

Meeting: Richmond (Yorks) Area Constituency Planning Committee
Date: Thursday, 11th January, 2024
Time: 10.00 am
Venue: Swale Meeting Room, Mercury House, Station Road,
Richmond, DL10 4JX

Update List

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RICHMOND (Yorks) CONSTITUENCY AREA PLANNING COMMITTEE
SUPPLEMENTARY TO COMMITTEE REPORTS

11th January 2024

Agenda Item	Application number and Division	Respondent	
<p align="center">4</p> <p align="center" style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 3</p>	<p align="center">ZD23/00564/FULL</p> <p align="center">Hipswell & Colburn</p>	<p align="center">Consultee Comments</p>	<p><u>Local Highway Authority (LHA) – 4th January 2024</u></p> <p>At the time the committee report was finalised, the applicant had already submitted A Transport Statement (TS), dated December 2023 and the LHA were in the process of reviewing the detail and preparing a formal recommendation. We are now in receipt of this recommendation, which is based on the material provided within the TS (setting out the quantum of development in terms of floorspace; parking provision [off-street car parking and cycle parking]; confirmation of road and footway widths; and trip generation). Full details of the LHA response and recommendation can be found via Public Access, but in summary they raise no objection and recommend conditions, with specific notes as follows:</p> <p>Trip Generation – there would be a minor increase in vehicle trips between 08:00 to 09:00 which is not considered to be a detriment to highway capacity but a decrease in vehicle trips between the evening peak hours of 17:00 to 18:00. This is considered to represent a minor benefit to highway capacity. It is considered that the management of specific events can be addressed through an appropriate management plan, required by Planning condition. As previously recommended by the LHA, a Travel Plan shall also be implemented to encourage the use of non-car modes to access the site and this, too, is to be required by condition.</p> <p>Bicycle Parking, Car Parking and Servicing – The submitted TS has confirmed that covered cycle parking would be provided at ground floor level, equating to 48 no. spaces in total. A review contained with the TS has confirmed that proposed car parking</p>

provision meets the minimum publicised standard for day-day operation, however, it is recommended that a management plan be submitted prior to the first occupation of the building to show how the various elements of the proposed development would be managed in this regard. In terms of events being held, a review of available car parking elsewhere demonstrates that any overspill car parking is unlikely to result in an unacceptable impact on highway safety in the context of Paragraph 115 of the NPPF (2023). It is recommended that this aspect also be covered within the management plan.

A swept path analysis has been provided and demonstrates that the proposed loading bay is accessible by large servicing vehicles that may require access to the proposed development and that the LHA consider this arrangement to be acceptable.

Public Realm/Highway Improvements- Certain aspects of the scheme are to be secured via a S.278 agreement, such as realignment/narrowing of Shute Road; widening of footways introduction of informal crossing facilities; street trees and lighting improvements. Improvements to the signalised junction between Richmond Road and Gough Road to improve pedestrian crossing; upgrading of the existing puffin crossing on Richmond Road (just south of the southern Shute Road junction) and localised works to the footway and kerb line outside 32-34 Richmond Road to remove a redundant vehicle crossover. A suitable palette of materials would need to be agreed before the design phase.

Highways have recommended conditions and updated conditions have been detailed below.

Environmental Health (EH) – 7th January 2024

An intrusive Ground Investigation Report provided by Soil and Structures Ltd., ref: 20257-R-002-VO2, dated 14 December 2023 has been submitted and now provides a more thorough examination of any likely ground related hazards and/or contamination that may affect the proposed development and to ensure that the site is suitable for its

intended use. The EH Officer considers that an appropriate methodology has been followed.

The intrusive investigation report concludes overall that there is no significant evidence of potentially harmful or polluting material. An additional walk over survey during January and October 2023 also confirmed the site is generally considered suitable for its intended use and no suspected asbestos containing material (ACM) was identified. However, during the intrusive sampling, one made ground sample did confirm the presence of asbestos fibres in the soil (ACS) sample WS104, (at approximately 1.3 - 1.5 metres depth), albeit a low frequency detection.

The EH Officer considers that no further conditions are necessary in relation to contamination and it is therefore recommended that **Condition 3 be removed** and reference made to the Ground Investigation Report in Condition 2- Approved Plans.

Questions Raised at the Planning Committee Site Visit

Confirmation regarding the positions, types and heights of boundary treatments that are proposed, either as replacement or new fencing was raised at the Planning Committee Site visit. The agent has since confirmed that new fencing has been kept to a minimum and replacement fencing would be carried out only where necessary for security or demarcation purposes, so as to create an "open" character. The highest fencing to be erected would be to a height of approximately 1.8m and would be positioned to the north of the area intended for the ramped access/mini-plaza, separating the application site from the currently vacant land to the north. A plan has been uploaded to public access and will be included within the Power Point Presentation.

