CP3: Achieving Sustainable Development
- CP4: Supporting Sites for Development (with reference to Saved Policy 23 of the Local Plan 2001)
- CP5: Providing a Housing Mix
- CP6: Providing Affordable Housing
- CP12: Conserving and Enhancing Environmental and Historic Assets
- CP13: Promoting High Quality Design
- CP14: Providing and Delivering Infrastructure

National Planning Policy Framework (February 2019)

4.2 As a means of achieving sustainable development and alongside the presumption in favour of sustainable development, the following specific sections of the document are relevant in considering this proposal:

- Delivering a Sufficient Supply of Homes
- Promoting Healthy and Safe Communities
- Promoting Sustainable Transport
- Making Effective Use of Land
- Achieving Well-Designed Places
- Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Conserving and Enhancing the Natural Environment

National Planning Practice Guidance

4.3 The nPPG complements the aforementioned National Planning Policy Framework in terms of how the NPPF should be implemented in practice. The nPPG can be a material consideration in the decision-making process. The following categories of the nPPG are considered relevant in the consideration of this proposal:

- Design: Process & Tools
- Determining a Planning Application
- Effective Use of Land
- Flood Risk and Coastal Change
- Healthy and Safe Communities
- Housing
- Land Affected by Contamination
- Natural Environment
- Open Space, Sports & Recreation Facilities, PROW & Local Green Space
- Planning Obligations
- Renewable & Low Carbon Energy
- Travel Plans, Transport Assessments & Statements
- Use of Planning Conditions
- Viability
- Water Supply, Wastewater & Water Quality

5.0 Planning History

5.1 There is no recent or relevant planning history for the application site.

6.0 Consultations Undertaken and Representations Received

Since the submission of the application in June, 2018, there have been three separate reconsultation exercises:

- A 14 day reconsultation in March/April 2020 on the revised layout plan; revised apartment floor & elevation plans and additional Bat and Great Crested Newt Survey
- A 14 day reconsultation in January/February 2021 on the Drainage Impact Assessment (October 2020) with the Lead Local Flood Authority (LLFA) only

- Following the receipt of the formal response form the LLFA, a 10 day reconsultation exercise is currently ongoing with other consultees on the aforementioned Drainage Impact Assessment.

All representations submitted during the various consultation and reconsultation exercises are available to view in full within the “Documents” section of the application on Public Access. Any representations received following the expiry of the current reconsultation exercise on the Drainage Impact Assessment will be reported to Members before or at the Planning Committee meeting.

6.1 **Scotton Parish Council:** No responses received.

6.2 **Local Highway Authority:** The Local Highway Authority have responded to the reconsultation (March/April 2020) to confirm that they still have no objections to the proposals subject to the imposition of the same planning conditions recommended in their response to the original consultation (see below).

The Local Highway Authority raised no objections to the original proposals, subject to the following planning conditions (as summarised):

- Submission and approval by the LPA prior to the commencement of the development of detailed engineering drawings based on an accurate survey, showing road/footway layouts visibility splays, all types of surfacing, accesses/driveways, et.al.
- Longitudinal sections and full highway construction details shall also be submitted and agreed prior to the commencement of the development.
- Details of surface water disposal. Street lighting and a programme for the completion of the works details shall also be submitted and agreed prior to the commencement of the development.
- No dwelling shall be occupied until the carriageway and footway/footpath that provides access has been constructed to an appropriate stage of completion.
- Approval of any measures required to prevent surface water discharging on the existing and proposed highway along with a programme for its implementation.
- The provision of 45 metres visibility splays.
- Provision of specific off-site highway improvement works (and a programme for their completion), including
 - A 2 metres wide footway on the west side of the eastern leg of Heatherdene Road between the site and its junction with Belton Park Drive.
 - A 2 metres wide footway (unless otherwise agreed with the Highway Authority) on the east side of the western leg of Heatherdene Road between the site and its junction with Vickers Road.
 - An appropriately designed and dimensioned ‘Right Turn Facility’ at the junction of the A6136 (Catterick Road) with Belton Park Drive.
 - An extension to the existing central hatching on the A6136 at its junction with Heatherdene Road to join with the aforementioned Right Turn Facility.
- Approval of details of vehicular/pedestrian accesses and vehicular parking.
- Prevention of any garaging from being converted (without planning permission) into domestic accommodation.
- Approval of measures to prevent mud being drawn onto the highway.

- Approval of a highway condition survey prior to the commencement of the development.
- Approval of on-site construction vehicle parking and material storage areas prior to the commencement of the development.

6.3 **Environment Agency:** Have responded to the reconsultation (March/April 2020) to confirm that they have no further comments to make on the proposal.

