

North Yorkshire Council

Community Development Services

Harrogate and Knaresborough Area Constituency Planning Committee

26th September 2023

ZC23/02201/DVCMAJ - VARIATION OF CONDITION 2 (APPROVED PLANS) OF PLANNING PERMISSION 21/02251/FULMAJ (DEVELOPMENT OF RETIREMENT APARTMENTS WITH CARE (USE CLASS C2) INCLUDING THE DEMOLITION OF EXISTING BUILDINGS, FORMATION OF NEW VEHICULAR ACCESS, PARKING, RETAINING STRUCTURES, HARDSTANDING, SEWER DIVERSION, ERECTION OF SUBSTATION, REFUSE AND MAINTENANCE STORES, WITH ASSOCIATED WORKS TO TREES, LANDSCAPING, FORMATION OF COMMUNAL FACILITIES AND AMENITY SPACE), AS AMENDED BY NON-MATERIAL AMENDMENT 23/00588/AMENDS.

**AT 65 WETHERBY ROAD KNARESBOROUGH NORTH YORKSHIRE
ON BEHALF OF GLADMAN RETIREMENT LIVING**

Report of the Assistant Director Planning – Community Development Services

1.0 PURPOSE OF THE REPORT

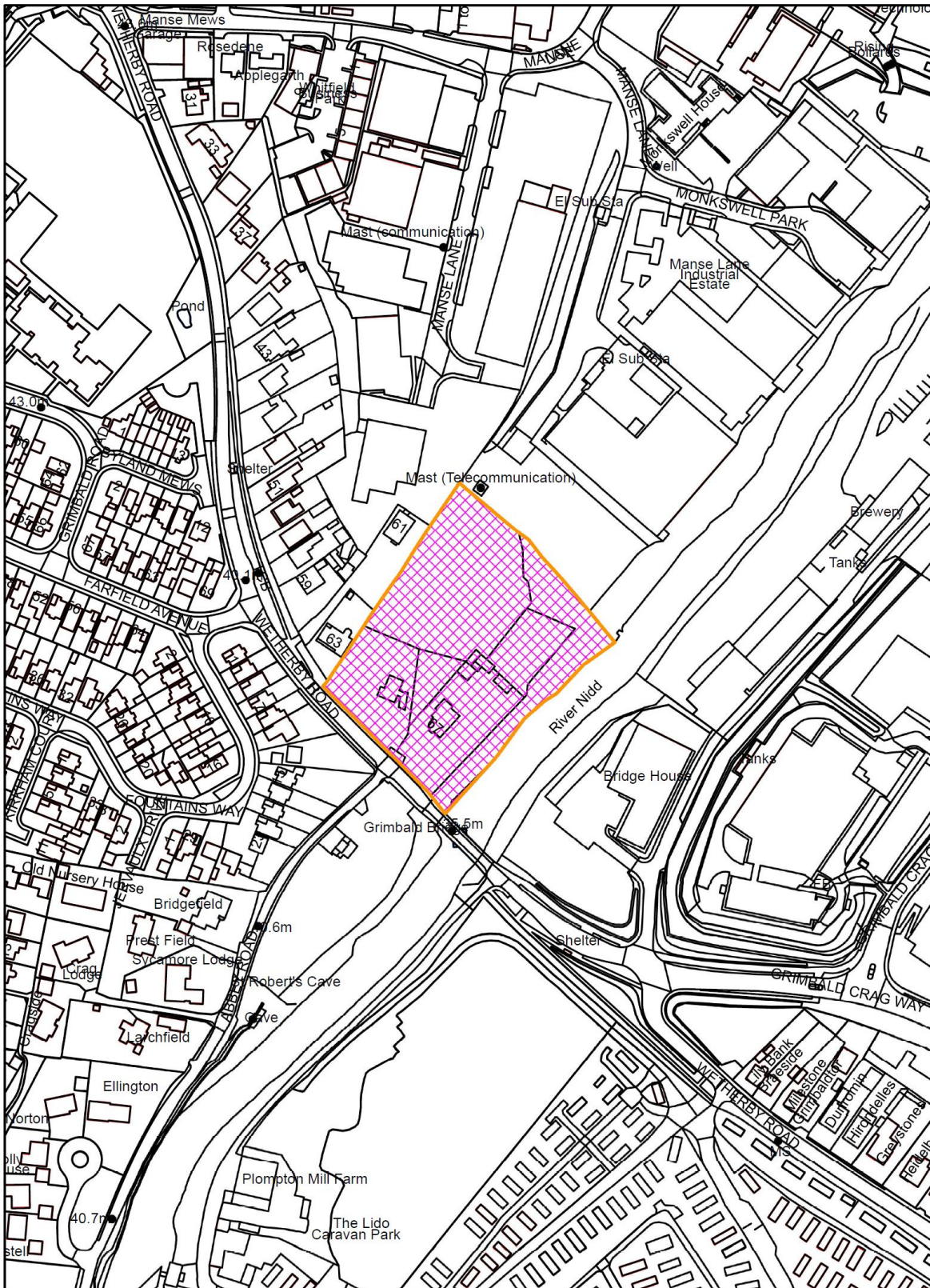
- 1.1 To determine a planning application for the Variation of Condition 2 (Approved Plans) of Planning Permission 21/02251/FULMAJ (Development of Retirement Apartments with care (Use Class C2) including the demolition of existing buildings, formation of new vehicular access, parking, retaining structures, hardstanding, sewer diversion, erection of substation, refuse and maintenance stores, with associated works to trees, landscaping, formation of communal facilities and amenity space), as amended by non-material amendment 23/00588/AMENDS on land at 65 Wetherby Road, Knaresborough.
- 1.2 This application is brought to the Harrogate and Knaresborough Area Constituency Planning Committee following referral from the local division Councillor.