In addition to this, concern was raised on behalf of Hipswell Parish Council in terms of the development increasing the number and frequency of children playing in Leadmill Beck, which they understand foul water is discharged into to the north/ north-east.

Assessment

Officers have looked but have been unable to identify whether there is a foul discharge into the beck and at what point. However, the beck at the application site flows south to north away from the area which may or may not include a discharge point. A further point to note is the scheme has not been designed to increase access to water in the beck.

Corrections to Report

At the time of writing the report, a response on behalf of Building Conservation has been received and considered as part of the overall assessment of heritage matters. However, a typo within the consultations section (para. 7.10) has meant that a response relating to Building Control (set out in para. 7.11 below) was included twice, instead of a summary of Building Conservation comments.

The full response is available to view via Public Access, but comments were summarised in 10.43 of the report as follows:

NYC Building Conservation were consulted on the application and having assessed the proposals and the submitted heritage assessment(s), agree with the general findings in terms of the supermarket and nos. 26-27 Shute Road specifically being of little historic interest, contributing negatively to the character of the area. It is considered that there are greater amounts of significance in both the Auction House and bank on account of there being greater architectural interest compared to the other structures to be demolished. New buildings would be of a modern design, simple detailing and along with the proposed landscaping would result in an attractive space within the Garrison to be used as a focal point for the local community.

Ecology

A badger survey was recommended as part of the latest submitted Ecology Appraisal, which has now been submitted to the LPA. Planning Officers are satisfied with the findings and recommendations of the Badger Report and that there will be no unacceptable impact subject to conditions for mitigation and enhancement. The Badger

z) Proposed Boundary Treatment Plan ref. NY2205-APP-XX-ZZ-DR-A-090127, rev. P1

Condition 6 – Ecology (Update)

Requirement for a Biodiversity CEMP split into two phases A (demolition) and B (everything else). Specific reference to an affected species.

Condition 7 – Construction Environmental Management Plan (Update)

Requirement for a CEMP split into two phases A (demolition) and B (everything else)

Condition 8- Lighting (Update)

Change trigger for discharge to prior to first use of the buildings and/or play areas approved.

Condition 9 – LEMP (Update)

Replace first sentence with the following: Prior to the erection of any external walls of the buildings hereby approved or first occupation of the play areas approved, a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the local planning authority. Specific reference to an affected species.

Condition 13 – Cycle Parking (Update)

- A. Within 3 months of commencement of development on any approved play area, a cycle parking scheme for the play areas shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be delivered prior to first use of the play areas to which they are designated to serve.

The approved play areas cycle parking shall be erected/installed prior to first use of the play areas.

B. Prior to first occupation of the building(s) hereby approved details of short stay visitor cycle parking to be provided outside the building(s) shall be submitted to and approved in writing by the Local Planning Authority.

The approved short stay visitor cycle parking shall be erected/installed prior to first use/occupation of the building hereby approved.

Once the play areas and buildings are first used/occupied the associated cycle parking areas shall be retained, maintained and clear from any obstruction for the lifetime of development.

Reason: To facilitate sustainable travel and health communities and ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.

Condition 13- Lighting – Biodiversity and Amenity (Update)- Prior to commencement of development or within 6 months of the date of this decision notice, whichever is the later the first use/occupation of the building or first use of any proposed play areas, a permanent lighting design strategy which has consideration for biodiversity and residential amenity shall be submitted to and approved in writing by the local planning authority. The strategy shall: a) identify those areas/features on site that are sensitive to lighting and b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that sensitive areas/features will not be impacted by lighting. Specific reference to an affected species.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that new lighting minimises light pollution in the interests of residential amenity and is also sensitive to ecological interests.

Condition 22- Construction Management Plan (Update)

No development for any phase of the development shall commence until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development phase must be undertaken in accordance with the approved Construction Management Plan. The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

- Details of any temporary construction access to the site including measures for removal following completion of construction works.
- Wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway.
- The parking of contractors' site operatives and visitor's vehicles clear of the highway.
- Areas for storage of plant and materials used in constructing the development clear of the highway.
- Measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas.
- Protection of carriageway and footway users at all times during demolition and construction.
- Protection of contractors working adjacent to the highway.
- Details of the erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate.
- A detailed method statement and programme for the building works.
- Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

No construction works or deliveries shall take place outside 8.00 a.m. to 6.00 p.m. on weekdays excluding bank holidays and 9.00 a.m. to 1.00 p.m. on Saturdays, without the first written consent of the Local Planning Authority.

For the avoidance of doubt, demolition works may constitute a separate phase.