Responding to the consultation on the application proposals as submitted, the EA confirmed that providing the proposed development was built in accordance with the submitted FRA (with all development located within Flood Zone 1), they would have no objections, but have commented as follows:

- Groundwater & Contaminated Land -The site is located on a secondary A principal aquifer which is overlain by secondary (undifferentiated) aquifer. The proposed development site appears to have been the subject of past industrial activity which poses a high risk of pollution to controlled waters. Due to other priorities, the EA are unable to provide detailed site-specific advice relating to land contamination issues at the application site. As an alternative, they therefore advise that the LPA refer to the EA's published "Guiding Principles for Land Contamination" which outlines the approach they would wish to see adopted to managing risks to the water environment from this site. They also recommend that you consult Environmental Health for advice on generic aspects of land contamination management. Where planning controls are considered necessary, they would recommend that the LPA seeks to integrate any requirements for human health protection with those for protection of the water environment, an approach which is supported the National Planning Policy Framework.

6.4 **Environmental Health:** Have responded to the reconsultation (March/April 2020) to confirm that their previous comments are still relevant and that they have no additional comments to make.

Environmental Health made the following observations and recommendations in relation to the application as originally submitted:

- Contaminated Land – confirm that the application would introduce a vulnerable end use onto land with several previous uses that have the potential for contamination. Although some 'rudimentary information' regarding contamination risk has been provided within the application, a risk assessment had not been undertaken in line the relevant model procedures (i.e. CLR 11) and therefore the information submitted is not acceptable as a Phase 1 contaminated land risk assessment.
- Noise and Dust - the construction phase of the development will have the potential to cause a noise and dust problem to nearby existing residents unless properly controlled. Details of how noise and dust would be controlled during the construction phase of the proposed development should be provided within a Construction Management Plan as indicated within the application.

Overall, Environmental Health confirmed that they had 'no objection in principle' to the application as originally submitted, subject to two planning conditions:

- A Construction Site Management Plan to be submitted and approved by the LPA prior to the commencement of the development, include shall include details on the control of noise and dust during construction.
- Prior to the commencement of the development, an assessment of the risks posed by contamination and, if necessary, a remediation scheme (in accordance with the EA's current model procedures) shall be submitted to and approved in writing by the LPA.
- Specific procedures to be followed if previously unidentified contamination is found or suspected at any time during the development.

6.5 **Yorkshire Water:** Have responded to the reconsultation (March/April 2020) to confirm that based on the (amended/additional) information submitted, no observation comments are required from Yorkshire Water with regards to waste water.

Responding to the original consultation, Yorkshire Water stated that the proposed indicative layout as originally submitted would not be acceptable to Yorkshire Water as the curtilages of properties would be located over the line of a sewer, potentially jeopardising Yorkshire Water's ability to maintain the sewerage network. Yorkshire Water there advised that the proposed indicative layout be amended to address this issue. If outline planning permission is to be granted then Yorkshire Water recommended that the following conditions be imposed:

- The development shall not commencement until a scheme has been submitted to and approved by the LPA that ensures that any works to provide a water supply for the development will not have a detrimental impact on existing properties (in terms of water supply)
- The site shall be developed with separate systems of drainage for foul and surface water on and off site.
- No buildings or landscaping features shall be located or within 4 metres of either side of the centre line of the 450mm foul sewer that crosses the application site. If the required stand -off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker . Furthermore, access to the full length of the sewer located within the site shall be maintained during all phases of the development and construction shall not commence until the means of ensuring proper protection and access to the public sewer has been implemented in accordance with details submitted to and approved by the Local Planning Authority.
- No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall , other than the existing local public sewerage , for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
- The development shall not commence until a scheme to ensure that foul sewerage designed to serve the whole development is of adequate capacity to ensure proper disposal to the receiving public sewer network has been submitted to and approved in writing by the Local Planning Authority.

- 6.6 **Yorkshire Wildlife Trust:** Commenting on the scheme in the light of the receipt of the Bat and Great Crested Newt Survey (submitted by the agent in July 2019), the Yorkshire Wildlife Trust provided the following observations/comments:
- Confirm that the bat surveys are adequate, although due to the lack of any survey in respect of the tree identified within the submitted Survey as holding roosting potential, YWT recommend that this tree is retained and protected from impacts of lighting both during and after the implementation of the development (unless a subsequent survey shows no evidence of roosting bats in the tree).
 - Would appreciate the retention of all trees to protect those areas utilised by foraging bats.
 - Any future landscaping scheme should incorporate native shrub planting and hedgerows, where possible, to provide foraging habitat for bats.
 - The provision of sensitive lighting schemes during and post construction for the site.
- 6.7 **NYCC Education:** Responding to the reconsultation (March/April 2020) on the 50 unit scheme, NYCC Education have confirmed that no developer contribution would currently be sought for primary and secondary education facilities as a result of the proposed development (NYCC Education had previously sought a contribution for primary education facilities at Hipswell Church of England Primary School when responding to the original consultation on the originally submitted 64 unit scheme)
- 6.8 **Primary Care Group:** No responses received.
- 6.9 **RDC Planning Policy:** Responding to the consultation on the application as originally submitted, Planning Policy made the following comments/observations:
- Location – The site is located adjacent to the built extent of the conurbation and within the ‘Catterick Garrison Strategic Direction of Growth’. This vacant and previously developed site is located within close proximity to Catterick Garrison Town Centre.
 - Housing Numbers – The Local Plan Core Strategy seeks 1900 homes to be delivered within Catterick Garrison over the plan period (2012-2028) and the proposed development would contribute to the delivery of this target.
 - Housing Mix – The proposed housing mix within the proposals would broadly satisfy the requirements of CP5 of the Local Plan. If approved, a planning condition should be imposed ensuring that the proposed housing mix is implemented. Any 2 bedroom apartments proposed should have a minimum area of 50 square metres in line with national space standards.
 - Affordable Housing – Note that the original scheme was only proposing a 14 per cent affordable housing provision (CP6 requires a 40 per cent provision within the Central Richmondshire Sub Area) In order for the proposals to comply with Local Plan policy, the applicant will need to agree to enter into a Section 106 agreement to provide 40 per cent affordable housing, or provide the LPA with a viability assessment if they consider that 40 per cent affordable housing provision would not be viable.
 - Open Space and Play Provision – There was a requirement as the proposals as originally submitted for the provision of an on-site Local Area for Play (LAP) for toddlers, with a minimum activity zone of 100 square metres. This is because the application site is not within 100 square metres of an existing

