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Monday, 24 November 2025

North Yorkshire Council

Skipton and Ripon Area Planning Committee

Minutes of the meeting held on Monday, 10 November 2025 commencing at 1.00 pm.

Councillor Nathan Hull in the Chair plus Councillors Andy Brown, Councillor Nick Brown (substitute for Councillor Andrew Williams), Barbara Brodigan, Robert Heseltine and David Ireton.

Officers present: Stuart Mills, Development Management Team Manager, Mike Parkes, Senior Planning Officer, Jeremy Constable, Senior Planning Officer, Kate Lavelle, Solicitor and Vicky Davies, Senior Democratic Services Officer .

Copies of all documents considered are in the Minute Book

174 Apologies for absence

Apologies for absence were received from Councillors Noland and Williams. Councillor Nick Brown acted as substitute for Councillor Williams.

175 Minutes of the meeting held on 8 September 2025

The minutes of the meeting held on 8 September 2025 were confirmed and signed as a correct record.

176 Declarations of interests

HGTZC024/03097/FUL – Councillor Nick Brown declared a non-pecuniary interest in that he was a customer of Tate Oils. Councillor Brodigan declared an interest in that she was a member of Ripon City Council but had not taken part in any decisions the City Council made regarding the planning application.

177 HGTZC024/03097/FUL - Demolition of former petrol station and erection of 6 no. self-contained residential apartments and associated parking at site of Skellbank Garage, Skellbank, Ripon, North Yorkshire, on behalf of Tate Fuel Oils Ltd.

Considered –

The Head of Development Management – Community Development Services sought determination of a planning application for the demolition of the former petrol station and the erection of 6 no. self-contained residential apartments and associated parking on land at the site of Skellbank Garage, Skellbank, Ripon. The application had initially been considered by the Committee on 2 June 2025 when Members resolved that they were minded to grant the application, but the decision was deferred subject to the receipt of a satisfactory gypsum report and for planning conditions which were to be presented back to the Committee at the earliest opportunity.

Since the application was considered by Committee a ground investigation has been undertaken. To a depth of 35m no open voids were found, although the sold strata did entomb former voids filled with debris, which was taken as being from their formal partial collapse. The presence of gypsum was recorded. However, no certainty had been

provided that such foundations could be used without undue harm being caused to the adjacent listed buildings and further site investigation was required.

The Senior Planning Officer stated that he had advised the applicant that because the premises was in a Conservation Area, a second application was required to demolish the building and that a second investigation was needed to prove that power driving was the appropriate method.

The following persons spoke in accordance with the Council's public participation scheme:

Councillor Andrew Williams on behalf of Ripon City Council.
Mr Richard Mowat, agent for the applicant.

During consideration of the application, Members discussed the following issues:

- The site had been an eyesore for some time.
- The development of six flats was welcome and it was rare to get an applicant coming forward to develop a tricky site.
- Car parking – six spaces would be provided.
- Did not see any value in requiring a separate application for demolition of the site, because this would prolong determination of the application, and the resulting choices would still be the same.

The Committee did not agree with the officer's recommendation for a deferment and it was

Resolved –

That, the application is GRANTED subject to the conditions set out in the report and replicated below including an additional condition set out at paragraph 3 together with the completion of a Section 106 Agreement for £2500 contribution to update the parking restrictions in line with the proposed junction changes at Skellbank junction by means of amended yellow lines following the kerbing and related Traffic Regulation Order required for such a change.

That the application be deferred by officer for Legal Agreement

- 1 The development hereby permitted shall be begun on or before three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the following documents:-
 - a) 3xa Design drawings;
 - 267-P.101 rev E Proposed Site Plan / Roof Plan dated 21.02.25
 - 267-P.102 rev C Proposed Ground Floor Plan dated 21.02.25
 - 267-P.103 rev B Proposed First Floor Plan dated 21.02.25
 - 267-P.104 rev B Proposed Second/Third Floor Plan dated 21.02.25
 - 267-P.106 rev E Proposed South Elevation dated 26.06.25
 - 267-P.107 rev D Proposed East Elevation dated 26.06.25
 - 267-P.108 rev D Proposed West Elevation dated 26.06.25
 - 267-P.109 rev D Proposed North Elevation dated 24.06.25
 - 267-P.110 rev E Proposed Section Looking West dated 24.06.25
 - 267-P.111 rev C Proposed Roof Plan dated 24.06.25

267-P.112 rev B Street Elevation Looking North dated 24.06.25

b) Foundation works mitigation contained in Section 4 of the Mason Clark Associates Piling feasibility review report no.MCA-23540-Y-RP-01-R0 dated 16 October 2025 and which shall be equally applied to the adjacent unlisted building to the east side of the application site.

c) S 3xa Design Sustainable Design Statement rev A dated October 2025.

- 3 Prior to the commencement of development (excluding site clearance and investigation works), full details of the foundation design for the development hereby granted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details .
- 4 Prior to the commencement of development (excluding site clearance and investigation works), a Safety Audit of the off-site highway mitigation measures of junction protection and pedestrian improvement works shown on 3Xa Design drawing 267-P.101 rev E Proposed Site Plan / Roof Plan dated 21.02.25 must be submitted to and approved in writing by the Local Planning Authority.
- 5 Prior to the commencement of development (excluding site clearance and investigation works), satisfactory written evidence of the purchase of the necessary off-site area units to achieve 10% Biodiversity Net Gain, including any achieved on site, from a local habitat bank that is registered with Natural England shall have been submitted to and approved in writing by the Local Planning Authority.
- 6 Further to condition 5, prior to the commencement of development (excluding site clearance and investigation works) in the event of some of the 10% Biodiversity Net Gain being achieved on site a Construction Ecological Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. A copy of that plan must be retained on site and made available to site managers and operatives, throughout the construction process.
- 7 A detailed scheme for landscaping, including the planting of trees and or shrubs shall be submitted to the Local Planning Authority prior to groundworks commencing; such scheme shall specify types and species, a programme of planting and the timing of implementation of the scheme, including any earthworks required. Development shall be carried out in accordance with the approved landscaping scheme and timetable.
- 8 Groundworks shall not commence until a land contamination Phase II Intrusive Site Investigation Report for the whole site has been submitted to and approved in writing by the Local Planning Authority.
- 9 Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved under condition 8 above, groundworks shall not commence until a land contamination remediation strategy has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include a timetable for the implementation and completion of the approved remediation measures

- 10 Land contamination remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved under condition 9 above. In the event that remediation is unable to proceed in accordance with that Remediation Strategy or contamination not previously considered in;
- a) the GeoEnvironmental Report by ARP ref: TAT/01r1v3 dated July 2024, or
 - b) the Phase II Intrusive Site Investigation Report approved under condition 5 above,
- is identified or encountered on site, all groundworks in the affected area (save for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.
- 11 Following completion of any measures identified in the Remediation Strategy approved under condition 9 above, or any approved revised Remediation Strategy under condition 10 above a land contamination Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until the Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.
- 12 Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be submitted to and approved in writing by the Local Planning Authority.
- 13 No phase of development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority;
- a) details of any temporary construction access to the site including measures for removal following completion of construction works;
 - b) restriction on the use of Skellbank residential cul-de-sacs for any construction purpose;
 - c) wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
 - d) the parking of contractors' site operatives and visitor's vehicles clear of the highway;
 - e) areas for storage of plant and materials used in constructing the development clear of the highway;

- f) measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;
 - g) details of the routes to be used by HGV construction traffic and pre and post highway
 - h) condition surveys on these routes for a distance of 50 metres in both directions from the site;
 - i) protection of carriageway and footway users at all times during demolition and construction;
 - j) protection of contractors working adjacent to the highway;
 - k) erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate;
 - l) means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
 - m) measures to control and monitor construction noise;
 - n) an undertaking that there must be no burning of materials on site at any time during construction;
 - o) removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - p) details of external lighting equipment;
 - q) details of ditches to be piped during the construction phases;
 - r) a detailed method statement and programme for the building works; and
 - s) contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.
- 14 Demolition, site preparation and construction shall be not be undertaken outside of the hours of 08:00 - 18:00 Mondays to Fridays and 08:00 - 13:00 Saturdays with no work on Sundays or Bank Holidays.
- 15 Any tree removal shall only take place outside the bird nesting season (March-August inclusive).
- 16 Prior to construction works commencing on site, a programme for the delivery the off-site highway mitigation measures of junction protection and pedestrian improvement works shown on 3Xa Design drawing 267-P.101 rev E Proposed Site Plan / Roof Plan

dated 21.02.25 and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority.

- 17 Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority.
The development must only be carried out in compliance with the approved engineering drawings.
- 18 there must be no access or egress by any vehicles between the highway and the application site until splays are provided giving clear visibility of 43 metres measured along both channel lines of the major road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.
- 19 Prior to the commencement of the external construction of the walls of the development hereby approved a sample panel of the type of stone to be used showing the proposed coursing and pointing shall be erected on the site for the written approval of the Local Planning Authority. Development shall be carried out in strict accordance with the approved details and the sample stonework panel shall be retained on site during the period of construction of all external walls that are constructed in stone.
- 20 Before the first use of any materials in the external construction of the roof of the development hereby approved, samples of those materials shall have been made available for inspection by, and the written approval of, the Local Planning Authority and the development shall be carried out in strict accordance with the approved details.
- 21 The site shall be developed with separate systems of drainage for foul and surface water on and off site and those separate systems shall extend to the points of discharge to be agreed.
- 22 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works and firstly details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:-
 - a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical;
 - b) evidence of existing positive drainage to public sewer and the current points of connection; and

- c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.
- 23 No part of the development must be brought into use until the access, parking, manoeuvring and turning areas have been constructed in accordance with the details shown on 3xa Design drawings 267-P.101 rev E Proposed Site Plan / Roof Plan dated and 267-P.102 rev C Proposed Ground Floor Plan, both dated 21.02.25. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.
- 24 The parking spaces provided under condition 20 above before first use shall be equipped, as shown on 3xa Design drawing 267-P.102 rev C Proposed Ground Floor Plan dated 21.02.25, with electric vehicle charging facilities of Mode 3 on their own dedicated circuits with a minimum current rating of 16A. The charging facilities shall be maintained free of obstruction and retained until superseded by an advanced technology.
- 25 The bicycle storage shown 3xa Design drawing 267-P.102 rev C Proposed Ground Floor Plan dated 21.02.25 shall be provided prior to first occupation of any the apartments hereby approved. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.
- 26 No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation.
- 27 The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.
- 28 Before first occupation of any the apartments hereby approved, waste storage facilities in accordance with 3xa Design drawing 267-P.102 rev C Proposed Ground Floor Plan dated 21.02.25 shall have been provided with individual apartments having access to their own facility and which shall not be altered without the prior written approval of the Local Planning Authority and shall be maintained for the life of the approved development.
- 29 Before first occupation of any the apartments hereby approved, bat and swift bricks shall have been located in accordance with 3xa Design drawings 267-P.107 rev D Proposed East Elevation dated 26.06.25 and 267-P.109 rev D Proposed North Elevation dated 24.06.25. Details of the bat and swift bricks shall first have been submitted to and approved in writing by the Local Planning Authority. Once installed the bat and swift bricks shall be maintained free of obstruction.
- 30 Before first occupation of any the apartments hereby approved, the developer shall

provide written evidence to the Local Planning Authority to demonstrate that the following internal sound levels have been achieved in front facing plots.

a) The 16hr LAeq shall not exceed 35dB between 0700 and 2300 hours when readings are taken in any noise sensitive rooms in the development.

b) The 8hr LAeq shall not exceed 30dB between 2300 and 0700 hours when readings are taken inside any bedroom in the development.

c) The LAFMax indoor shall not exceed 45 dB (more than 10 times) between 2300 and 0700hrs when readings are taken inside any bedroom in the development.

If it cannot be demonstrated that the aforementioned sound levels have been achieved, a further scheme incorporating further measures to achieve those sound levels shall be submitted for the written approval of the Local Planning Authority. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned sound levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.

- 31 Before first occupation of any the apartments hereby approved, the off-site highway mitigation measures of junction protection and pedestrian improvement works shown on 3Xa Design drawing 267-P.101 rev E Proposed Site Plan / Roof Plan dated 21.02.25 must be completed in strict accordance with full detailed engineering drawings of all aspects of that scheme, including any structures which affect or form part of the scheme, that have first been submitted to and approved in writing by the Local Planning Authority. 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 works on site.

Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of this scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme shall take place, until the Local Planning Authority have approved the scheme. The off-site highway works must be completed in accordance with the approved engineering details and programme.

- 32 Before first occupation of any the apartments hereby approved a download connection of 30Mbps shall be provided to each apartment and facilities will have been incorporated in the development for the future provision of Fibre to the Premises broadband infrastructure capable of Next Generation Access speeds.

- 33 In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to survive for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced by the developer with such live specimens of such species in such number as may be approved by the Local Planning Authority.

Reasons for Conditions:-

- 1 To ensure compliance with Sections 91-94 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt and to ensure a safe sustainable development.
- 3 To ensure a safe development.
- 4 To ensure that the design is appropriate in the interests of the safety and convenience of highway users.
- 5 and 6. In the interests of securing no net loss of biodiversity net gain.
- 7 To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 8 to 12. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 13 In the interest of public safety and amenity.
- 14 So as to respect the amenities of the surrounding residential properties.
- 15 To safeguard ecology.
- 16 To ensure that the design is appropriate in the interests of the safety and convenience of highway users.
- 17 To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.
- 18 In the interests of highway safety.
- 19 and 20. In order to ensure that the materials used conform to the amenity requirements of the locality.
- 21 In the interest of satisfactory and sustainable drainage.
- 22 To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage.
- 23 To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
- 24 and 25. To ensure provision for alternate modes of transport.