Reason: In the interest of public safety and amenity

Condition 23- New and Altered Private Access

The development must not be brought into use until the access to the site has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority or any such other specification agreed in writing with the Local Highway Authority and the following requirements:

- Any gates or barriers must be erected a minimum distance of 6 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
- Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway must be constructed and maintained thereafter to prevent such discharges.
- Measures to enable vehicles to enter and leave the site in a forward gear. All works must accord with the approved details.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

Condition 24- Delivery of Off-Site Highway Works

Prior to commencement of development, excluding demolition and restoration works, a programme for the delivery of off (and on) site highways works as listed A to D below

including its interaction with delivery of the other identified schemes shall be submitted to and approved in writing by the Local Planning Authority. Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

- A. The realignment/ narrowing of the carriageway of Shute Road and widening of the footways. The introduction of informal crossing facilities, street trees and lighting improvements.
- B. Improvements to the signalised junction of A6136 (Richmond Road) and Gough Road to improve pedestrian crossing facilities.
- C. The upgrade of the existing puffin crossing to the to the south of the southern Shute Road/ A6136 (Richmond Road) junction to a toucan crossing to improve cycle crossing facilities. This will be supported by localised cycle infrastructure improvements on the eastern side of A6136 (Richmond Road).
- D. Localised works to the footway and kerb line outside 32-34 Richmond Road to remove the redundant vehicle crossover.

For each scheme of highway works listed above, no excavation or other groundworks or the depositing of material on site in connection with the construction of any of the schemes or any structure or apparatus which will lie beneath that scheme shall take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority. Each off (and on) site highways works shall be completed in full accordance with the approved details.

An independent Stage 2 Road Safety Audit carried out in accordance with GG119 - Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of each highways works.

Reason: To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

Condition 25- Provision of Turning, Parking and Servicing Areas

No part of the development must be brought into use until the parking (car and bicycle), manoeuvring, turning and servicing areas for all users 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 for the lifetime of the development.

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development

Condition 26- Car Parking Management Plan

Prior to the first occupation of the development, a Car Parking Management Plan must be submitted to and approved in writing by the Local Planning Authority. As a minimum the management plan will include:

- Details of how the on-site car parking will be allocated to the different users/ tenants/ visitors of the development and how this allocation will be secured/ managed.
- Details of the car parking arrangements for those attending events, including details of how these arrangements will be communicated to attendees.
- A programme for the delivery of any proposed physical works.
- Effective measures for the on-going monitoring and review of the Car Parking Management Plan for the lifetime of the development.
- Effective mechanisms to achieve the objectives of the Car Parking Management Plan by both present and future occupiers of the development.

The development must be carried out and operated in accordance with the approved Car Parking Management Plan. Those parts of the Approved Car Parking Management Plan that are identified therein as being capable of implementation after occupation must be implemented in accordance with the timetable contained therein and must continue to be implemented for the lifetime of the development.

			<p>Reason: In the interests of highway safety and the general amenity of the development.</p> <p>Condition 27 – Travel Plans Prior to the first occupation of the development, a Travel Plan must be submitted to and approved in writing by the Local Planning Authority. The Travel Plan will include:</p> <ul style="list-style-type: none"> - Agreed targets to promote sustainable travel and reduce vehicle trips and emissions within specified timescales and a programme for delivery. - A programme for the delivery of any proposed physical works. - Effective measures for the on-going monitoring and review of the travel plan. - A commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development. - Effective mechanisms to achieve the objectives of the Travel Plan by both present and future occupiers of the development. <p>The development must be carried out and operated in accordance with the approved Travel Plan.</p> <p>Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation must be implemented in accordance with the timetable contained therein and must continue to be implemented for the lifetime of the development.</p> <p>Reason: To establish measures to encourage more sustainable non-car modes of transport.</p>
5	ZB23/02177/FUL Northallerton South	Officer	<p><u>Additional Condition</u></p> <p>Notwithstanding the provisions of any Town and Country Planning General or Special Development Order, for the time being in force relating to 'permitted development', no enlargement, improvement or other alteration shall be carried out to the dwelling or building nor shall any structure be erected within or on the boundary of the curtilage of</p>

		Officer	<p>the dwelling hereby approved without express permission on an application made under Part III of the Town and Country Planning Act 1990.</p> <p>The Officer report incorrectly refers to accommodation at 1st floor level. This is not the case. All accommodation is at ground floor. It should be noted that the above condition would effectively preclude the use of the roof space as accommodation without a further grant of planning permission.</p>
6	22/00143/MRC and 21/01877/MRC Stokesley	Town Council Third Party Rep.	<p>Stokesley Town Council are in favour and would support the 50% affordable housing proposal as they were opposed to the reduction to 30% when it was submitted.</p> <p>To revert back to 50% affordable housing would be welcomed in Stokesley and would support younger local residents with an opportunity to remain living in the area.</p> <p>Please allow them to revert back to 50% affordable to give Stokesley a chance to thrive. As this was how the original company got planning in the first place if you don't there is a very good chance on appeal the builders will win as it is a very hot topic with government's at the moment.</p>

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