facility. However, open space and play provision for older children will not be required in accordance with Fields in Trust standards due to the close proximity of Coronation Park

6.10 **North Yorkshire Police:** North Yorkshire Police provided similar comments and recommendation in relation to both the original consultation and the reconsultaiton. The observations/recommendations made in relation to the reconsultation are summarised below:

- The revised (indicative) layout is appropriate, having made some improvements in terms of Designing Out Crime when compared to the proposals as originally submitted. It is also acknowledged that the amended layout has maintained appropriate levels of permeability and has improved the natural surveillance of the access road into the development. In addition, the two areas of Public Open Space as shown on the indicaitve layout plan both have good levels of overlooking for nearby dwellings, although there are still some aspects of the proposal not conducive to crime prevention, including:
 - Note that the on-site affordable housing provision would be provided by the apartment blocks. Different types of ownership should be ‘tenure blind’ and be spatially integrated to create a cohesive community.
 - Consideration should be given to supplementing the boundary treatments to the rear gardens of plots 3 and 4 with defensive planting.
 - Details of how the Public Open Space is to be maintained and who is responsible should be provided.

Recommend a condition requiring the measures stated within the response to be conditioned.

6.11 **NYCC Lead Local Flood Authority (LLFA):** Responded to the original consultation and to the reconsultation (March/April 2020) to state that they cannot make any substantive comments on the application because of insufficient information having been submitted in relation to flood risk and drainage/ Within their response to the aforementioned reconsultation, LLFA requested that a Drainage Impact Assessment (DIA) be submitted, which includes information on run-off destinations, flood risk, peak flow control, volume control and climate change/urban creep.

Following the submission of the Flood Risk and Drainage Strategy, and having been reconsulted, the LLFA have confirmed that the document demonstrates a reasonable approach to the management of surface water on the site, and have recommended the following conditions (if planning permission is to be granted), as summarised below:

- Submission and prior approval by the LPA of a scheme detailing surface water drainage for the development which demonstrates that the surface water drainage system is designed in accordance with NYYCC SuDS Design Guidance and has employed the principles of sustainable urban drainage, wherever possible.
- The undertaking of percolation testing for the site (including an informative to seek any third party consents for access to the beck before any investigations are undertaken).

6.12 **Defence Infrastructure Organisation:** Although they have no objections in principle, they have observed that footpaths within the application area would encroach on land opened by the MOD. As an adjoining landowner, they asked to be consulted by the developers on their proposed plans and would need prior agreement from the MOD and Annignton 9 (who lease the land from the MOD) for any access. Furthermore, the utility arrangements for the site will also need to be consulted with DIO in respect of any potential connections to MOD service media (This matter will be raised with the agent and any response will be reported to Members at the Committee Meeting).

6.13 **Neighbours/Local Residents:** A total of 2 representations was received following consultation on the application as originally submitted, both objecting to the proposals. A summary of the representations received in relation to the originally submitted scheme are provided below, where relevant to the consideration of the current proposals:

- There is already issues with local residents in Catterick Garrison being able to get doctor and dentist appointments, and there are issues regarding lack of school places and the need for better bus services – there are not enough services to support local people.
- There is not the local desire or need for more houses in this area.
- Existing green space should be retained.
- The development would have a detriment effect on the area and its wildlife and scenery.

A total of 1 representation was received following reconsultation on the application objecting to the amended proposals. . A summary of the representation received (where relevant to the consideration of the amended proposals) is summarised below:

- Concerned about the impact on wildlife.
- Concerned about surface water flooding if the site is built over with ‘tarmac and builds’, particularly as flooding is already a major problem and is only going to get worse.
- 50 additional houses would put additional strain on health services.

6.14 **Publicity:** The proposal has been further publicised by a site notice and newspaper advertisement and the period for representations to be made has now expired.

7.0 Planning Issues

Policy Considerations

7.1 The full list of relevant policies is set out in Section 4 above. The key policy requirements of the Local Plan Core Strategy that have the greatest bearing on the consideration of this application are: policies CP4 (Supporting Sites for Development), CP5 (Providing a Housing Mix) and CP6 (Providing Affordable Housing) in pursuance of the objectives of Spatial Principles SP1, SP4 and the Central Richmondshire Spatial Strategy.

