

THIRSK AND MALTON CONSTITUENCY AREA PLANNING COMMITTEE
SUPPLEMENTARY TO COMMITTEE REPORTS

15 June 2023

Agenda Item	Application number and Division	Respondent	
1	22/02862/FUL South Otterington	Officer Note re drainage	<p>A revised drainage strategy has been submitted and in the most part agreed with the Lead Local Flood Authority. There are a small number of outstanding detailed matters remaining to be resolved, including detailed design of a flow control device to ensure that flow rates are as agreed. A Flow control device is required upstream of the pump to stop the pump running continuously causing it to burn out where there are persistent rainfall events, particularly in winter. The pump rate should be 0.5l/s greater than the flow control device. This ensures the pump chamber is emptied allowing the pump to return to standby. Once the chamber then refills to the trigger level the pump would then restart.</p> <p>It is recommended by officers that the final design be dealt with by way of a pre-commencement condition as set out below:</p> <p>Condition Prior to commencement of development full surface water drainage details shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved conditions.</p> <p>Reason In order to ensure that the drainage scheme complies fully with SUDS specifications resulting in appropriate drainage of the development.</p>

		<p>Observation</p>	<p>Additional Objection Summarised below:</p> <p>Development is a large, out of scale, urban style development appears to ignore or contradict the NPPF.</p> <p>Harmful impact on setting of heritage assets.</p> <p>Officer Note: There is no loss of a designated heritage asset in this case and no identified harm to the significance of a designated heritage asset. The ridge and furrow is considered a non-designated heritage asset and as such should be considered in the Planning Balance.</p> <p>Development proposed fails to meet the requirements of the Building Better Building Beautiful Commission.</p>
		<p>North Yorkshire Council Archaeologist</p>	<p>There are no objections raised but the following recommendation is made: Should the application be granted consent then I agree that a fuller record should be made of the earthworks prior to development as set out in the heritage statement. This should include an earthwork survey and trial trenching to record the earthworks in plan and in section and to check for any earlier remains beneath. Where trial trenching indicates significant earlier features than a proportionate scheme of archaeological mitigation should be agreed and implemented.</p> <p>The following condition is recommended:</p> <p>A) No demolition/development shall commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:</p> <ol style="list-style-type: none"> 1. The programme and methodology of site investigation and recording 2. Community involvement and/or outreach proposals

			<p>3. The programme for post investigation assessment</p> <p>4. Provision to be made for analysis of the site investigation and recording</p> <p>5. Provision to be made for publication and dissemination of the analysis and records of the site investigation</p> <p>6. Provision to be made for archive deposition of the analysis and records of the site investigation</p> <p>7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.</p> <p>B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).</p> <p>C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.</p> <p>Legislative or Policy Justification: This condition is imposed in accordance with Section 16 of the NPPF (paragraph 205) as the site is of archaeological significance.</p>
		<p>Environmental Health Contaminated Land Officer</p>	<p>I have assessed the Phase 2 Assessment produced by Dunelm Geotechnical and Environmental submitted in support of the above application. The report did not identify any significant contamination during the on-site investigation however because of existing buildings in the southern part of the site intrusive investigation was not possible in this area. In light of this information, the applicant is required to submit a report detailing the findings and recommendations of a Phase 2 site investigation and Risk assessment in this area after the demolition of the structures in this area.</p> <p>Ideally this information should be submitted prior to determination, however, given the nature of the application and the requirement for approval prior to demolition then I would recommend the following conditions in order to secure the investigation and, where necessary, remediation of any contamination on the site.</p>

			<p>Contaminated land conditions</p>
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No development shall be commenced until a Phase 2 assessment of the risks posed by contamination, carried out in line with the Environment Agency's Procedures for Land Contamination Risk Management (LCRM), has been submitted to and approved by the local planning authority for the southern end of the site.

Where contamination is suspected, no development shall be commenced until a Phase 2 assessment of the risks posed by contamination, carried out in line with the Environment Agency's Procedures for Land Contamination Risk Management (LCRM), has been submitted to and approved by the local planning authority.

Reason: 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.

Submission of a Remediation Scheme

Where contamination is detected, prior to development, a detailed remediation scheme to bring the site to a condition suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: 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.

Verification of Remedial Works

Prior to first occupation or use, the approved remediation scheme must be carried out in accordance with its terms and a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason: 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.

Reporting of Unexpected Contamination:

In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: 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.

The Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG) guidance document, Development on Land Affected by Contamination Technical - Guidance for Developers,

			Landowners and Consultants (Version 11.2 dated June 2020) may assist the developer in providing the correct information.
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