- 26 and 27. To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.
- 28 In the interests of amenity.
- 29 To provide appropriate ecological mitigation.
- 30 In the interests of amenity.
- 31 To ensure that the design is appropriate in the interests of the safety and convenience of highway users.
- 32 To ensure access to appropriate telecommunications.
- 33 To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

INFORMATIVES

- 1 To ensure the occupants of the proposed apartments are not impacted by noise from the residential use below/above or adjacent to them, Environmental Protection recommend the dwellings shall be insulated against the transmission of airborne and impact sound at a standard equivalent to that contained in the current Building Regulations – Approved Document E (current Edition).
- 2 Yorkshire Water Service Ltd advise there is a 150mm and a small diameter combined water sewer recorded to cross the site, the presence of should be regarded. It may not be acceptable to raise or lower ground levels over the sewer and they will not accept any inspection chambers on the sewer to be built over. A proposal by the developer to alter/divert a public sewer will be subject to Yorkshire Water's requirements and formal procedure in accordance with Section 185 Water Industry Act 1991.
- 3 In respect of conditions 4, 16 and 31, and notwithstanding any valid planning permission for works to amend the existing highway, there must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and North Yorkshire Council as the Local Highway Authority. To carry out works within the highway without a formal Agreement in place is an offence
- 4 In respect of conditions 5 and 6, 0.12 biodiversity habitats are to be provided.
- 5 In respect of condition 21 Yorkshire Water promote the surface water disposal hierarchy and the developer must provide evidence to demonstrate that surface water disposal via infiltration is not reasonably practical before considering disposal to public sewer. Upon receipt of satisfactory evidence to confirm the reasons for rejection of other methods of surface water disposal, curtilage surface water may discharge to public sewer. Surface water discharges to the public sewer must have

a minimum of 30% reduction based on the existing peak discharge rate during a 1 in 1 year storm event. The developer will be required to provide evidence of existing positive drainage to a public sewer from the site to the satisfaction of Yorkshire Water and the Local Planning Authority by means of physical investigation. On-site attenuation, taking into account climate change, will be required before any discharge to the public sewer network is permitted.

Voting record –

A vote was taken and the motion was declared carried with 4 in favour and 2 against.

178 25/01962/FUL - Installation of ground mounted solar panels, landscaping and associated works at land to the east of the Swinton Estate, located to the east of Swinton Road and south of Masham Golf Course on behalf of Swinton Estate.

Considered –

The Head of Development Management – Community Development Services submitted a report seeking determination of a planning application for the installation of ground mounted solar panels, landscaping and associated works at the Swinton Estate, North Yorkshire. The application had been brought to the Planning Committee for determination because the applicant Councillor Felicity Cunliffe-Lister had an interest in the land as owner of Swinton Park.

In considering the report, regard had been paid to the policies of the relevant development plan, the National Planning Policy Framework and all other material planning considerations.

Where the Committee granted planning permission in accordance with the recommendation in the report this was because the proposal was in accordance with the development plan, the National Planning Policy Framework and other material planning considerations.

The following person spoke in support of the application:

Mr Iain Shelton, Chief Executive of the Swinton Estate.

During consideration of the application, Members discussed the following issues:

- How would the maintenance of the grass under the solar panels be undertaken i.e. by using sheep or glyphosates.
- Siting of the panels moved outside the Nidderdale National Landscape.
- Renewable energy supporting the Swinton Estate and the bio-diversity net gain.

Resolved –

That the application is GRANTED subject to the conditions set out in the Assistant Director's report.

Voting record –

A vote was taken and the motion was unanimously declared carried.

179 Any other items

There were no urgent items of business.

180 Date of next meeting

Tuesday 2 December 2025.

The meeting concluded at 2.03 pm.

North Yorkshire Council

Community Development Services

Skipton and Ripon Area Planning Committee

2 DECEMBER 2025

**HGTZC24/03358/FULMAJ – RESIDENTIAL DEVELOPMENT OF 58 DWELLINGS,
INCLUDING ACCESS, LANDSCAPING, PUBLIC OPEN SPACE AND ASSOCIATED
INFRASTRUCTURE**

**AT LAND COMPRISING FIELD AT 432447 466225, MOOR ROAD, BISHOP MONKTON,
NORTH YORKSHIRE**

ON BEHALF OF ALFA HOMES LIMITED

Report of the Head of Development Management – Community Development Services

1.0 Purpose of the Report

- 1.1 To determine a planning application for 58 dwellings including access, landscaping, public open space and associated infrastructure on land comprising field at 432447 466225, Moor Road, Bishop Monkton.
- 1.2 The application is to be presented to the Planning Committee as it is a sensitive site and raises material planning issues.

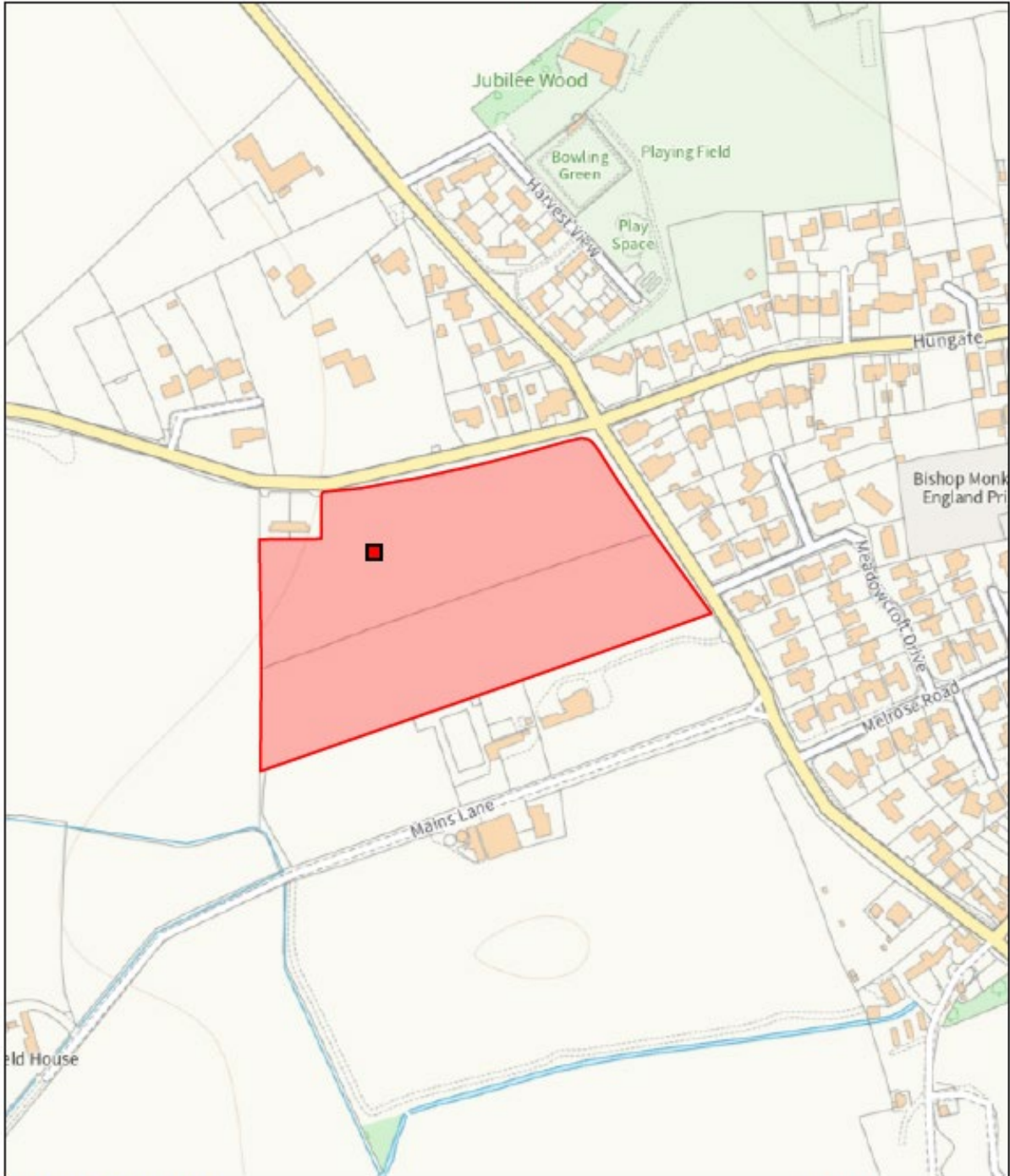
2.0 EXECUTIVE SUMMARY

RECOMMENDATION: That planning permission be GRANTED subject to conditions listed below and completion of a S106 agreement with terms as detailed in Table 1.

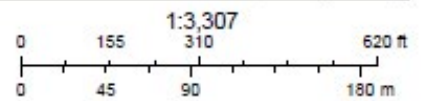
- 2.1. The application seeks full permission for the development of 58 dwellings on land off Moor Road, Bishop Monkton. The site is allocated in the adopted Harrogate District Local Plan as BM2: Land at Moor Road and BM4: Land at Knaresborough Road. Housing development is therefore acceptable in principle.
- 2.2. The proposal has undergone significant revisions since first submission in respect of site layout, design, landscaping, biodiversity, highways and flood risk and drainage. These matters are now considered to be sufficiently resolved to make the scheme acceptable.
- 2.3. The scheme would make a positive contribution to delivering housing on an allocated site, including affordable homes, and those that are adaptable and accessible. Given that the council's housing land supply is 2.2 years, there is not considered to be any significant harm created by the development that would outweigh the benefits provided by the scheme.
- 2.4. Having regard to the overall planning balance, the proposal complies with the overarching objectives and policies of the development plan and national planning

requirements and thus represents sustainable development. It is recommended for approval subject to conditions and completion of a S106 Agreement.

Map



11/21/2025, 8:54:25 AM



3.0 **Preliminary Matters**

3.1. Access to the case file on Public Access can be found [here](#).

3.2. There is a previous application for development on the site which is detailed below.

20/05181/FULMAJ – Residential development of 98 dwellings (later reduced to 88 dwellings) including access, landscaping and public open space.

This application was withdrawn on 26 May 2023 prior to determination by the local planning authority. Officers raised concerns principally in respect of site layout, housing mix, affordable housing distribution, housing form and design detail, extent of public open space, permeability and connectivity. Further information was required in terms of surface water drainage and adequacy of the Knaresborough Road junction.

3.3. The current application for 58 new dwellings seeks to address the concerns raised with the previous application. Following a round of statutory and public consultation undertaken in November 2024 and detailed negotiation with Officers, significant revisions to the scheme have been made and summarised as:

- Reduction in number of dwellings from 60 to 58 homes
- Loosening of layout and plot reorientation to provide a less regimented and uniform layout
- Improved permeability through establishing a footpath around the periphery of the site and better pedestrian connections to Knaresborough Road
- Amended house types and materiality
- Reconfiguration of the public open space to improve visual amenity and functionality, including relocating pump station and introduction of central play area
- Strengthened frontage to Knaresborough Road
- Review of boundary treatments to remove close boarded timber fencing from public vantage points replaced with brick feature walls, hedges and estate rails
- Revised surface water drainage proposal to help address flooding concerns raised by residents, local action group, and Parish Council.

3.4. These revisions are contained within updated information submitted in June 2025:

- Planning Layout
- Materials, Enclosure Layouts, Street-Scenes and Cross-Sections
- Garden Areas and Separation Distances Plan
- Tenure, Managed Areas Plans
- Design & Materials Context Plan, Primary Elevations Plan
- Pedestrian Connectivity Plan
- Landscape and Planting Plans
- House Type and Garage Pack
- Arboricultural Impact Assessment (Rev 1)
- Arboricultural Implications Plan (Rev 1)
- Ecological Impact Assessment (Issue 2)

- BNG Metric (V2 04/06/2025)
 - Transport Assessment (Rev A)
 - Travel Plan (Rev A)
 - Junction Design
 - Flood Risk Assessment (Rev B)
- 3.5. The proposed revisions and updated documentation have been subject to a further round of statutory and public consultation carried out in July 2025. Consideration of the changes made as well as all other aspects of the revised scheme, along with the consultation comments received are detailed below.
- 3.6. Updated Ecology and Arboricultural Reports were submitted in August 2025 along with a revised Planning Layout (Rev E) and Landscape Masterplan (Rev Q). These were revised to take account of minor alterations to site layout. An amended Tenure Plan and Transport Assessment were submitted in September 2025 to correctly identify the affordable houses and to ensure the Transport Assessment referred to the proposed two pedestrian crossings. A corrected House Type Pack was submitted in October 2025 to correct mis-labelled plans. These have not been subject to a further round of formal consultation as the changes made are not material in nature or else correct discrepancies. The updated reports do not alter conclusions and recommendations already reported.
- 3.7. An updated Flood Risk Assessment was submitted in August 2025 to provide further technical details in response to Lead Local Flood Authority comments. A Drainage Statement was submitted in October 2025 confirming that there are two drainage options proposed. Although both drainage options have previously been subject to formal consultation, a third round of public consultation took place in November 2025 due to the level of public interest in flood risk and drainage matters.