7.2 Catterick Garrison (including Scotton) is identified as a “Principal Town” within the settlement hierarchy of the Local Plan and is expected to deliver at least 1,900

dwellings over the plan period. The application site is within the 'Strategic Direction of Growth Area' for new development at Catterick Garrison as referred to by the Central Richmondshire Sub Area Spatial Strategy and is therefore in location that is well related to the existing settlement pattern and to the Garrison Town Centre.

7.3 Policy CP4 supports development that is of a scale and nature appropriate to secure the sustainability of settlements in the defined settlement hierarchy and sites which are located adjacent to the defined "development limits" of the settlement. The site is adjacent to the built confines of this part of Catterick Garrison and the proposal meets other expectations of Policy CP4 in terms of the scale of development in relation to the existing settlement; its accessibility and relationship to existing facilities, particularly due to its relatively close relationship to Catterick Garrison Town Centre. However, consideration must also be given to the capacity of existing infrastructure and to ensure that the proposal does not conflict with the requirements of other core policies. This site lies within a part of the District where Policy CP6 (Providing Affordable Housing) of the Core Strategy sets a target figure of up to 40% affordable housing whilst Policy CP5 (Providing a Housing Mix) expects new housing proposals to take account of local housing requirements across all sectors of the community in terms of size, type, tenure, accessibility and adaptability. The scheme contains a mixture of housing types and sizes, including a relatively high proportion of two bedroom apartments, a unit type which is required to meet local housing needs. The proposals are therefore considered to meet the requirements and expectations of Policy CP5.

7.4 Other policy considerations of the Local Plan Core Strategy that need to be noted at this stage are:

- taking a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework..... working proactively with applicants to find solutions which mean that proposals can be approved wherever possible (Policy CP1 - Planning Positively).
- new residential development of more than 10 dwellings expected to submit an energy statement showing consideration of opportunities to deliver carbon savings in excess of Building Regulation requirements and to demonstrate that carbon savings have been maximised by incorporating these opportunities into the design (Policy CP2 - Responding to Climate Change).
- supporting sustainable development which promotes..... the efficient use of land and infrastructure..... the health, economic and social well-being, amenity and safety of the population..... the distinctiveness, character, townscape and setting of settlements..... encouraging the use of previously developed land in preference to greenfield sites..... addressing any issues of land contamination or land stability arising from past uses and activities..... and development in locations which, as far as possible, minimises the need to travel (Policy CP3 - Achieving Sustainable Development).
- supporting proposals that help create, protect, retain or enhance community, cultural and recreational assets..... ensuring the provision of sufficient quality recreation assets, including formal and informal, equipped and unequipped areas for open space and links to Public Rights of Way (Policy CP11 - Supporting Community and Recreation Assets).

- Supporting development where they conserve and enhance the significance of the plan area's natural and man-made, designated and undesignated assets (CP12 - Conserving and Enhancing Environmental and Historic Assets)
- promoting high quality design and landscaping in all new developments (Policy CP13 - Promoting High Quality Design).
- providing, or enabling the provision of, the infrastructure made necessary by the development. Where it cannot be provided directly, developer contributions are required (Policy CP14 - Providing and Delivering Infrastructure).

Location and Housing Land Requirements

7.5 As referred to in paragraph 7.2 above, the site is located within the 'Strategic Direction of Growth Area' within the Local Plan and adjacent to the existing built confines of the Catterick Garrison conurbation. There are local services and facilities as well as employment opportunities available within the Catterick Garrison Town Centre, and its surroundings, which is within walking distance of the site.. Overall, the scale and nature of this development generally accords with the spatial principles and core policies of the adopted Local Plan Core Strategy for the Catterick Garrison area. It is also consistent with the National Planning Policy Framework in terms of where this new development is to take place. As such, the site is considered to be within a sustainable location for new housing development.

7.6 The application site is previously developed, although little obvious visual evidence remains on site in terms of structures, foundations and any associated hardstanding from the long-since demolished building complex on the site, with most of the site having been 're-wilded' with self-seeded trees, shrubs and grassland. Therefore, although the site was previously developed, there is a strong argument that it does not fall within the strict definition of brownfield land. However, potentially suitable "greenfield" sites cannot reasonably be ruled out in view of the need to deliver a continuing supply of housing sites, particularly given the suitable sustainable location of the site within the Catterick Garrison conurbation.

7.7 The National Planning Policy Framework places great emphasis on maintaining a 5 year supply of land for housing (with an additional percentage added for previous under-delivery), and this site would make a positive contribution to local housing land supply in accordance with the relevant spatial principles of the Local Plan.