2.0 SUMMARY

RECOMMENDATION: The planning permission be GRANTED subject to the conditions listed below.

- 2.1. Planning permission was granted on 19 December 2022 for the demolition of existing buildings and the erection of a new build care home with associated access, car parking and landscaping.
- 2.2. This application seeks the amendment of Condition 2 to enable the substitution of revised plans to add six apartments to the middle part of the building. Originally, 61 apartments were approved however this was reduced

to 55 through a non-material amendment. This proposal returns the number of apartments to 61.



Location Plan

Scale 1:2,500



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15/09/2023

3.0 Preliminary Matters

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

3.2. The following planning history is relevant to this application:

- 20/01169/FULMAJ – Development of 69 Retirement Apartments with care (Use Class C2) including the demolition of existing buildings, formation of new vehicular access, parking, retaining structures, hardstanding, sewer diversion, erection of substation, refuse and maintenance stores, with associated works to trees, landscaping, formation of communal facilities and amenity space. Refused 17 February 2021.
- 21/02251/FULMAJ – Development of Retirement Apartments with care (Use Class C2) including the demolition of existing buildings, formation of new vehicular access, parking, retaining structures, hardstanding, sewer diversion, erection of substation, refuse and maintenance stores, with associated works to trees, landscaping, formation of communal facilities and amenity space. Approved 19 December 2022.
- 23/00588/AMENDS – Non-Material Amendment to allow for a reduction in number of apartments from 61-55, internal layout changes and minor external alterations of planning permission 21/02251/FULMAJ – Development of Retirement Apartments with care (Use Class C2) including the demolition of existing buildings, formation of new vehicular access, parking, retaining structures, hardstanding, sewer diversion, erection of substation, refuse and maintenance stores, with associated works to trees, landscaping, formation of communal facilities and amenity space. Approved 6 March 2023.

4.0 Site and Surroundings

4.1. The application site is located at 65 Wetherby Road, to the southeast of Knaresborough town centre. It comprises a vacant site, upon which two dwellings were previously located. Access is from Wetherby Road. To the north of the site is a detached dwelling, no. 63 Wetherby Road, and a vets surgery with car park. Further residential dwellings are located on the western side of Knaresborough Road. The River Nidd forms the southern boundary. To the south of the river and to the east of the site are industrial, employment and retail buildings at St James' Retail Park and Manse Lane.

5.0 Description of Proposal

5.1. This application seeks the amendment of Condition 2 of permission 21/02251/FULMAJ to enable the substitution of revised plans to add six apartments to the middle part of the building. Originally, 61 apartments were

approved, however, this was reduced to 55, through a non-material amendment, which sought changes to the internal layout and minor external alterations. This proposal returns the number of apartments to 61.

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:
- Harrogate and District Local Plan 2014-2035 adopted December 2022.

Emerging Development Plan – Material Consideration

- 6.3. The North Yorkshire Local Plan is the emerging development plan for this site though 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 2021
 - National Planning Practice Guidance
 - House Extensions and Garages Design Guide SPD 2005

7.0 Consultation Responses

- 7.1. The following consultation responses have been received and have been summarised below.
- 7.2. **Knareborough Town Council:** Object to the application on the basis that the reasons for refusal of application 20/01169/FULMAJ still exist. The proposed apartments would, by virtue of their design, height and massing, constitute an over-intensive development of the site harmful to local distinctiveness and contrary to paragraph 127 of the NPPF and Local Plan Policy HP3. The Town Council retains significant concerns regarding highways impact and requests that the application is considered at the Area Constituency Planning Committee.
- 7.3. **Ward Member(s):** Request that the application be considered at the Area Constituency Planning Committee.

7.4. **Consultee:** None received.

Local Representations

7.5. Seven local representations have been received objecting to the proposed development. A summary of the comments is provided below, please see website for full comments.

7.6. Objections: The proposed development is in a residential area and will have a detrimental visual impact; an application for four stories had been refused by Committee and this application should also be refused; the height and style is not in keeping with the local area and will have an invasive impact upon adjacent properties and an adverse impact on the street scene. The proposed amendments constitute over-intensive development and would result in harm to the local character and local distinctiveness.

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 Environmental Statement is therefore required.