Other Relevant Applications

- 3.8. Whilst not directly relevant to the application site, there is another site identified in the Local Plan as a housing commitment on Land at Church Farm, Knaresborough Road, Bishop Monkton (Site Allocation BM3):
- 21/01833/FULMAJ – Erection of 23no. residential dwellings including associated access, landscaping and drainage works
- 3.9. The application was made by Kebbell Development Ltd. Planning permission was refused at Planning Committee (against Officer recommendation) on 3 August 2023 for two reasons respectively; impact on the setting of the nearby Grade II listed St John the Baptist Church and Bishop Monkton Conservation Area; and the impact on the local sewerage network.
- 3.10. The decision was overturned at appeal on 9 May 2024 (APP/U2750/W/23/3330845). On the first reason for refusal, the Planning Inspector noted that the loss of a section of hedgerow would result in less than substantial harm to heritage assets and that harm is outweighed by the substantial economic and social benefits of delivering 23 dwellings, including affordable homes.

- 3.11. On the second reason, the Planning Inspector noted that the statutory undertaker, Yorkshire Water, had not raised objections and concluded that the proposal would have no unacceptable impact on the local sewerage system. It is noted that the Inspector awarded costs against the Council citing a lack of compelling evidence underpinning the reason for refusal.

4.0 Site and Surroundings

- 4.1. The site comprises arable land located on the western edge of Bishop Monkton. The site is approximately 3.5 hectares with gated access from Knaresborough Road and Moor Road. The land slopes west to east with a high point of approximately 42m AOD to the west and falling to approximately 34m AOD to the east.
- 4.2. The site is enclosed by mature hedgerow along its boundaries and is split into two distinct land parcels by an existing hedgerow which runs east to west through its centre.
- 4.3. Moor Road bounds the site to the north and Knaresborough Road to the east. To the south, there is a residential property 'the Old Vicarage' which is a non-designated heritage asset. Arable farmland bounds the site to the west with the exception of two residential properties known as Woodgate Cottage and Warwick Cottage located adjacent to the north-west corner of the site.
- 4.4. The site is located outside of Bishop Monkton Conservation Area, which is some 220m to the east and covers the central part of the village. There are no listed buildings within the vicinity of the site.
- 4.5. The site falls within Flood Zone 1 and is at lowest risk of flooding in terms of fluvial flooding.
- 4.6. The northern land parcel is allocated in the Local Plan under site reference BM2 and the southern parcel allocated as BM4. Both parcels are allocated for housing development.

5.0 Description of Proposal

- 5.1. This application seeks full planning permission for the development of 58 dwellings including a new access point from Knaresborough Road, creation of a central public open space, landscaping and associated infrastructure. The application was originally submitted for 60 dwellings but was subsequently reduced following design and layout changes.
- 5.2. The scheme comprises a mix of semi-detached and detached houses the majority of which are two storeys high. Four semi-detached bungalows (Plots 35-38) are proposed closest to the neighbouring properties Woodgate Cottage and Warwick Cottage to the north-west. Off-street parking, cycle storage and electric vehicle charging points are proposed for each dwelling.

- 5.3. A central Public Open Space with play area is proposed along with landscaped open spaces around the site perimeters connected by a network of footpaths to ensure that all areas of public open space are accessible.
- 5.4. The main pedestrian and vehicular access point to the development would be from Knaresborough Road. An emergency access point, restricted by bollards, is provided to Moor Lane which also serves as a secondary pedestrian access.

6.0 Planning Policy and Guidance

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

- 6.2. The Adopted Development Plan for this site is the Harrogate District Local Plan 2014-2035, adopted March 2020.

Emerging Development Plan – Material Consideration

- 6.3. The North Yorkshire Local Plan is the emerging development plan for this site. No weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

Guidance - Material Considerations

- 6.4. Relevant guidance for this application is:
- National Planning Policy Framework 2024
 - National Planning Practice Guidance
 - National Design Guide 2021
 - Affordable Housing SPD 2021
 - Providing Net Gain for Biodiversity SPD 2021
 - Provision of Open Space and Village Halls SPD 2021
 - Harrogate Landscape Character Assessment 2004
 - Landscape Design Guide 2023
 - Bishop Monkton Conservation Area Character Appraisal 2008

7.0 Consultation Responses

- 7.1. The following consultation responses have been received and have been summarised below.
- 7.2. **Bishop Monkton Parish Council:** The Parish Council objects on the grounds of cumulative impact of development on flood and foul water infrastructure; design and appearance is incompatible with character and distinctiveness of Bishop Monkton; lack of environmental sustainable features; and highway infrastructure concerns, especially Knaresborough Road between the village and Ripon Bypass.

No further comments from the Parish Council have been received to date following the November consultation carried out in respect of drainage documents. Any response received will be reported verbally at the committee meeting.

- 7.3. **NYC Arboriculture:** No objections, recommends condition for tree protection.
- 7.4. **NYC Archaeology:** No objections.
- 7.5. **NYC Ecology:** Following further information, no objections subject to conditions and S106.
- 7.6. **NYC Education:** Commuted sum required (see Table 1).
- 7.7. **NYC Environmental Protection:** No objections, recommends conditions for construction and unexpected contamination.
- 7.8. **NYC Highways:** Following revisions, no objections subject to highway conditions and S106 monies
- 7.9. **Highways – Public Rights of Way:** No objections.
- 7.10. **NYC Housing:** Following revisions, no objections.
- 7.11. **NYC Lead Local Flood Authority:** Following revisions, no objections subject to conditions relating to final drainage scheme.
- 7.12. **Police Liaison Officer:** No objections but makes comments.
- 7.13. **NYC Open Space Team:** Commuted sum for public open space required (see Table 1).
- 7.14. **Northern Powergrid:** No objections, recommend Informatives to safeguard apparatus, including rights of access.
- 7.15. **Planning Services (Minerals and Waste):** Following further information, no objections.
- 7.16. **NYC Urban Design:** Neither objections nor supports. Provides comments.
- 7.17. **Yorkshire Water:** No objections, recommends drainage condition.
- 7.18. **NHS Integrated Care Board:** Commuted sum required (see Table 1).

Local Representations

- 7.19. 108 local representations have been received objecting to the proposed development. Comments have also been received from local interest group Bishop Monkton Action Group (BMAG) who object to the application.
- 7.20. Two rounds of public consultation have been carried out, the first in November 2025 and the second during July / August 2025. A summary of the comments is provided below, however please see website for full comments.

- Village sustainability
- Lack of village infrastructure / facilities
- Mix not appropriate for ageing demographic (bungalows)
- Development is not in keeping with village character
- Overdevelopment – too suburban
- Overbearing impact on character of the village
- House design is bland / needs more variety
- Poor quality boundary treatments
- Loss of privacy
- Pump Station is an eyesore
- Impact on wildlife
- Loss of biodiversity
- Increased vehicular traffic
- Highway safety, especially at Knaresborough Road junction
- Local roads are not fit for increased traffic
- Overspill of parking onto local roads
- Inappropriate surface water drainage
- Exacerbate existing flooding problems
- Lack of capacity of existing sewerage network
- Premature until Yorkshire Water carry out improvement works
- Poor public transport provision
- Footpath from the site to A61 needed
- Risk of gypsum
- Lack of environmental sustainability: EV charging, solar panels
- Noise, disturbance and traffic during construction
- Inadequate public consultation by Avant Homes
- Revisions made to scheme should be subject to a new application not re-consultation

7.21. A third round of public consultation took place during November 2025 on the Flood Risk Assessment (Rev C) and Drainage Statement (Sept 2025). On the formal consultation end date, 18 November, five representations had been received. A summary of the comments is provided below.

- reliance on pumped attenuation system
- No information on measures in place if pumps fail
- rapid discharge into sensitive catchment
- cumulative impacts with other developments remain untested
- outfall permissions and adoption are not secured.
- proposal is non-compliant with Local Plan policies and SuDS hierarchy
- lack of alternative natural drainage features within the site
- liability / responsibility if homes damaged due to flooding
- highway safety issues at Hunsgate / Knaresborough junction are unresolved
- vehicular access onto Moor Road is required to distribute traffic more safely
- Raised table at junction will not reduce number of traffic movements
- junction and footway improvements should happen prior to construction

8.0 **Environment Impact Assessment (EIA)**

- 8.1. The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environment Statement is therefore required.

9.0 Main Issues

- 9.1. The key considerations in the assessment of this application are:

- Principle and Housing Land Supply
- Compliance with Site Requirements
- Mix and Tenure
- Design and Layout
- Heritage
- Landscape and Trees
- Ecology and Biodiversity
- Highways and Accessibility
- Flood Risk and Drainage
- Land Contamination and Stability
- S106 Matters
- Other Matters

10.0 ASSESSMENT

Principle and Housing Land Supply

- 10.1. Section 38(6) of the Planning and Compulsory Purchase Act requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The Harrogate District Local Plan was adopted by the former Harrogate Borough Council on 4 March 2020.
- 10.2. The recent revisions to the National Planning Policy Framework (NPPF) have introduced changes to the way housing need is calculated. As the extant Harrogate District Local Plan is now more than five years old, the housing provision figure set out in Policy GS1 is no longer valid. The annual housing requirement for the former Harrogate area is now 1046 homes, as derived from the Standard Method. Including the relevant 5% buffer, the five-year supply requirement is 5492. Based on the most recent date (from the 2024/2025 monitoring period), there is a demonstrable deliverable supply of 2408 homes over a five-year period. This translates to 2.2 years of housing supply when measured against the five year supply requirement. Therefore, paragraph 11(d) of the NPPF (i.e. the presumption in favour of sustainable development) is engaged for applications involving the provision of housing.
- 10.3. Paragraph 11(d) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless:
- i) The application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

- ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 10.4. Footnote 7 of the NPPF sets out those areas where policies can provide a strong reason for refusing the development proposed. These include habitat sites and / or designated Sites of Special Scientific Interest; Green Belt, Local Green Space, a National Landscape or National Park; irreplaceable habitats; designated heritage assets; and areas at risk of flooding. The Environment Agency (EA) plans indicate that the site is slightly affected by small ponding areas near the southern site boundary. This is discussed in the Flood Risk and Drainage Section of this report, but the presence of such ponding is not considered of itself a reason for refusing the proposed development.
- 10.5. It is important to note that the engagement of the presumption in favour of sustainable development does not negate the overall planning balance exercise undertaken as part of the usual decision-making process. Policy requirements must not be overlooked due to the lack of a five-year housing supply. They should be applied to understand conformity, or non-conformity, to establish any degree of harm which will need to be considered in the overall balancing exercise.
- 10.6. In the context of the five-year housing supply, it is important that existing Local Plan allocations and other well-designed proposals in sustainable locations are brought forward. The Local Plan makes allocations of land and sets development limits to meet the housing needs of the district. Sites that are identified as allocations in the Local Plan are those that best deliver the Plan's growth strategy.
- 10.7. Local Plan Policy GS2 sets out a settlement hierarchy to direct development. Policy GS3 advises that within development limits, proposals for new development will be supported provided they are in accordance with other relevant policies of the Local Plan. The site lies within the development limits for Bishop Monkton.
- 10.8. Bishop Monkton is identified as a Service Village in the settlement hierarchy where land will be allocated for new homes to support the continued provision of a basic range of services and facilities. Service villages offer a range of basic services and community facilities and represent sustainable locations for development.
- 10.9. The site is allocated for housing under Policy DM1 of the Local Plan where the parcel of land to the north of the central hedge is BM2: Land at Moor Road and the land to the south is BM4: Land at Knaresborough Road. The principle of housing development on the site is therefore acceptable.

Compliance with Site Requirements

- 10.10. Policy DM1 lists the site requirements that any development of the site should meet.

Site Requirement: BM2 and BM4	Application Response
<p>Design / layout should integrate the new housing with the village:</p> <ul style="list-style-type: none"> - Principle elevation along Knaresborough Rd should face towards the street / incorporate high quality boundary treatment. Use of locally distinctive materials. - Appropriate scale, massing and form with locally distinctive design detailing. 	<p>Plots have primary elevations facing onto Knaresborough Rd.</p> <p>Use of red brick, reconstituted stone and render to provide a varied street scene, reflective of materials elsewhere.</p> <p>Two storey houses with detailing such as bay windows, chimney stacks, canopies and porches.</p> <p>Boundary treatment includes estate railings, hedgerow stone and brick walls.</p>
<p>Retain hedgerows / trees on site boundaries (recognised some loss unavoidable in order to achieve appropriate layout on BM2 and BM4)</p>	<p>Hedgerow to northern boundary to be retained except small section to create emergency access. Majority of central east-west hedge to be retained except where access needed between BM2 and BM4. Hedgerow along western boundary to be retained.</p>
<p>Where loss of hedgerows unavoidable include compensatory planting.</p>	<p>Hedgerows / trees removed will be replaced. New planting proposed throughout site.</p>
<p>New hedgerow / trees on western boundary to soften new urban edge.</p>	<p>Additional native hedge planting proposed to enhance to western edge.</p>
<p>Vehicle, cycle and pedestrian access from Knaresborough Road (considered in connection with BM4)</p>	<p>Vehicle, cycle and pedestrian access proposed onto Knaresborough Road.</p>
<p>Pedestrian footways along site frontages to Knaresborough Road and Moor Road. Pedestrian crossing point on Knaresborough Road.</p>	<p>New footways to Knaresborough Road will connect to two crossing points providing access to village facilities.</p> <p>No pedestrian footway to Moor Road frontage. This would necessitate hedge removal. An internal path within the development will run along the landscaped northern site edge.</p>
<p>Pedestrian and cycle access from Moor Road at western end of northern boundary.</p>	<p>Pedestrian and cycle link by way of emergency access to Moor Road.</p>
<p>Permeable layout to enable pedestrian and cycle routes within the development (both BM2 and BM4) and to village facilities.</p>	<p>Pedestrian and cycle routes are provided within the site to allow access across BM2 and BM4. These connect to access points on Moor Road and Knaresborough Road.</p>

Site Requirement: BM4	Application Response
Minimise harm, including setting, to non designated heritage asset The Old Vicarage	Substantial landscaped buffer along southern site edge plus additional planting along southern boundary.
Retain hedgerows and trees on south and west boundaries. Seek to maximise retention of hedges on northern site boundary (recognised some loss unavoidable).	Trees and hedgerow along southern and western boundaries will be retained. Gaps to be created in central east-west hedgerow to allow connections between BM2 and BM4.
Investigate potential for a pedestrian and cycle link from south west across third party land to connect with Mains Lane and public bridleway	This has been investigated but the landowner is unlikely to enter into discussions to facilitate direct access to Mains Lane.