Housing Mix and the Provision of Affordable Housing

7.8 The proposed amended scheme indicates that a suitable mix of property types and sizes would be provided, with the 34 dwellings made up of 2, 3 and 4 bedroom properties. The amended scheme would also provide for 16 (2 bedroom) 'affordable' apartments. The proposed housing types and mix within the site are therefore considered to reflect the aspirations of Local Plan Policy CP5. Developments are also expected to deliver an appropriate mix of tenures and an appropriate proportion of affordable housing. The application details confirm that the 16 apartments on the site would be on-site affordable units (providing 32% on-site affordable housing provision), with the remaining 8% provision to be provided through a financial contribution. The financial contribution and provisions for affordable housing would be secured through a Section 106 Agreement. As such, the proposed development would meet the requirements of Policy CP6 with regards to the provision of affordable housing.

Landscape Impact, including Layout, Scale and Design Quality

- 7.9 Although the application site is located on the north side of Heatherdene Road, and as such would be closely sited to the existing residential properties on the north side of Browning Close and Maxim Close to the south, in many ways representing a an appropriated visual extension adjoining the Belton Park development. The site is however surrounded to the north, east and west by green space (which includes Cottages Beck) characterised by tree planting.
- 7.10 As mentioned above, the application site has largely re-wilded itself with areas of trees and shrubs, therefore as seen from specific public vantage points (e.g. Shute Road to the west, the local public footpaths and cycleways within the vicinity of the site and from Risedale to the north), the proposed development has the potential to appear to encroach within the green space within this part of Catterick Garrison.
- 7.11 The indicative scale and layout of the amended scheme has sought to mitigate the visual prominence and impact on the surrounding landscape by reducing the height of the apartment buildings from three to two storey, reducing the massing of the apartment buildings by separating them into two blocks within different parts of the site, and by siting the proposed dwellings within the northern part of the site further away from the northern site boundary. The reduction in housing numbers and the provision of more open space within the site would also help to reduce the massing and prominence of the proposed development as viewed from within the context of its surroundings. Although layout and scale are 'reserved matters', it is recommended that any outline planning permission granted is conditioned requiring the scale of the apartments (to be agreed at reserved matters stage) to be no than two storey in scale.
- 7.12 Based on the amended scheme (including the amended indicative layout plan and the indicative apartment building plans) the character and density of development as indicated as part of the outline application are considered to be appropriate to its context, and would meet the relevant the expectations of Policies CP3, CP4, CP12 and CP13 of the current Local Plan Core Strategy with regards to impact on the landscape and character of settlements. Furthermore, although appearance is also reserved matter, there is no reason to conclude at this stage (based on the indicative house type plans) that the design and appearance of buildings and open space would not meet policy requirements for high quality design in the ways expected by Policy CP13 of the Local Plan and the National Planning Policy Framework, particularly as the indicative materials of dwellings would relate well to the appearance of existing dwellings within the Belton Park development to the south of the site.

Light Pollution

- 7.13 Appropriate street lighting and other forms of illumination will be required for the proposed development but this can be designed to avoid the unnecessary spread of light and any separate pedestrian lighting can be low level and low intensity (which would also be consistent with the ecological recommendations). Details of a lighting scheme would need to be reserved by condition if outline planning permission were to be granted.

Transportation, Access and Highway Safety

- 7.14 In terms of vehicular access, vehicles would access the proposed development from Catterick Road from the eastern access via Belton Park Drive and Heatherdene Road. This access is also two-way so would allow vehicles from the

site to join Catterick Road. Due to the existing restricted width of Heatherdene Road to the west of the site, it is proposed to utilise this route as an exit only one way system providing a second exit from the site. Heatherdene Road (from Belton Park Drive on the eastern side of the site) would be improved to a minimum width of 5.5m as part of specific off-site highway improvement works required by the Local Highway Authority. Other off site highway works include providing additional sections of footway to link the development with footways within the Belton Park development to the south (see a summary of the recommended Highway Authority conditions at paragraph 6.2 of this report for more details of the off-site works required).

- 7.15 Although precise details of the means of access is a reserved matters, based on the indicative layout, unit numbers and positive recommendation from the Local Highway Authority, the proposed development is not considered to raise any significant adverse highway safety issues and would provide appropriate pedestrian links to the adjacent development, subject to the agreement and implementation of the on-site and off-site requirements as specified within the Highway Authority's recommended conditions. The proposed development would therefore be in accordance with the relevant sections of Policies CP3, CP4 and CP14 of the Local Plan.

Education Provision

- 7.16 The County Council Education Authority has confirmed within the reconsultation response that no financial contribution towards primary or secondary school places is required in relation to the current application.

Carbon Savings and Sustainable Construction

- 7.17 No specific measures have been put forward at this outline stage, although it is stated within the supporting documents that there is the potential to utilise solar panels on the roofs of some of the buildings within the site as well as fitting the new dwellings with electric car charging points, if this required. Overall, there is no reason why the development ought not to be capable of exceeding the requirements of Part L of the Building Regulations as far as is feasible and viable as required by Policy CP2 of the Local Plan Core Strategy. Provision of an energy statement and details of the carbon saving and renewable measures to be taken can be reserved by planning condition.