- 10.11. No pedestrian footpath has been created along the Moor Road site frontage. There is no existing footpath available on this side of the junction to connect to. Furthermore, creating a footway along this section of Moor Road would necessitate removal of a significant length of existing hedgerow. A footway is proposed within the development site that runs along the northern site periphery which allows connections to Knaresborough Road. In all other respects the proposal meets site requirements.
- 10.12. The indicative yield for BM2 and BM4 is 48 units and 46 units respectively (94 units in total). At 58 units, the proposal falls far short of the potential number of units stated in Policy DM1. The previous application (20/05181/FULMAJ) proposed 98 homes, similar to the number anticipated for the site allocations. However, Officers raised serious concerns with that proposal which was considered unacceptable. The level of development now proposed is appropriate given the site's edge of settlement location and to ensure it responds well to the surrounding context.
- 10.13. Policy HS1 of the Local Plan recognises that development many need to be at a lower density than normally expected (minimum 30 dwellings per hectare) where it would be detrimental or relate poorly to the character and amenity of the location. As such, the proposal does not conflict with the requirements of Policy HS1.
- 10.14. As an allocated site, the principle of residential development fully accords with the overarching objectives set out in Policies GS2 and GS3 concerning the Council's housing growth strategy. Furthermore, the proposal would meet the site-specific requirements and objectives for the BM2 and BM4 allocations as set out in Policy DM1.

Housing Mix and Tenure

- 10.15. Local Plan Policy HS1 states that developments should seek to deliver a range of house types and sizes and respond to the identified needs and demands of the district's households. The mix should be informed by local market assessments

(including HEDNA) as well as locality and ability of the site to accommodate a mix of housing.

10.16. Local Plan Policy HS2 requires 40% affordable housing on all qualifying greenfield developments, subject to viability. On-site provision is expected for all major developments comprising 10 or more dwellings.

10.17. The proposed housing mix and tenure is set out below.

Unit Size	Total	% Mix	M4(2/3)
Affordable			
1-bed	4	17%	M4(3)
2-bed	8	35%	M4(2)
3-bed	8	35%	M4(2)
4-bed	3	13%	M4(2)
Sub Total	23	100%	
Market			
2-bed	15	43%	X
3-bed	11	31%	X
4-bed	9	26%	M4(2)
Sub Total	35	100%	
Overall Mix			
1-bed	4	7%	
2-bed	23	40%	
3-bed	19	33%	
4-bed	12	20%	
Grand Total	58	100%	

10.18. In terms of local market assessments of housing need, the applicant advises that there is a shortfall of homes that are affordable for potential owners and so the proposed housing offer is weighted towards 2 and 3-bedroom homes. The HEDNA advises that the focus of delivery for the Ripon and Boroughbridge sub-area should be 2 and 3-bedroom homes. The proposed mix accords with the need for the area and is acceptable.

- 10.19. Policy HS1 requires 25% of the market homes to be built to be accessible and adaptable homes to achieve M4(2) of the Building Regulations. Nine of the market homes would be M4(2) compliant and therefore the scheme would deliver a proportion of market homes that can be adapted to meet the changing needs of future households.
- 10.20. 23 (40%) affordable homes would be provided on-site in accordance with Policy HS2. These would be a mix of social rented (16) and shared ownership (7) homes equating to 70:30 tenure split. Following negotiations, the Council's Housing Officer has confirmed that the affordable housing mix is acceptable.
- 10.21. All the affordable dwellings would be accessible and adaptable, with four of the affordable homes (Plots 35-38 1-bed bungalows) designed to be built as wheelchair accessible from the outset i.e. achieve M4(3) standards of Building Regulations. This fully accords with the requirements of Policy HS2.
- 10.22. A further objective of Policy HS2 is to ensure the affordable homes are integrated within the development and visually indistinct from the market dwellings. The distribution of the affordable units is shown on the Tenure Plan (4504-265 Rev D). The affordable homes will have market homes located either side and/or directly opposite. Although there are more affordable homes towards the north-western half of the site, the Housing Officer is satisfied that the units are sufficiently distributed across the site. The affordable homes are designed so that they are indistinguishable from the market properties. The affordable housing will need to be secured by S106 Agreement.
- 10.23. Local Plan Policy HS5 requires that all new market and affordable homes meet the Nationally Described Space Standards (NDSS). The NDSS is an important tool when assessing the quality of new homes to ensure that an adequate amount of internal space is provided given the level of occupancy and so is fit for purpose. The standards are expressed as a minimum and should be exceeded if it is to be demonstrated that a scheme offers a high standard of internal accommodation.
- 10.24. The proposed dwellings exceed minimum internal space standards. The rooms are of a regular shape to aid their use and built-in storage is provided. All homes, irrespective of tenure, are dual / triple aspect to ensure compliance with National Design Guide requirements relating to natural light and ventilation. The proposal therefore accords with Policy HS5 and would provide a good standard of internal accommodation.
- 10.25. Each dwelling is provided with an acceptable level of private outdoor amenity space of an adequate size for likely occupancy of the dwelling. All gardens meet the recommended sizes specified in the Council's Landscape Design Guide. Furthermore, distances between plots are adequate to ensure there is no direct mutual overlooking with rear to rear windows being a minimum 21m separation across the development.

Design and Layout

- 10.26. The NPPF places great importance on the creation of healthy and safe communities and the creation of high-quality buildings and places. The National Design Guide also provides guidance on how well-designed places can be achieved in practice.
- 10.27. Local Plan Policy HS3 sets out expectations for well-designed schemes. Development should incorporate high quality building, urban and landscape design that protects, enhances or reinforces those characteristics, qualities and features that contribute towards local distinctiveness. This includes respecting the spatial qualities of the local area such as scale, appearance, and visual relationships and views, building density and context, and the contribution of the natural environment.
- 10.28. Following detailed negotiations, changes have been made to the site layout to create one that Officers consider provides a better arrangement of dwellings with good connectivity, both within the development as well as to the village, with new areas of public open space and landscaping to provide an appropriate setting reflective of the site's edge of settlement location.
- 10.29. The layout now has a much 'looser' or organic arrangement and orientation of plots creating a much less regimented and uniform layout than previously proposed. The staggered arrangement of plots is more reflective of the existing pattern of development in this part of the village. The gaps and spaces between the dwellings and their orientation allow for views within the site towards the on-site public open spaces as well as views towards existing development (north and east) and views towards open fields (west).
- 10.30. Dwellings are well set back from Knaresborough Road and all plots along this frontage have their primary frontage facing the street. Similarly, the dwellings facing north towards Moor Road have their primary frontages facing the street to ensure the site frontages are outward looking to help integrate the scheme with its surroundings.
- 10.31. An area of public open space is provided towards the centre of the site which is highly visible when approaching the site from Knaresborough Road. There is a direct link to the space from the southern end of the site (i.e BM4). A children's play area is proposed in the centre of this space. Details of the play area, including management and maintenance will be secured by S106 Agreement.
- 10.32. Within the space there would be a pump station and attenuation tank located. The pump station will be screened by hedging and the tank will be below ground. As such, these structures would not seriously impact upon the functionality of this space as an amenity area or on visual amenities. A noise condition is recommended to ensure that noise from the pump station does not affect residential amenities of nearby properties.
- 10.33. Public open space is also provided around the perimeter of the site which would provide further opportunities for recreation and incidental play. The space is well-connected through a series of internal pathways that link all parts of the site with the access points to Moor Road and Knaresborough Road. From Knaresborough Road, there are new footways and two pedestrian crossings that will provide access to

nearby bus stops and the village facilities. The layout provides good permeability between the two site allocations BM2 and BM4 (i.e to the north and south of the central hedge) which is a site requirement for both allocations.

- 10.34. A Public Open Space Management Plan (4504-260 Rev C) has been submitted which identifies all the areas of open space that would be passed to a management company for future management and maintenance. This will be secured by S106 Agreement.
- 10.35. There are no 'blank' side elevations facing onto internal routes or areas of open space to ensure visual interest and that areas of open space and parking are well overlooked. The submitted Primary Elevations Plan (4504-263 Rev C) identifies key plots within the site that have active frontages on corners to ensure the plots address the street and/or public open space.
- 10.36. The proposed range of house types and materials have been revised to include more locally distinctive features to better reflect the character of the village. A Design Statement is submitted to demonstrate how the scheme makes a contextual design response, referencing the Council's Bishop Monkton Conservation Area Appraisal.
- 10.37. A variety of house types are proposed to provide visual interest across the site. A range of architectural features are incorporated into the house types including brick voussoirs, keystones, type of eaves / verge and fascia / soffit type, and the use of canopies, porches and bay windows. The proposed materials comprise a mix of red brick (red and multi), reconstituted stone and render (in off-white). Roofs would be a mix of grey concrete tiles and terracotta pantiles. Some of the house types include chimneys. These materials are reflective of those used elsewhere in the village. Details, including samples of the proposed materials would need to be secured by condition to ensure the quality of the scheme is as expected.
- 10.38. The boundary treatments have been revised by removing all close-boarded timber fencing from public vantage points and replacing them with a mix of brick feature walls and hedges (of varying height), estate rails and open frontages. These boundary treatments are typically used in the village and are in-keeping with the village setting. The proposal confines close boarded timber fencing to rear gardens. Boundary treatments are shown on the submitted Enclosures Plan (Dwg No. 4504-230 Rev C).
- 10.39. Parking is a mix of garages, frontage and side parking. Parking spaces to the front are broken up with landscaping to ensure the street is not dominated by rows of cars.
- 10.40. The Council's Urban Design Officer has reviewed the latest proposal and considers it makes welcome improvements, but there remain issues, principally about limited passive surveillance onto the central open space, location of the pump station and retention of central hedge if incorporated into gardens.
- 10.41. Officers acknowledge some plots 'side-on' to the central open space but as shown on the Primary Elevations Plan they have been designed to ensure active frontages on

both corners. The pump station will be screened by hedging and the open space is sufficiently large to ensure it is useable as an amenity space with the pump station in place. The retention of the central hedge is discussed in the Landscaping and Trees section.

- 10.42. The Police Architectural Liaison Officer is generally satisfied with the proposed scheme but raises queries to do with security. Boundary treatments to some plots could create climbing aids and that garden fences should be 1.8m high rather than 1.2m as proposed.
- 10.43. Officers consider that all plots are set back sufficiently to create defensible space and are well overlooked which should minimise the opportunity for front boundary walls / hedges to be used to access gardens. The applicant advises that they offer 1.2m high fences along the sides of gardens with a 1.8m high fence at the rear. Plot purchasers can upgrade to 1.8m fences along the sides if they so choose.
- 10.44. The site layout includes a landscaped buffer to the rear of Plots 36-38 to ensure adequate separation distances to protect the amenities of the adjoining existing property, Woodgate Cottage. The buffer would ensure there is a separation of 20.5m between the rear windows of Plot 36 towards the side of Woodgate Cottage and 24.8m between the rear of Plot 31 and the rear wall of Woodgate Cottage.
- 10.45. To safeguard security on this part of the site, the applicant advises that the area to the rear of the plots at the north-west corner will be appropriately planted to impede access and the space will be managed by a management company. A lockable gate can be provided if necessary to ensure that access to the space is only for management and maintenance purposes.
- 10.46. In summary, Officers consider that the revised design and layout is much improved as compared with the original submission and the concerns of Officers, including the Urban Design Officer, have been addressed where possible. It is considered the layout and design details accord with the requirements of Section 12 of the NPPF, the National Design Guide and Policy HP3 of the Local Plan.

Heritage

- 10.47. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid in the exercise of planning functions to the desirability of preserving and enhancing the character and appearance of a Conservation Area.
- 10.48. Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention is paid in the exercise of planning functions to the desirability of preserving the Listed Building(s) or its setting or any features of special architectural or historic interest which it possesses.
- 10.49. With specific reference to non-designated heritage assets, Paragraph 216 of the NPPF advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In

weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 10.50. Local Plan Policy H2 advises that planning applications affecting heritage assets will be determined in accordance with national planning policy. Proposals which would remove, harm or undermine the significance of a non-designated heritage asset will be permitted only where the benefits are considered sufficient to outweigh the harm. A Heritage Statement has been submitted in support of the application.

Impact upon the Bishop Monkton Conservation Area

- 10.51. The application site is located some distance away from the conservation area and therefore the proposal would not have any impacts on the fabric of the conservation area. In terms of setting, there is existing housing separating the site and the boundary of the conservation area. As such, there is no intervisibility between the site and the conservation area.

Impact on the Old Vicarage

- 10.52. There are no listed buildings within the vicinity of the site. The Old Vicarage is a non-designated heritage asset which is located to the south. The submitted Heritage Statement advises that limited views of the application site from the Old Vicarage and vice versa do not contribute to the significance of the heritage asset. The building's principal elevations are to the east and south.
- 10.53. Any development of the site would represent a change to the setting of the heritage asset. However, it is considered that any potential harm has been reduced through the provision of a large, landscaped buffer (circa 30m) on the southern half of the site with new planting as well as retention of the dense planting along the southern boundary. This would ensure there is limited intervisibility, particularly during the summer. As such, any harm to setting is considered to be at a low level and is outweighed by the public benefit of delivering housing, including affordable housing.

Archaeology

- 10.54. The application includes an archaeological desk-based assessment which is supported by an archaeological field evaluation in the form of a geophysical survey followed by trial trenching. The assessments find that the site lays outside of the core of the medieval settlement, in an area that has been in agricultural use since at least the 11th century. Archaeological remains of earlier periods were not encountered, and it is unlikely that the proposed development would have an impact on below ground heritage. The Council's Archaeology Officer raises no objection to the proposal.
- 10.55. It is considered that the proposal is in accordance with Policy HP2 of the Local Plan and Section 16 of the NPPF.

Landscape and Trees

- 10.56. Local Plan Policy NE7 advises that development should protect and enhance existing trees that have wildlife, landscape, historic, amenity, productive or cultural value or contribute to the character and/or setting of a settlement. New development should be designed to ensure a satisfactory relationship between buildings and trees.
- 10.57. The Arboricultural Impact Assessment (Ref. 22023b/ChC – Rev 2) advises that seven trees will need to be removed to facilitate the proposed development with a recommendation that a further six trees are removed, irrespective of any development works, due to their condition. Most of the trees to be removed are within the site itself rather than located on boundaries. Sections of hedge will also need to be removed.
- 10.58. An important element of the landscape design is the retention of as many trees and hedges as possible, whilst appreciating that this is a site allocated for housing. As such, some loss to existing planting is inevitable especially where in this case access to the site must be created as well as links to the north and south land parcels to ensure permeability.
- 10.59. The Landscape Masterplan (Dwg. No. 101 Rev Q) shows the proposed landscape strategy for the site. The key feature is the retention of existing hedgerow supplemented with new hedgerow planting particularly on the western and southern boundary. This is one of the key site requirements specified in Local Plan Policy DM1. There would be a variety of planting across the site, including a range of tree types and sizes suited to the spaces. The proposed planting would help to soften street frontages and help assimilate the scheme into its surroundings.
- 10.60. An issue raised by Officers during discussions concerned the central east-west hedge. The original site layout appeared to show the hedge being enclosed by timber fencing for much of its length whereas it should form a landscape feature within the site. The Ecology Officer also raised concerns in terms the hedge's long-term health and management if enclosed with fencing on both sides.
- 10.61. The latest site layout shows that the hedge would remain open on one side for most of its length where it adjoins the access road into the site or frames the central Public Open Space. As such, it would be highly visible from across most of the development.
- 10.62. There is a section of hedge on the western side of the site where it forms the rear / side boundaries of nine adjoining plots. The applicant has confirmed that no artificial boundary treatment is proposed between the rear boundaries of these plots and the hedge. The site's dedicated management company (who would oversee the management of all public open spaces) would effectively manage the hedge. A right of access would be provided to the management company and all plot purchasers will be made aware of this at the time of purchase. In addition, a covenant on plot purchases will be imposed which precludes the removal of the hedge. This would ensure that the hedge is maintained in its current form throughout the lifetime of the development. This matter can be secured by condition and can form part of the public open space obligations to be secured by S106 Agreement.

- 10.63. The Council's Arborist has considered the details and is satisfied with the proposal. Conditions are recommended to require the final details of the landscaping scheme, and details of the measures to protect the existing trees to be retained.

Ecology and Biodiversity

- 10.64. The Council has a duty to consider the conservation of biodiversity when determining planning applications. Policy NE3 of the Local Plan requires proposals to protect and enhance features of ecological and geological interest. Major developments should avoid any net loss of biodiversity. The application is also subject to mandatory biodiversity requirements under Schedule 7A of the Town and Country Planning Act 1990 which applies to applications made on or after 12 February 2024. This requires a 10% increase on baseline habitat and hedgerow values secured either on-site or off-site (or in combination).
- 10.65. The application is supported by an Ecological Impact Assessment (EclA) with Biodiversity Net Gain Assessment and associated BNG Metric Calculations. These have been updated during the course of the application. In addition, a Great Crested Newt Survey Report and Badger Report (plus updated version) have been submitted, the latter on a private and confidential basis.
- 10.66. The application site is not covered by any designation for nature conservation reasons. There is one site designated at national level within 2km which is Bishop Monkton Ings Site of Special Scientific Interest (SSSI) and lies approximately 1.6km to the east of the site. The application site is not in a SSSI Impact Zone. There are two non-statutory wildlife sites within 2km that could be affected by increased recreational pressure: Bishop Monkton Railway Cutting Site of Nature Conservation (SINC) and Ripon Canal SINC.
- 10.67. Concerns have been raised by the Yorkshire Wildlife Trust (YWT) and local residents regarding the potential impact of the scheme on wildlife and biodiversity as well as impact upon Bishop Monkton Railway Cutting. YWT advise that the Cutting is a small and sensitive reserve and could be impacted upon through increase in visitor numbers.
- 10.68. The EclA (July 2024, Revised August 2025) advises that current visitor numbers are small. There are no footpaths along Moor Lane from the village to the reserve and dogs are not allowed within the reserve. The reserve provides circa 500m linear walk after which the visitor must turn around and walk back along the track. There is no formal parking or signage to indicate the location of the reserve. As such, it is concluded that the proposed development is unlikely to result in a significant increase in visitor numbers. Any small increase is unlikely to result in significant impacts upon the ecological interest features of the reserve.
- 10.69. The Council's Ecology Officer concurs with the conclusions of the EclA. Whilst noting the concerns raised by YWT about extra footfall, it is considered that the SINC is not under serious threat due to the proposed development, particularly as its not connected by footpaths. In terms of Ripon Canal SINC, this is further away than the Cutting and its interest feature (nutrient rich standing water) is not likely to be affected by increased visitors walking the towpath.

- 10.70. The EclA advises that notable species within 2km of the site are bats, hedgehog, barn owl, great crested newts (the nearest pond being located in the grounds of the Old Vicarage). GCN are recorded in very low numbers within 2km of the site but none have been on the site to date (the closest one found being to the south at the Old Vicarage). The hedgerows and trees on site are highly likely to support breeding birds during the breeding season (March to end of August). The latest Badger Report found no active setts on site. In light of these findings, it is recommended that mitigation measures will need to be in place to ensure no harm as a result of the proposed development. Recommendations include further walkover surveys prior to any works on site and a suitably qualified ecologist to be on call throughout the duration of the works.
- 10.71. The council's Ecology Officer is satisfied that there would be no significant impacts arising that would warrant an objection, subject to conditions. A Construction Ecological Management Plan, inclusive of a GCN Reasonable Avoidance Method Statement, will be needed to safeguard vulnerable species during the construction phase. This should be informed by the recommendations of the submitted EclA, badger and GCN surveys, and include the findings of an up to date walkover survey prior to any works commencing on site.
- 10.72. The proposed development would include measures for biodiversity enhancements such as integral bat and bird boxes to the houses, hedgehog holes to fencing, protection of all trees and hedgerows shown to be retained and lighting strategy to ensure lighting across the site is minimal, directional and boundary hedgerows and trees are not subject to light, glow or spill. Full details of these measures will be secured as part of the condition for a Construction Ecological Management Plan. The measures will need to be in place prior to occupation.
- 10.73. With regards to achieving the mandatory 10% net gain in biodiversity, the EclA and BNG Metric Calculations advise that the existing (pre-development) site provides for 16.67 habitat units and 1.72 hedgerow units. A 10% uplift in the baseline values is needed which equates to 18.34 habitat units and 1.90 hedgerow units.
- 10.74. In terms of habit, most of the site comprises 'other neutral grassland'. Other habitats occupy a small part of the site (rural trees and small wooded blocks). All existing grassland would be lost with the development in place and notwithstanding proposed new habitat creations, the proposal is predicted to result in a net change of -1.01 habitat units (15.66 units) representing a loss of 6.08% as compared with baseline conditions.
- 10.75. Similarly, although the proposal includes retention of most hedgerows, and there will be planting of new species-rich hedgerow, the completed development would achieve a net change of -0.20 hedgerow units (1.53 units) representing a net loss of 11.42% in hedgerow biodiversity value. In summary, there is a deficit of 2.68 habitable units and 0.37 hedgerow units to reach the number of units required for mandatory 10% net gain (i.e. 18.35 habitat and 1.90 hedgerow units).

10.76. In order to comply with mandatory BNG requirements and Local Plan Policy NE3 the shortfall of habitat and hedgerow units must be provided off-site or else through the purchase of units from a habitat bank. The council's Ecology Officer has confirmed that with the proposed on-site biodiversity enhancements in place and purchase of habitat units then this would fulfil the requirements of mandatory and local plan policy. As the on-site contribution to BNG will be significant, BNG measures, including long-term establishment and management of habitats for a minimum 30-year period and BNG Monitoring Fee will be secured by S106 Agreement.

Highways and Access

10.77. Paragraph 115 of the NPPF advises that in assessing sites, it should be ensured that safe and suitable access to the site can be achieved for all users (criteria b). Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe (Paragraph 116, NPPF).

10.78. Policy TI1 of the Local Plan requires developments to create safe and accessible communities and encourage sustainable travel behaviour. Policy TI3 states that development will be supported where it incorporates appropriately designed vehicle and cycle parking. The application is supported by a Transport Assessment (Ref. 20309 dated June 2025) and Travel Plan (Ref. 20309, dated June 2025)

10.79. A large number of objections have been received from the Parish Council, BMAG and local residents raising concerns about increased traffic, capacity of existing roads and highway safety, particularly at the Moor Road / Knaresborough Road / Hungate junction.

10.80. Access to the site is proposed via a new simple priority T-junction to the east side of Knaresborough Road. The access junction is proposed with 5.5m road width, 6m radii and 2.0m wide footways on both sides. Pedestrian access can also be gained via an access point to the south-eastern corner of the site from Knaresborough Road and via an emergency access point onto Moor Road.

10.81. The internal road network has been designed in accordance with Manual for Streets (MfS). Visibility splays at the eastern access junction on Knaresborough Road and within the site also conform to MfS standards. The Local Highway Authority (LHA) has assessed the application and is satisfied it meets the required standards in terms of highway design and suitable junction visibility.

10.82. Swept path analysis has been undertaken to demonstrate that a refuse vehicle can satisfactorily access and egress the site. The pumping station would be serviced by a Yorkshire Water tanker vehicle and swept path drawings have been submitted to show the vehicle can access and egress the site. As such, it has been demonstrated that service arrangements for the site are adequate for the development.

10.83. Off-street parking is provided for all the plots. The parking spaces across the site broadly accord with the Council's minimum parking standards but the LHA have raised concerns with the parking arrangement for Plots 9 and 10. These plots contain

affordable 4-bedroom houses where a minimum three parking spaces are required. These plots are provided with two parking spaces to the front of a single garage.

- 10.84. The LHA is concerned that the parking arrangements for Plots 9 and 10 give a triple in line parking facility which could result in on-street parking at the main junction within the new development. The LHA would prefer the garages removed and a third parking space provided to the plot frontage in lieu of landscaping. This would necessitate the houses being moved back within their plot.
- 10.85. It is noted that Plots 20, 31, 32 and 57 have the same parking arrangement as Plots 9 and 10 (i.e. single garage with two parking spaces to the front). The LHA advise that Plots 20 and 57 are 4-bedroom houses and so strictly don't accord with Council standards. However, they are on private drives and so any on-street parking here is less critical for the highway authority. Plots 31 and 32 are 3-bedroom houses where only two parking spaces are required even though an additional garage has been provided.
- 10.86. The LHA have recommended that a £5,000 contribution is sought to fund the preparation and introduction of a Traffic Regulation Order (TRO) for yellow lines at the junction of the main access road and the internal side roads (i.e. along the frontages of Plots 8, 51 and 52, 53 and 54, and north of Plot 9 and the central open space).
- 10.87. Officers consider that the parking arrangement suggested by the LHA would result in a row of frontage parking with little room for landscaping. This would be detrimental to visual amenities and street scene on a highly visible part of the site. Also, the setting back of the houses would compromise the gardens for Plots 9 and 10. While the triple in-line arrangement may encourage the risk of residents parking on-street the presence of on-street parking restrictions would act as a visible deterrent around the junction.
- 10.88. Electric vehicle charging points would be installed at each property and cycle storage would be provided by way of a garage or shed for those plots without a garage.
- 10.89. The submitted Travel Plan sets out the proposed measures to encourage sustainable travel choices (such as car sharing, walking, cycling and public transport) and reduce the impact and frequency of car travel post occupation of the development. A condition is recommended to ensure that the development is carried out in accordance with the Travel Plan.
- 10.90. A major concern for local residents is highway safety at the Knaresborough Road / Moor Lane / Hungate junction. The original scheme proposed to realign the Moor Road arm of the crossroads to create a stagger between the Hungate and Moor Road arms of the junction to encourage drivers to slow down. Following discussions with the LHA, a raised table is now proposed at this junction to ensure it is more visible to vehicles approaching from Moor Road. Details of the raised table junction are shown on Dwg No. AMA-20309-SK033 Rev P03. A further benefit is that these works would

not require the removal of a large section of hedgerow to Moor Road as previously proposed.