Open Space/Recreation Provision

- 7.18 The indicative site layout plan (as amended) includes two separate areas of open space within the layout of the development as part of an overall indicative 0.59ha of green space within the development, although no specific details of any play provision has been submitted as part of the proposal. As referred to in the comments from the RDC Planning Policy Team, there is a requirement for the provision of an on-site Local Area for Play (LAP) for toddlers, with a minimum activity zone of 100 square metres. This is because the application site is not within 100 square metres of an existing facility. Based on the indicative layout and allocated open space areas, this level of play provision would be achievable within the application site. Details of the precise location, design and equipment of the LAP (including associated activity zone) to be provided would be reserved by planning condition and arrangements for management and maintenance of the open space would be secured as obligations in a Section 106 Agreement in the event of outline planning permission being granted.

Flood Risk, Surface Water Drainage

- 7.19 Although parts of the land within the applicant's ownership are located within Flood Zones 2 and 3, the 'land-edged-red' of the proposed development is within Flood Zone 1, and thus at a relatively low risk of fluvial flooding.
- 7.20 At the request of the Lead Local Flood Authority (LLFA), additional flood risk and surface water drainage information has been submitted to support the application in the form of a Flood Risk and Drainage Strategy (FRDS). The FRDS confirms that no infiltration testing has yet been undertaken in the site as local infiltration rates are not currently known, but that this would be commissioned if outline planning permission were to be approved. If the infiltration testing showed that infiltration rates would be appropriate for the discharge of surface water to the ground, then this should be the 'preferred discharge option'. However, assuming that infiltration is shown not to be a viable option for the development's surface water discharge scheme, discharging to watercourse (i.e. Cottages Beck to the north of the site) would be the 'preferred discharge option' (subject to agreement from third party landowners and statutory authorities), particularly as the topography means that the system can be gravity-fed with a restricted discharge rate using hydro-brakes.
- 7.21 The 'Summary and Conclusions' section of the FRDS concludes that it would be possible to provide a sustainable drainage scheme for the proposed development that will accommodate run-off for 1-in-100 year events (including 30% and 10% uplifts for climate change and urban creep) that will not exceed the peak run-off rate for the existing site of 6.8 l/s. An appropriate storage capacity of 717 metres cubed would be provided in the form of above and/or below ground storage, e.g.. swales, attenuation ponds, subterranean tanks, crates and pipes, subject to the precise details of the scheme being approved through planning condition. The FRDS also identifies other recommendations including rainwater harvesting, and permeable surfacing to mitigate surface water run-off.
- 7.22 Having considered the proposals within the FRDS, the LLFA have confirmed that the document 'demonstrates a reasonable approach to the management of surface water on the site', but have recommended conditions requiring percolation testing to be undertaken and precise details of the surface water drainage scheme to be submitted and approved in writing by the LPA prior to the commencement of the development. As it is important to ensure that any drainage scheme for the site is implemented in accordance with sustainable drainage principles and the NYCC's SuDS guidance aimed at ensuring that the most sustainable drainage scheme for the site is implemented, both conditions are considered necessary. Overall, it is considered that an appropriate sustainable drainage scheme can be achieved for the proposed development, and the proposals would comply with the relevant parts of Policies CP2 and CP3 of the Local Plan in this regard, as well as the appropriate sections of the NPPF and the nPPG on flood risk and surface water drainage.

Foul Drainage

- 7.23 The supporting documents confirm that foul drainage is proposed to be discharged into the existing mains sewer. Discharge to the mains sewer would be in accordance with guidance within the nPPG with regards to sustainable (foul) drainage. Although it is stated within the application documents that it is proposed to connect to the mains pipe that runs through the northern part of the site, based on Yorkshire Water's comments in relation to the original consultation, it is considered necessary to condition that the precise connection point to the mains foul sewer is prior approved by the LPA (in consultation with Yorkshire Water) prior to the

commencement of the development. Yorkshire Water also recommended in their original response the imposing of a condition requiring the site to have separate systems of foul and surface water drainage, which is still considered appropriate and relevant to the amended scheme.

Yorkshire Water Infrastructure

- 7.24 Within their original consultation comment, Yorkshire Water stated that they objected to the indicative layout as it appeared that dwellings and their curtilages would be located over or near a 450mm diameter public foul water sewer recorded to cross the northern part of the application site that has the benefit of a protective deed of easement. They stated that a 'stand-off' distance of 4 metres would be required at each side of the sewer centre-line. The indicative layout plan has accounted for the route of the proposed sewer by siting buildings outside of the aforementioned 'stand-off' distance, although the route of the pipeline would still be within the curtilage of some of the properties based on the indicative layout. As such, the condition that Yorkshire Water recommended within their original consultation regarding protection of the stand-off distance for the pipeline (or to have it re-routed at the applicant's cost) would still appear to be necessary if outline planning permission is approved.

Water Supply

- 7.25 Within their original consultation response, Yorkshire Water brought to the LPA's attention that the area is not currently served by the existing (water) mains network and that the existing water supply network in the wider area is not adequate to accommodate the development without potentially causing detriment to properties already served by the public water supply. They have recommended (within their original response) that if outline planning permission is granted that a condition is imposed requiring the applicant to demonstrate that an adequate water supply can be provided for the development without adversely affecting existing local residents. In the circumstances, such a condition would still appear to be necessary, if planning permission is approved. Yorkshire Water have also recommended that the applicant contact Yorkshire Water's New Supplies Team and/or the MOD (regarding a connection to the existing MOD water network).