- 10.91. The off-site highway improvements works also include two uncontrolled pedestrian crossing points across Knaresborough Road (adjacent to the junctions with Hungate, and Meadowcroft Drive respectively) providing access to the footway on the eastern side of Knaresborough Road via dropped kerbs and tactile paving. The crossings will facilitate easy access to the nearby bus stops and/or village facilities.
- 10.92. The Transport Assessment includes analysis of the potential impact of the development on the highway network using traffic growth data, traffic surveys and analysis of existing junction capacity taking account of the cumulative impact of the proposed development and nearby committed development – BM3 Site Allocation: Land at Church Farm. The development is predicted to generate some 34 and 36 two-way vehicle trips during the AM and PM peak hours respectively. The LHA is satisfied that the existing local highway network can accommodate the resultant traffic flows.
- 10.93. BMAG and residents have raised concerns that the bus service through the village is inadequate and is ineffective for travel to key employment places. A footpath along from the site along Moor Road to improve access to the A61 bus routes would be of benefit. Also, as part of the previous application on the site (20/05181/FULMAJ), the LHA requested a contribution to improve the alignment of Knaresborough Road between Bishop Monkton and Ripon Bypass.
- 10.94. Developers may be required to make on or off-site provision and/or contributions towards infrastructure and services to cater for the needs generated by the development. However, these must be deemed necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.
- 10.95. A footpath provided along Moor Road would not meet the above tests when considering the distance from the application site to the A61. It would be unreasonable for the proposed development alone to be expected to provide a footpath to facilitate access to the A61. Moor Road is a narrow road for most parts and is unlit. A footpath would likely necessitate removal of hedges and/or verges which are key landscape features. The comments regarding the bus service are noted but there are other options for commuting such as car sharing and working at home is now common practice.
- 10.96. The LHA request for a contribution towards Knaresborough Road improvements was made in relation to a much larger scheme comprising 98 new homes where the impacts of such a development would be materially different. The LHA have not made such a request in relation to the current scheme for 58 homes. It is therefore considered to be unreasonable to request such a contribution. The LHA have not advised that there isn't capacity on the existing road network to accommodate the predicted increase in vehicle movements.

10.97. The LHA has recommended conditions in respect of road construction details, visibility splays, delivery of off-site highway improvement works, parking and construction management plan. A S106 contribution of £5,000 will be needed to fund the recommended TRO. With these in place, it is considered that the proposed development meets the requirements of Policies TI1 and TI3 of the Local Plan and paragraph 115 of the NPPF.

Flood Risk and Drainage

10.98. Local Plan Policy CC1 requires proposals to demonstrate that the development will be safe with respect to flood risk, without increasing flood risk elsewhere and to ensure there is no increase in surface water flow rate, giving priority to sustainable drainage systems where possible.

10.99. A significant number of objections have been raised in respect of flooding and drainage reporting many flooding incidents within the village. BMAG have submitted a number of objections to the development in relation to the existing flooding and sewerage issues in the village.

10.100 The submitted Flood Risk Assessment has been revised during the course of the application (Rev C – August 2025). This should be read alongside a Drainage Statement (E24/7943/DSR01, dated September 2025). The Drainage Statement does not present any new information rather it provides a summary of two proposed surface water drainage options. The first option is detailed in the original FRA (dated May 2024) whereas the second option is set out in the updated FRAs (Revs B and C).

10.101 The site lies within Flood Zone 1 with regards to fluvial flooding. In terms of surface water, the site is affected by small ponding areas near the southern boundary. As a site allocation, there is no requirement to apply the sequential test again in line with paragraph 180 of the NPPF. However, the NPPF advises that the Exception Test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account.

10.102 PPG: Flood Risk and Coastal Change provides further guidance on this matter. It states that where a development proposal is in accordance with a Local Plan allocation it should not be necessary to repeat the Exception Test unless elements of the development that were key to satisfying the test at the plan-making stage have changed or the understanding of current or future flood risk has changed significantly. In this case, the small areas on site of surface water ponding are isolated and contained within the site. The flooding maps do not show any ingress into the site from adjacent land or watercourses. Furthermore, the existing areas of surface water ponding would be where the public open space would be with the development in place so no dwelling would be located in areas of surface water risk. As such, there is no requirement for the Exceptions Test to be reapplied and it demonstrates that the proposal meets the requirements of NPPF paragraph 175 in respect of the sequential test.

- 10.102 There is an open watercourse (Well Head) to the southwest of the site and Bishop Monkton Beck to the south which is culverted below Knaresborough Road prior to running adjacent St Johns Road through Bishop Monkton. There is a further watercourse situated to the north of Bishop Monkton, running from the northeast of the cricket field / Queen Elizabeth Playing Field and outfalling into the existing catchment to the east of Bishop Monkton.
- 10.103 There is an existing public foul sewer within Knaresborough Road to the front of the site. This connects to a 225mm diameter foul sewer in Hungate. There is a highway surface water drain within Hungate serving the existing road gullies, but this drain has many obstructions and damage along its length.
- 10.104 In terms of surface water drainage, the impermeable area of the site would be 1.18ha with the development in place and this would increase run off from the site thereby increase the flood risk to downstream properties unless attenuation measures and restrictions of flow took place.
- 10.105 Soakaways would not be a suitable method of surface water drainage due to the presence of clay superficial deposits. As such, it is necessary for surface water to be discharged via a nearby watercourse.
- 10.106 Yorkshire Water (YW) have confirmed there is no additional capacity within the adjacent adopted foul water sewer to receive any additional surface water flows. There is a highway drain within Hungate where surface water entering the road gullies connects into the highway drainage system and eventually outfalls into Bishop Monkton Beck.
- 10.107 There are two proposed options for surface water discharge. The first option, Option 1, is detailed in the original FRA (Rev A, dated May 2024). Surface water discharge would be restricted to a rate of 8.9 l/s and would be pumped via a rising main directly into Bishop Monkton Beck. This would involve laying a new connection along Hungate.
- 10.108 The applicant is aware of the reported flooding incidents in Bishop Monkton and the number of objections raised to the proposed development in relation to drainage. Therefore, an alternative surface water discharge connection is proposed.
- 10.109 The second option is described in the updated FRA's (Rev B and C). Again, the surface water discharge would be restricted to a rate of 8.9 l/s and this will be pumped via a rising main directly into the watercourse located outside of the village, to the northeast of the cricket field. From here, surface water would be discharged back into Bishop Monkton Beck downstream of the village.
- 10.110 This option involves a connection to the existing surface water sewer constructed by the Kebbell Developments (under planning permission 14/05219/FULMAJ) within the sports field to the northeast of the site. The existing sewer outfalls to a watercourse which connects to the same catchment as Bishop Monkton. The watercourse lies to the north of Bishop Monkton and would minimise flows into Bishop Monkton Beck

though the village and therefore potentially reduce flooding in the long term. The benefit with this option is that development would not exacerbate any existing issues within Bishop Monkton itself and would negate the need for disruption along Hungate.

- 10.111 YW have agreed in principle to the connection into the existing surface water sewer downstream of the flow control manhole. This would avoid any increase of surface water into the Kebbell Development attenuation scheme. However, while technical approval has been received for the sewer design and there is a S104 agreement in place between Kebbell Development, the Parish Council and YW, the drainage design has not yet been formally adopted.
- 10.112 The applicant has confirmed that Option 2 is their preferred option, and it is their intention to deliver this one subject to obtaining the relevant consents from third party landowners where drainage infrastructure is located. These consents will not be required once the infrastructure has been adopted by Yorkshire Water. In the meantime, in the event agreement from third parties is not reached, then Option 1 would be pursued. This option could be delivered without the need for any third party agreement.
- 10.113 Both surface water drainage options require the use of attenuation systems to reduce the run-off from the site to below current discharge rates to ensure there is no increase in flood risk to properties off site or in the drainage networks downstream. Attenuation would be provided in the form of a below ground attenuation tank located within the central Public Open Space. Due to the depth of the attenuation, a surface water pumping station is needed. The design and capacity of the tank would allow the required volume of attenuation storage in accordance with the Council's SuDS guidance.
- 10.114 The proposed drainage system would be adopted and maintained by YW. However, the developer would be responsible for maintaining the drainage system, including pumping station and attenuation tank, until final adoption by YW.
- 10.115 In terms of foul water drainage, it is proposed that foul water from the development would discharge into the public foul sewer at the intersection of Knaresborough Road and Hungate.
- 10.116 It is noted that there have past instances of blockages within the foul water. YW have previously advised as part of consultation undertaken on the Church Farm Kebbell Development scheme that these were caused by inappropriate use of the network.
- 10.117 The LLFA initially raised objections requiring further information as the information submitted was limited. However, on receipt of an updated Flood Risk Assessment (Rev C) and accompanying Drainage Statement, the LLFA confirm that their objections have been adequately addressed and there is no reason to recommend refusal. The proposal demonstrates a reasonable approach to the management of surface water on site. Conditions regarding details of a final drainage scheme, with satisfactory outfall including details of relevant permissions are recommended.

10.118 YW have not raised any objections to the proposed scheme but recommend that the development should be carried out in accordance with the submitted drainage strategy.

10.119 Officers are aware that many residents wish to see improvement with YW systems in the village prior to commencement of any development on the site. It has been demonstrated that the application site can be properly drained for both foul and surface water discharges and YW and the LLFA have confirmed they do not have objections to the scheme. With the recommended conditions in place, the proposal complies with the requirements of Local Plan Policy CC1 and the relevant provisions of the NPPF.

Land Contamination and Stability

10.120 Policy NE9 of the Local Plan concerns unstable and contaminated land, including subsidence due to gypsum dissolution in the Ripon area.

10.121 In respect of land contamination, the Council's Environmental Health Officer recommends a condition relating to unexpected contamination.

10.122 The site lies outside of the main area identified in Policy NE9 for gypsum. However, the submitted Geoenvironmental Appraisal (Ref. 2516/2, dated February 2020) shows that the site is in an area of potential risk from gypsum dissolution. There were no underground cavities, voids or areas of significant density variations across the site, but gypsum is present beneath the site. It is concluded that to mitigate the risk, shallow strip or deepened trench fill footings would be the most suitable foundation design for the properties.

10.123 In areas subject to gypsum dissolution, the Council's Building Control Officer advises that planning permission should only be granted with conditions requiring provision of a suitable, satisfactory ground investigation report together with a completed ground stability declaration form and mitigating measures. The submitted Geoenvironmental Appraisal has been amended at Appendix F to include an up to date declaration form signed by a Registered Ground Engineer Advisor (RoGEP) to confirm that the report findings and mitigation measures remain valid. This satisfies the requirements of Policy NE9. A condition is proposed to require the development to be carried out in accordance with the submitted Geoenvironmental Appraisal.

S106 Legal Agreement

10.124 The following Heads of Terms have been agreed with the applicant for this application.

Table 1		
Category / Type	Contribution	Amount & Trigger
Affordable Housing	40% on site provision	23 dwellings: 4 x 1-bedroom M4(3) 8 x 2-bedroom M4(2) 8 x 3-bedroom M4(2) 3 x 4-bedroom M4(2)

		<p>16 Social Rented: Plots: 1, 2, 7, 8, 12, 13, 23, 24, 33, 34, 41, 42, 43, 44, 49 and 50</p> <p>7 Shared Ownership: Plots 9, 10, 28, 35, 36, 37, and 38</p>
POS Delivery and Maintenance	<p>Total Off-Site Open Space Provision comprising:</p> <p>BM Village Hall Grassed Area £17,966.22</p> <p>BM Cemetery £16,120.00</p> <p>BM Sports Ground £18,901.91</p> <p>BM Parish Play Area £41,026.70</p> <p>BM Village Hall £82,280.31</p> <p>Total Off-Site Provision £176,295.14</p>	£94,014.83
On-Site Open Space Provision and Management	<p>Maintenance Payment: To the Council or to a Management Company as financial security for ongoing maintenance of onsite open space for 10 years</p> <p>Public Open Space Management Plan</p>	<p>£29,675.18</p> <p>To be submitted for approval</p>
Education	Educational facilities: Bishop Monkton Primary School	£199,395.00 index linked, Prior to first occupation
Health	<p>To fund works at Ripon practices and/or contribute towards new development for PCN:</p> <ul style="list-style-type: none"> - North House Surgery - Dr Ingram & Partners - Ripon Spa Surgery 	£67,294.00
Biodiversity Net Gain	To secure the establishment and retention of on site habitats and for	Approval of HMMP and completion of works within 12 months of occupation.