Land Quality and Contamination

- 7.26 Having been consulted on the application, the Environment Agency have stated that the site appears to have been the subject of past industrial activity which poses a high risk of pollution to controlled waters (noting that the site is located on a secondary A principal aquifer which is overlain by secondary (undifferentiated) aquifer. Although they have not provided any 'site specific' advice or recommendation with regards to pollution and protection of the water environment, they draw attention to the EA's published "Guiding Principles for Land Contamination" which outlines the approach they would wish to see adopted to managing risks to the water environment from this site.
- 7.27 Likewise, Environmental Health have identified that the application would introduce a vulnerable end use onto land with several previous uses that have the potential for contamination. They have confirmed that the 'rudimentary information' submitted with the application regarding contamination risk has not been undertaken in line with the relevant model procedures (i.e. CLR 11) and therefore the information submitted is not acceptable as a Phase 1 contaminated land risk assessment. They have therefore recommended a condition, if outline planning permission is approved, that requires an appropriate land contamination risk assessment (and

remediation strategy, if necessary) to be submitted to and approved in writing by the LPA prior to the commencement of the development. Taking into account the comments and concerns of the EA, it is recommended that the condition also specifically refers to risk assessment of the risk to the local water environment (including the aquifers below the site)

Amenity Impacts

- 7.28 As referenced above, the proposed site is located to the north of Heatherdene Road and the northern most properties on Browning Close and Maxim Close. The amended indicative layout plan accompanying this outline application indicates that the proposed dwellings would be capable of achieving at least the minimum separation distances from aforementioned existing properties to the south, although the actual relationships would be assessed at the 'reserved matters' stage. The planning condition recommended by Environmental Health regarding the submission and prior approval of a Construction Management Plan would ensure that appropriate controls are put in place to deal with potential construction impacts, including noise and dust, as will the recommended Highway Authority conditions regarding the approval of construction materials and vehicle storage and parking area. The proposed development would therefore is capable of complying with the relevant parts of Policies CP3 and CP4 regarding maintaining good levels of amenity, and not to have a significant adverse amenity impact respectively.

Ecology, Biodiversity and Trees

- 7.29 The application is accompanied by Preliminary Ecology Appraisal (PEA) and subsequently by a follow up Bat and Great Crested Newt Survey (based on the conclusions/recommendation of the PEA)
- 7.30 Having appraised the site for its biodiversity, the PEA concluded the proposed development would result in 'wide scale loss of semi natural habitats'. These habitats are well linked through wildlife corridors including Cottage/Leadmill Beck and broadleaved woodland to the east and west. Because the loss of all semi natural habitats on the site has the potential to adversely affect the overall ecological value of the wildlife corridor, it is recommended that a biodiversity enhancement and management plan is created which outlines how the site will maintain ecological value and how this will be managed into the future, stating that this document can be 'conditioned' into any planning permissions to ensure delivery during and post works. The PEA has outlined the 'broad principles' to be included within a Biodiversity Enhancement and Mngement Plan (BEMP), including:
- Enhancement for nesting birds, roosting bats and other fauna;
 - Provision of natural habitats within site;
 - Sensitive lighting proposals; and
 - Management prescriptions with clear responsibilities.
- 7.31 The PEA has also recommended several 'construction-related' ecological protection and mitigation measures and principles to be included within a Construction Environment Management Plan:
- Tree protections measures to include retention of trees where possible and root protection areas;
 - Management of the cotoneaster found on site and removal prescriptions;
 - Watercourse pollution prevention;
 - Retention of the high potential bat roost tree and impact management

- during works;
- Hand searches for hedgehogs, breeding birds and amphibians;
- Badger injury prevention measures;
- Lighting restrictions; and
- Timing of works to avoid impacts on seasonal species.

7.32 Based on the findings/conclusions of the appraisal, the PEA recommended further bat and Great Crested Newt survey works, a report on which was subsequently submitted. The Great Crested Newt survey found no evidence of GCNs within the identified pond, and no additional measures with regards to GCN are recommended. Although the bat surveys did not identify any roosting bats on site, bat activity that was recorded suggests that there was a bat roost nearby to the site. One tree near the boundary of the site (BT 1) was considered to have the potential to support a roosting bat, although it is noted that this tree is to be retained, although it may be affected by dust, disturbance, noise, etc during building works. Further recommendations/principles have been recommended in the Survey Report following the findings of the bat survey, including a sensitive lighting scheme and the implementation of bat-friendly lighting within the scheme

7.33 The Yorkshire Wildlife Trust have considered the findings of the survey and have raised no objections, other than to confirm that measures to protect the tree subject to the potential bat roost should be implemented and bat friendly planting should be retained, where possible. These matters can be addressed through conditions, specifically through the submission and approval of the aforementioned BEMP and CEMP. Overall, subject to the mitigation measures and recommendations contained within both the PEA and follow-up survey report (as well as the recommendations of the YWT) being implemented as part of the aforementioned BEMP and CEMP documents (which are to be approved by the LPA prior to the commencement of the development), the proposed development would not result in any biodiversity net loss. The proposals have the potential to result in the loss of a large number of trees on the site. In accordance with the recommendation of the YWT, and the recommendations within the ecology surveys to retain as much 'bat and wildlife' planting as possible, a tree survey and tree retention plan should be required prior to the submission of the reserved matters application. The proposed development would therefore comply with CP12 with regards to ecological impact/mitigation and habitat creation.