	<p>maintenance, monitoring and reporting for a minimum 30 years</p> <p>BNG Monitoring Fee</p>	<p>£2,522.00 for monitoring and reporting at various stages</p>
Highways	TRO Order for yellow lines	£5,000
Each transfer of a relevant plot to include a covenant to preclude works to central east-west hedgerow and a right of access to the landowner/management company for management purposes. Obligation by the landowner/management company to maintain hedgerow for the lifetime of the development		To be applied to Plots 1, 8, 9, 12, 13, 15, 16, 18, 19, 20, 22, 23, 26, 27, 28 and 29

10.125 Policy T14 of the Local Plan requires developers to make reasonable on-site provision and/or off-site provision and/or contributions towards infrastructure and services in order to cater for the needs generated by development. Table 1 above sets out the S106 contributions required for this development.

10.126 It is considered that the above S106 Heads of Terms are necessary, directly related to the development and fairly and reasonably related in scale and kind to the development and as such complies with the Community Infrastructure Levy (CIL) Regulations 2010.

OTHER MATTERS

Energy

10.127 The NPPF requires that all development proposals are in line with the Government's zero carbon buildings programme. Policy CC4 of the Local Plan requires developments to make the fullest contribution to reducing greenhouse gases. The submitted Energy Statement (Ref. 009214, dated June 2024) sets out the measures proposed. All dwellings will be designed to include high levels of insulation, reduce heat loss, use energy efficient lighting, minimise water consumption, use energy efficient masonry, have high performance glazing and be fitted with energy efficient white goods. All dwellings will be fitted with solar panels and electric vehicle charging points. Conditions are required to cover the solar panel and charging point installation.

Minerals and Waste

10.128 The site is within a Minerals and Waste Safeguarding Area for limestone, and the Council's Minerals and Waste Team initially raised an objection to the development in the absence of a suitable minerals assessment. Accordingly, a Mineral Safeguarding Statement (dated 4 November 2024) was provided concluding that limestone extraction would not prove economically viable given the relatively small size of the site and proximity to adjacent residential properties. The Team agrees with these conclusions and has no objection in relation to minerals safeguarding.

Overhead Lines and Cables

10.129 Northern Powergrid have no objections to the development providing that their statutory rights are not affected and that rights of access to apparatus for any maintenance, replacement or renewal works are not affected. An Informative is recommended to this effect.

Equality Act 2010

10.130 Under Section 149 of the Equality Act 2010 Local Planning Authorities must have due regard to the following when making decisions: (i) eliminating discrimination, harassment and victimisation; (ii) advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (iii) fostering good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age (normally young or older people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

10.131 The design and layout of the site is considered to have a positive effect on persons with protected characteristics. For example, pavements are sufficiently wide to accommodate wheelchairs and baby / children pushchairs, public open space is accessible and overlooked and provides opportunities for interaction between people and dwellings are provided that meet accessible and adaptable standards. It is therefore concluded that the above legislation is not prejudiced by the proposal.

11.0 PLANNING BALANCE AND CONCLUSION

11.1. The site falls within development limits for Bishop Monkton which is identified in the Local Plan as a Service Village where land will be allocated for new homes. Policy DM1 allocates the site for housing, namely Allocations BM2 and BM4. The principle of residential development on the site accords with the Local Plan allocation and is acceptable in principle.

11.2. Matters relating to layout, design, landscape, ecology, flood risk and drainage and highways have been amended to address concerns raised by officers, statutory consultees and local residents.

11.3. As the Harrogate Local Plan is now more than five years old and the housing land supply is less than 5 years, Paragraph 11(d) of the NPPF is consequently engaged for applications involving the provision of housing i.e. the presumption in favour of sustainable development. This means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably

outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination (NPPF, Paragraph 11d (ii)).

- 11.4. The benefit of providing 58 homes, including affordable housing, on an allocated site makes a positive contribution to the delivery of housing. With conditions and planning obligations in place, there would be no significant harm created by the development that would outweigh the social and economic benefits of the scheme. As such, and in accordance with NPPF Paragraph 11d the application is recommended for approval.

12.0 RECOMMENDATION

- 12.1 That planning permission be GRANTED subject to conditions listed below and completion of a S106 agreement with terms as detailed in Table 1.

Recommended conditions:

Condition 1 Time Limit

The development hereby permitted shall be begun on or before 3 years from the date of the granting of this consent.

Reason: To ensure compliance with Sections 91-94 of the Town and Country Planning Act 1990.

Condition 2 Approved Plans

4504-100 Rev A Location Plan
 4504-200 Rev E Planning Layout
 4504-210 Rev C Materials Layout
 4504-220 Rev C Enclosures Layout
 4504-230 Rev C Street Scenes
 4504-240 Rev C Cross Sections
 4504-250 Rev C Garden Areas & Separation Distances
 4504-265 Rev D Tenure Plan
 4504-260 Rev C Managed Areas Plan
 4504-266 Rev C Pedestrian Connectivity Plan
 3754 101 Rev Q Landscape Masterplan
 2101-208.15 1.8m (high) Screen Fence
 4143/208.02 1.2m (high) Screen Fence
 2101-208.03 1.2m Feature Guard Railings
 4153/208.07 1.0m High Feature Brick Wall
 4143/208.12 0.6m (high) Brick Wall
 AV-BTD-02 1.80m High Feature Brick Wall
 AV-BTD-03 1.80m High Brick Wall
 AV-BTD-04 1.80m High Stone Wall
 AV-BTD-05 0.60m High Stone Wall with Brick Piers

2101-208.17 1.8m (high) Timber Gate
 4504-263 Rev C Primary Elevations Plan
 AMA-20309-D-100 Rev P03 Proposed Raised Table Junction – General Arrangement

4504/P01-02/02 Plots 1-2 R2.1 Elevations (Brick)
 4504/P03/02 Plots 3 Cadeby Elevations (Brick)
 4504/P04/02 Plot 4 Leyburn Elevations (Render)
 4504/P05-06/02 Plots 5-6 Fernlee & Ripon Elevations (Brick)
 4504/P07-08/02 Plots 7-8 C3.1 Elevations (Brick)
 4504/P09-10/02 Plots 9-10 D4.1 Elevations (Reconstituted Stone)
 4504/P11+29/02 Plots 11 & 29 Leyburn Elevations (Brick)
 4504/P12_13/02 Plots 12-13 C3.1 Elevations (Brick)
 4504/P14/02 Plot 14 Coverham Elevations (Brick & Part Render)
 4504/P15/02 Plot 15 Cadeby Elevations (Brick)
 4504/P16/02 Plot 16 Appleton Elevations (Brick)
 4504/P17+48/02 Plots 17 & 48 Leyburn Elevations (Reconstituted Stone)
 4504/P18-19/02 Plots 18-19 Coverham Elevations (Brick & Part Render)
 4504/P20/02 Plot 20 Appleton Elevations (Brick)
 4504/P21/02 Plot 21 Coverham Elevations (Brick & Part Render)
 4504/P22/02 Plot 22 Appleton Elevations (Brick)
 4504-P23_24-02 Plots 23-24 R2.1 Elevations (Brick & part Render)
 4504-P25-02 Plot 25 Cadeby Elevations (Brick)
 4504-P26+P27-02 Plots 26 & 27 Horbury Elevations (Brick)
 4504-P28-02 Plot 28 D4.1 Elevations (Brick)
 4504/P30/02 Plot 30 Leyburn Elevations (Render)
 4504-P31_32-02 Plots 31-32 Horbury Elevations (Reconstituted Stone)
 4504/-P33_34-02 Plots 33-34 F2.1 & R2.1 Elevations (Render)
 4504/P35_36/02 Plots 35-36 B1.1 Elevations (Brick)
 4504/P37_38/02 Plots 37-38 B1.1 Elevations (Render)
 4504/P39+46/02 Plots 39 & 46 Leyburn Elevations (Brick)
 4504/P40+45/02 Plots 40 & 45 Leyburn Elevations (Render)
 4504/P41_44/02 Plot 41-44 C3.1 Elevations (Reconstituted Stone)
 4504/P47/02 Plot 47 (Hornbury Elevations (Reconstituted Stone)
 4504/P49_50/02 Plots 49-50 R2.1 Elevations (Brick & part Render)
 4504/P51_52/02 Plots 51-52 Fernley & Ripon Elevations (Brick)
 4504/P54/02 Plot 54 Horbury Elevations (Brick)
 4504/P53/02 Plot 53 Cadeby Elevations (Brick)
 4504/P55_56/02 Plots 55-56 Leyburn & Cadeby Elevations (Brick & Part Render)
 4504/P57/02 Plot 57 Appleton Elevations (Brick)
 4504/P58/02 Plot 58 Coverham Elevations (Brick & Part Render)

KRBM-R2.1/END.01 Rev A Planning Sheet – Floor Plans Plots 1-2, 23-24, 49-50
 KRBM-CAD/001 Rev A Planning Sheet – Floor Plans Plots 3 & 15
 LEY/DET/0-001 Rev A Planning Sheet – Floor Plans Plots 4 & 30
 KRBM-FER/END.01 Rev B Planning Sheet – Floor Plans Plots 5 & 51
 KRBM-RIP/ALT.01 Rev A Planning Sheet – Floor Plans Plots 6 & 52
 KRBM-C3/End.01 Rev A Planning Sheet – Floor Plans Plots 7-8 & 12-13
 KRBM-D4/DET.01 Rev A Planning Sheet – Floor Plans Plots 9, 10 & 28

LEY/DET/0-001 Rev A Planning Sheet Floor Plans Plots 11, 29, 40 & 45
 COV/0-001 Rev A Planning Sheet – Floor Plans Plots 14 & 58
 APP/0-001 Rev A Planning Sheet – Floor Plans Plots 16 & 22
 LEY/DET/0-001 Rev A Planning Sheet – Floor Plans Plots 17 & 48
 COV/0-001 Rev A Planning Sheet – Floor Plans Plots 18 & 19
 APP/0-001 Rev A Planning Sheet – Floor Plans Plots 20 & 57
 COV/0-001 Rev A Planning Sheet – Floor Plans Plot 21
 KRBM-CAD/001 Rev A Planning Sheet – Floor Plans Plots 25 & 53
 HOR/0-001 Rev A Planning Sheet – Floor Plans Plots 26, 27 & 54
 HOR/0-001 Rev A Planning Sheet – Floor Plans Plots 31 & 32
 KRBM-F2.1/END.01 Rev B Planning Sheet – Floor Plans Plot 33
 KRBM-R2.1/ALT.01 Rev A Planning Sheet – Floor Plans Plot 34
 KRBM-B1.1/END.01 Rev A Planning Sheet – Floor Plans Plots 35-38
 LEY/DET/0-001 Rev A Planning Sheet – Floor Plans Plots 39 & 46
 KRBM-C3/End.01 Rev A Planning Sheet – Floor Plans Plots 41-42 & 43-44
 HOR/0-001 Rev A Planning Sheet – Floor Plans Plot 47
 LEY/DET/0-001 Rev A Planning Sheet – Floor Plans Plot 55
 KRBM-CAD/End.01 Rev A Planning Sheet - Floor Plans Plot 56

Reason: In order to ensure that the development is carried out in accordance with the approved drawings.

Condition 3 Tree Protection

No phase of the development hereby approved, including demolition or enabling works, shall be carried out until a detailed Arboricultural Method Statement (AMS), Root Protection Area (RPA) and alternative construction / protection measures required to address conflicts that cannot be designed out have been submitted to and approved in writing by the Local Planning Authority. The AMS must address how works close to retained trees will be achieved.

Thereafter the approved AMS shall be implemented in full prior to any works taking place and during construction works. Tree protection measures, including protective fencing, must remain in place until all development subject of this permission is completed. the development is completed.

Reason: In the interests of general amenity and in accordance with Policy NE7 of the Local Plan.

Condition 4 Road and Footway Layout

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

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

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and in the amenity and convenience of all highway users in accordance with Policies TI1 and HP4 of the Local Plan.

Condition 5 Adoptable Roads and Footways

No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation.

The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing by the Local Planning Authority before any part of the development is brought into use.

Reason: To ensure safe and appropriate access and egress to the development, in the interests of highway safety and the convenience of all prospective highway users in accordance with Policy TI1 of the Local Plan.

Condition 6 Visibility Splays

There must be no access or egress by any vehicles between the highway and the development hereby approved at Knaresborough Road until splays are provided giving clear visibility of 43m measured along both channel lines of the major road from a point measured 4.5m down the centre line of the access road. In measuring the splays, the eye height must be 1.05m, and the object height must be 0.6m. Once created, these splays should be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interest of highway safety and in accordance with Policy TI1 of the Local Plan.

Condition 7 Construction Management

No development for any phase of the development hereby permitted 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 approved development 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 works:

1. Details of any temporary construction access to the site including measures for removal following completion of construction works
2. Restriction on the hours of use of Knaresborough Road access for construction purposes

3. Wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway
4. The parking of contractors' site operatives and visitor's vehicles
5. Areas for storage of plant and materials used in constructing the development clear of the highway
6. Measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas
7. Details of the routes to be used by HGV construction traffic and highway condition surveys on these routes
8. Protection of carriageway and footway users at all times during construction
9. Protection of contractors working adjacent to the highway
10. Details of site working hours
11. Erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway and carriageway and facilities for public viewing where appropriate
12. Means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development
13. Measures to control and monitor construction noise and vibration
14. An undertaking that there must be no burning of materials on site at any time during construction
15. Removal of materials from site, including a scheme for recycling / disposing of waste resulting from construction works
16. Details of the measures to be taken for the protection of trees
17. Details of external lighting equipment
18. Details of ditches to be piped during the construction phases
19. A detailed Method Statement and programme for the building works; and
20. Contact details for the responsible person (site manager / office) who can be contacted in the event of an issue.