Crime and Disorder

7.34 The recommendations of the Police Designing Out Crime Officer (see paragraph 6.10) on the whole represent a proportionate approach to Designing Out Crime, and an appropriate condition to secure these measures (e.g. relating to boundary treatments) would need to be part of any outline planning permission granted.

Planning Obligation

7.35 In the event of outline planning permission being granted, a Section 106 Agreement would be required to secure and maintain the affordable housing provision and any associated commuted sum, along with arrangements for the future management and maintenance of the open space/play area to be provided within the development. All of these requirements are necessary for the development to be approved.

8.0 Conclusions

8.1 This site is in a sustainable location within the Strategic Direction of Growth Area of the Local Plan and well related to existing services and facilities, including those within the nearby Catterick Garrison Town Centre, and is an appropriate location for new housing development. The scale and nature of development proposed accords with the Spatial Principles of the Local Plan for the Central Richmondshire sub-area. The development will make a positive contribution to housing land supply and housing mix and will meet Local Plan policy requirements for affordable housing. Provision is made to meet the additional requirements for open space and play facilities within the development site. There will be no unacceptable impacts on the local landscape or the amenities and privacy enjoyed by the occupiers of neighbouring properties. Appropriate ecological mitigation measures will be provided and the development is capable of providing carbon savings by exceeding the minimum requirements of the Building Regulations. The development accords with all relevant policies of the Development Plan and will achieve the policy objectives of the National Planning Policy Framework.

9.0 Recommendation

9.1 That delegated authority be given to the Planning Manager to grant outline planning permission for the reasons summarised at paragraph 8.1 above upon completion of an Agreement under Section 106 of the Town and Country Planning Act to deliver:

- a) arrangements in perpetuity for the provision of the 12 affordable apartments on site with completion phased alongside the completion of market dwellings;
- b) payment of an additional financial contribution to meet the full 'policy compliant' 40% provision.
- c) arrangements for the future management and maintenance of the open space/play area to be provided as part of the development.

9.2 In addition to standard planning conditions covering matters including submission and approval of specific details of works; ensuring implementation of the development in accordance with the approved particulars and plans, etc., it is also recommended that the following specific matters be covered by conditions to be imposed on the grant of this permission, including:

- Conditions as recommended by the Highway Authority
- Development to be carried out in accordance with the details shown on the submitted Flood Risk Assessment.
- Details to be submitted of the design and associated management and maintenance of the surface water drainage scheme, including provision to ensure that surface water run-off from a 1 in 100 year rainfall event (including provision for climate change and 'urban creep') will not exceed the run off from the undeveloped site following the corresponding rainfall event. The scheme shall be supported and evidenced with percolation testing undertaking in the site to assess the possibility of infiltration as a means of disposing of surface water.
- An assessment of risks posed by contamination (including an assessment of the risk and nay mitigation measures relating to the protection of the local water environment) to be submitted and approved prior to the

commencement of development. The development not to be occupied until the approved remediation scheme has been implemented and verified.

- Provision for dealing with any contamination found during the course of development that was not previously anticipated.
- Environmental Health recommended conditions, including the submission of a Construction Management Plan (CEMP), approval and implementation including a scheme for the control of noise and dust during construction works.
- Implementation of ecological mitigation measures, including the submission, approval and implementation of a BEMP and CEMP.
- Submission and approval of details of a lighting scheme to minimise impacts from light pollution.
- Submission and approval of a scheme for maximising carbon savings and for the submission and approval of an energy statement.
- Details of crime prevention measures (based on the recommendations of North Yorkshire Police) to be submitted and approved alongside any reserved matters application.
- The submission of a tree survey and tree/hedgerow retention plan prior to the submission of the reserved matters application.
- The conditions recommended by Yorkshire Water, including in relation to the protection of the pipeline within the site.
- A condition stating that the scale of the apartment buildings (to be agreed at reserved matters) shall be no more than two stories in height.
- Details of the location of the LAP and other outdoor space, including the equipment and landscaping proposed in these areas of open space/play.
- A condition requiring the implantation of the proposed housing/apartment mix.
- Details of the foul drainage scheme.
- A requirement for the submission of information to show that the development would not have an impact on the water supply of local residents prior to the commencement of the development.
- A condition requiring the apartments to meet current national space standards.
- Any other recommended conditions within section 7 of this report.

11.0 Further Information

11.1 **File Reference:** 18/00433/OUT

11.2 **Appendices:** Appendix 1: Design and Access Statement
Appendix 2: Site Layout Plan
Appendix 3: Samples of House/Apartment Types

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