Reason: In the interest of public safety and amenity and in accordance with Policies TI1 and HP4 of the Local Plan.

Condition 8 Off-Site Highway Works

The following schemes of off-site highway mitigation measures must be completed in accordance with Dwg No. AMA-20309-D-100 Rev P03 by Andrew Moseley Associated and dated 28 May 2025:

- Provision of a raised table at Moor Road, Knaresborough Road and Hungate Junction, including associated footway links and pedestrian crossings prior to first occupancy of any dwelling within the development hereby approved.

Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place until full detailed engineering drawings or 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.

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

A programme for the delivery of the off-site mitigation scheme(s) and its interaction with the delivery of other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

Each item of the off-site highway works shall be completed in accordance with the approved engineering details and programme for delivery.

Reason: To ensure that the highway design is appropriate in the interests of the safety and convenience of highway users and in accordance with Policy TI1 of the Local Plan.

Condition 9 Unexpected Contamination

In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (save for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development can be carried out safely without risks to workers, neighbours, and other offsite receptors in accordance with Policy NE9 of the Local Plan.

Condition 10 Parking

No dwelling shall be occupied until the related parking facilities, including on-street visitor bays, have been constructed in accordance with the details shown on Planning

Layout (Dwg No. 4504-200 Rev E) and approved in writing by the Local Planning Authority. Once created, these parking areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of safety and the general amenity of the development and in accordance with Policies TI3 and HP4 of the Local Plan.

Condition 11 Travel Plan

The development hereby approved must be carried out and operated in full compliance with the Travel Plan (Ref. 20309, dated June 2025). Those parts of the 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 as long as any part of the development is occupied.

Reason: To establish measures to encourage more sustainable non-car modes of transport and in accordance with Policy TI1 of the Local Plan.

Condition 12 On-Site Drainage

The development hereby permitted shall not commence, including construction of new onsite drainage, until confirmation of a proposed satisfactory outfall with details of relevant permissions required are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the site is properly drained for the lifetime of the development, in the interests of amenity and flood risk and in accordance with Policy CC1 of the Local Plan.

Condition 13 Development Flow Runoff

The development hereby permitted shall not commence until a final scheme restricting the rate of development flow runoff from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the details submitted in the Drainage Statement by Haigh Huddleston & Associates (Reference E24/7943/DSR01, dated September 2025).

The flowrate from the site shall be restricted to a maximum flowrate of 8.9 litres per second for up to the 1 in 100 year event. A 45% allowance shall be included for climate change effects and a further 10% for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event.

The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To mitigate additional flood impact from the development and to ensure that flood risk is not increased elsewhere and in accordance with Policy CC1 of the Local Plan.

Condition 14 Temporary Flood Measures

Temporary flood risk measures during the construction phase shall be submitted to and approved in writing by the Local Planning Authority for each phase of the development to mitigate the impact of flooding during construction of the development.

Reason: To mitigate additional flood impact(s) during construction of the development and to ensure that flood risk is not increased elsewhere in accordance with Policy CC1 of the Local Plan.

Condition 15 Foul and Surface Water Systems

The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: In the interests of satisfactory and sustainable drainage and in accordance with Policy CC1 of the Local Plan.

Condition 16 External Materials

Before any work commences above damp proof course level in the development hereby approved, samples of those materials which shall be based on the Materials Layout Plan (Dwg No. 4504-210 Rev C) shall have been made available on site for inspection by, and the written approval of, the Local Planning Authority. Thereafter the development shall be carried out in strict accordance with the approved details.

Reason: In order to ensure that the materials used conform to the amenity requirements of the locality in accordance with Policy HP3 of the Local Plan.

Condition 17 Construction Ecological Management Plan

A Construction Ecological Management Plan (CEcMP), inclusive of an Reasonable Avoidance Measures Method Statement, must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, including site preparation works and clearance.

The CEcMP, which must be drawn up following an up to date walkover survey by an ecologist, must be informed by the recommendations of and mitigation measures detailed in Ecological Impact Assessment, Review of Previous Reports and Biodiversity Net Gain Assessment (Revised June 2025), Great Crested Newt eDNA Survey (July 2025), and Badger Survey (August 2025) and (but not restricted to):

- A. A Reasonable Avoidance Measures Statement (RAMS) which should be kept on site to be adhered to and available for all site managers and operatives
- B. Details of pre-works inspection for nesting birds for works to be carried out in the bird nesting season (March – August inclusive)

- C. Works to be carried out outside of the bird breeding season (March – August inclusive) other than those works agreed with the Local Planning Authority under Criteria B
- D Details of the enhancement measures (such as swift and bat bricks, hedgehog highways) to be installed prior to site completion
- E. A suitably sensitive lighting scheme to be adhered to during construction to ensure the least amount of disturbance to wildlife
- F. Specification for root protection areas (RPAs) fencing for around the trees or shrubs or planting to be retained.
- G. Measures to control any invasive non-native species that may come to light during the course of the walk over survey.

Works must subsequently be undertaken in strict accordance with the approved CEcMP and a copy of the CEcMP must be retained on site and made available to site managers and operatives throughout the course of construction.

Reason: To protect the wildlife and ecological interests of the site in accordance with Policy NE3 of the Local Plan.

Condition 18 Hedgerows

All hedgerows which are proposed to be maintained in 'good' ecological condition in accordance with the submitted Biodiversity Metric calculations must be retained, managed and maintained as part of the Public Open Space as shown on the Managed Areas Plan (Dwg No. 4504-260 Rev C). Rights of access to hedgerow boundaries within residential properties shall be allowed for maintenance purposes and this shall be written into the deeds of Plots 1, 8, 9, 12, 13, 15, 16, 18, 19, 20, 22, 23, 26, 27, 28 and 29.

Reason: In order to safeguard the retention of hedgerows in the interest of preserving and enhancing biodiversity and in the interests of visual amenity in accordance with Policy HP3 and NE3 of the Local Plan.

Condition 19 Hedgerow Retention

If hedgerow boundaries within residential properties die, are removed, or become seriously damaged or diseased, they shall be replaced with others of a similar size and species to be agreed with the Local Planning Authority and thereafter retained.

Reason: In order to safeguard the retention of hedgerows in the interest of preserving and enhancing biodiversity and in the interests of visual amenity in accordance with Policy HP3 and NE3 of the Local Plan.

Condition 20 Landscaping

No development above slab level shall take place until a detailed scheme for landscaping, including the planting of trees and or shrubs, and the use of surface materials has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in general conformity with the Landscape Masterplan (Dwg No. 101 Rev Q) and shall specify materials, species, tree and plant sizes, numbers and planting densities, method of planting protection and support, timing of

implementation of the scheme, including any earthworks required, and details of measures for management and maintenance. Thereafter the scheme for landscaping shall be implemented in strict accordance with details as approved by the Local Planning Authority and shall be retained for the life of the development.

Reason: In the interests of visual amenity and in accordance with Policies HP3, HP4 and NE4 of the Local Plan.

Condition 21 Landscape Retention

In the event of failure of any trees or shrubs planted in accordance with any scheme approved by the Local Planning Authority, to survive for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced by the developer with such live specimens of such species in such number as may be approved by the Local Planning Authority.

Reason: In the interests of visual amenity and to mitigate potential glare from the development in accordance with Policies HP3, HP4 and NE4 of the Local Plan.

Condition 22 Garage Conversion

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Order, the garages shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason: In the interests of general amenity and in accordance with Policy HP4 of the Local Plan.

Condition 23 Plant Noise

The rating level of sound emitted from fixed plant, including that associated with the pumping station, shall not exceed background sound levels between the hours of 0700-2300 (taken as a typical one hour LA90 at any sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a typical 15 minute LA90 at the sound sensitive premises).

All measurements shall be made in accordance with the methodology of British Standard 4142:2014+A1:2019 (Methods for Rating and Assessing Industrial and Commercial Sound) and/or its subsequent amendments. Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Reason: To ensure sustainable design and in the interests of general amenity in accordance with Policy HP4 of the Local Plan.

Condition 24 Fibre to the Premises Broadband

All dwellings hereby approved shall have Fibre to the Premises broadband infrastructure capable of Next Generation Access speeds provided prior to occupation. Where it is demonstrated that this is not viable a download connection of

30Mbps and provision of suitable ducting capable of carrying fibre cables from multiple providers.

Reason: To ensure appropriate broadband access and in accordance with Policy T15 of the Local Plan.

Condition 25 Electric Vehicle Charging

Electric vehicle charging facilities shall be installed for all dwellings hereby approved and in accordance with the details shown on Planning Layout (Dwg No. 4504-200 Rev E). The charging points shall be of Mode 3 type (specific socket on a dedicated circuit with a minimum current rating of 16 Amp). The development shall not be brought into use until the associated charging points are installed and are operational. The charging points shall be retained thereafter.

Reason: To safeguard the environment and mitigate climate change in accordance with Policies CC4 and T14 of the Local Plan (2020).

Condition 26 Solar Panels

Prior to above ground works, a scheme for the installation of solar panels in accordance with the Energy Statement (Ref. 009214, dated June 2024) and to include specifications and timing of installation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the environment and mitigate climate change in accordance with Policy CC4 of the Local Plan.

Condition 27 Solar Panels Installation

Prior to occupation of any dwelling, details shall be submitted in writing for the written approval of the Local Planning Authority to confirm that the solar panels have been installed in accordance with the approved details in Condition 29 and certified in accordance with MCS standards (or any future standards).

Reason: To safeguard the environment and mitigate climate change in accordance with Policy CC4 of the Local Plan.

Condition 28 Ground Stability

The development hereby approved shall be constructed in strict accordance with the findings and recommendations contained within the Geoenvironmental Appraisal (ref. 2516/2, dated February 2020) by Lithos Consulting Ltd (with ROGEP Advisor signed Ground Stability Declaration Form).

Reason: In the interests of ground stability and safe development of the site in accordance with Policy NE9 of the Local Plan.

Condition 29 PD Rights Restriction

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that

Order with or without modification), no extensions, porches, hardstandings, garages, outbuildings, roof extensions or dormer windows, roof lights, solar panels or additional openings other than any expressly authorised by this permission shall be erected or inserted without the grant of further specific planning permission from the Local Planning Authority.

Reason: In order to protect the visual and residential amenities of the area in accordance with Policies HP3 and HP4 of the Local Plan.

Condition 30 Biodiversity Gain Plan

The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Biodiversity Metric (dated 4 June 2025) prepared by Bernadette Lobo and Ecological Impact Assessment, Review of Previous Reports and Biodiversity Net Gain Assessment (Ref. 20240601.2, July 204 / Revised August 2025)

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy NE3 of the Local Plan.

INFORMATIVES

Statutory Biodiversity Condition

Development may not be begun unless:

- (a) A biodiversity gain plan has been submitted to the planning authority; and
- (b) The planning authority has approved the plan.

Key Requirements:

The biodiversity gain plan must include

- a) Information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat
- b) The pre-development biodiversity value of the onsite habitat
- c) The post-development biodiversity value of the onsite habitat
- d) Any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development
- e) Any biodiversity credits purchased for the development and
- f) Any such other matters as the Secretary of State may by regulations specify.

When calculating the post development biodiversity value of a habitat, the planning authority can only take into account an increase in biodiversity value post-development where it is satisfied that the habitat creation or enhancements delivering the increase will be maintained for at least 30 years after the development is completed. This must be secured either by a planning condition, planning obligation or conservation covenant in accordance with Paragraph 14(2) of Schedule 7A TCPA 1990.

On-Site BNG

On-site BNG, its establishment, maintenance and monitoring through the implementation of a Habitat Management and Monitoring Plan (HMMP) will be

secured for a minimum period of 30 years through a Section 106 agreement which includes the provision for monitoring by the NYC Ecology Team

Other Permissions required from the LHA

Applicants are reminded that in addition to securing planning permission other permissions may be required from North Yorkshire Council. These additional permissions can include but are not limited to: Agreements under Section 278, 38 and 184 of the Highways Act 1980; Section 38 of the Commons Act 2006, permissions through New Roads and Streetworks Act 1991 and Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended and including all instruments, orders, plans, regulations and directions.

Detailed Plans of Road and Footway Layouts

It is recommended that in order to avoid abortive work, discussions are held between the applicant, the Local Planning Authority and the Local Highway Authority before a draft layout is produced and any detailed planning submission is made in respect of Condition 4.

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

Delivery of Off-Site Highway Works

Notwithstanding any valid planning permission for works to amend the existing highway, there must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and North Yorkshire Council as the Local Highway Authority. To carry out works within the highway without a formal Agreement in place is an offence.

CABLES AND OVERHEAD LINES

Ground cover must not be altered either above or below Northern Powergrid cables or below overhead lines. In addition, no trees should be planted within 3 metres of existing underground cables or 10 metres of overhead lines. Northern Powergrid apparatus is legally covered by a wayleave agreement, lease or deed or alternatively provided under the Electricity Act 1989. Should any alteration / diversion of Northern Powergrid's apparatus be necessary to allow the development to take place, budget costs can be provided by writing to Network Connections, Alix House, Falcon Court, Stockton On Tees, TS18 3TU. Tel: 0800 0113433.

S106 Agreement

The development is subject to a Planning Obligation made under Section 106 of the Town and Country Planning Act 1990.

Target Determination Date: 19.12.2025

Case Officer: Helen Goulden, helen.goulden@northyorks.gov.uk

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