9.0 Main Issues

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

- Is the variation acceptable?

10.0 ASSESSMENT

Is the variation acceptable?

10.1. Applications to vary conditions are to be considered against the Development Plan, material considerations and conditions attached to the original permission. The Harrogate District Local Plan 2014-2015 was adopted in March 2020.

10.2. The principle of the development has been established through planning permission 21/02251/FULMAJ. The proposed number of apartments and footprint of the building are not changing from this original permission therefore there is no change in terms of the impact in relation to highways, parking, flood risk, environmental health, trees, landscaping or ecology. The principal matters to consider relate to design, impact upon the character and appearance of the area and impact upon the amenity of adjacent properties.

Design

- 10.3. Policy HP3: Local Distinctiveness advises that development should incorporate high quality building, urban and landscape design that protects, enhances or reinforces the local distinctiveness of the area. Matters to consider include scale of development, visual relationships and views, building heights and context.
- 10.4. The first application for the site, reference 20/01169/FULMAJ, included a fourth storey across the whole of the building. This was refused at Planning Committee. A revised scheme, which removed all four storey elements of the proposed building was subsequently approved (21/02251/FULMAJ). The application now being considered proposes the addition of a fourth storey on the middle section of the building. The front and rear sections will remain as previously approved with three stories.
- 10.5. In terms of design, the appearance, materials and window styles all match the approved building and are considered to be acceptable. Photomontages have been submitted, which demonstrate how the development will appear when first constructed and then at year 15. As the additional element is within the middle of the site, its impact is minimal in terms of views towards the site from the local area. Given the overall scale of the approved building, it is considered that the additional sections on a small part of the whole building are acceptable.

Impact upon Residential Amenity

- 10.6. Local Plan Policy HP4 advises that development proposals should be designed to ensure that they will not result in significant adverse impacts upon the amenity of occupiers and neighbours. Amenity considerations include overlooking, overbearing, loss of privacy and pollution impacts. The House Extensions and Garages Design Guide also provides guidance on separation distances to avoid overlooking between properties.
- 10.7. The closest property to the application site is 63 Wetherby Road, a detached dwelling located on the northern boundary. Due to the topography, the ground level at this dwelling is higher than the ground level of the application site. This meant that the ridge height of the approved building (measured at 48.2m AOD) was actually lower than the ridge height of No.63 Wetherby Road, which is 48.82m AOD.
- 10.8. To the east of No.63 is No. 61 Wetherby Road, a vets surgery. The car park for the vets is located between the two properties and also lies along the boundary to the application site. It is also important to note that the site is also located adjacent to existing employment buildings to the northeast and south east; the context is therefore varied with larger scale buildings present in the

locality. The owner of 63 Wetherby Road has objected to the height increase in the proposal along with a number of other local residents as noted above.

- 10.9. A site visit was undertaken to the rear garden of No. 63 Wetherby Road and the car park of the adjacent vets in order to assess the potential impact of the proposal upon these properties. The proposed additional storey will be located on the middle section of the approved building, directly opposite the car park to the vets. It is therefore offset from no.63 and approximately 29m from the rear of this dwelling. Existing trees along the boundary will be retained and enhanced as part of the landscaping scheme.
- 10.10. The previously refused scheme proposed a fourth storey across the whole of the building including that part of the proposed building closer to no.63. This amendment proposes a fourth storey on a small section of the northern part of the building that faces the car park to the vets. The height of the additional storey will be 50.8m AOD to the ridge, which is only 2m higher than No.63. This section is not directly opposite the garden of No.63 and whilst will be visible, is considered to be at a sufficient distance and angle to prevent direct overlooking of the house and garden. The majority of the building will remain as approved and due to the location of the part of the building that will be higher, the additional height (2m) will not be particularly noticeable in far ranging views. The potential impact of this is therefore reduced from the scheme that was previously refused.
- 10.11. Guidance contained in the House and Extensions and Garages SPD, whilst not strictly relevant to the nature of this proposal, does provide some useful guidance on distances between windows and dwellings to prevent overlooking and overshadowing. This suggests that there should be 12m from a boundary to a first floor lounge and 7.5m from a boundary to a first floor bedroom.
- 10.12. At the closest point, the corner of the additional storey will be 14.9m from the boundary of the vets car park and 17m from the boundary of No.63. The guidance suggests that for each metre of height difference there should be an extra metre of horizontal distance. There is a 2m difference in height between the proposed extra storey and No.63; the distance between the building and the boundary still exceeds the guidance.
- 10.13. It is appreciated that this guidance is for dwellings and that the proposed scheme is a different scale and nature. The separation distance of 17m to the garden of No.63 and 29m to the house from the additional extra storey, plus the additional tree planting along the boundary is considered to be sufficient to ensure the impact upon residential amenity is acceptable.
- 10.14. The existing hedge along the boundary of No.63 will be retained and this boundary will be enhanced with additional planting as agreed under the approved landscaping scheme.

10.15. It is therefore considered that the proposed variation will not have an adverse impact upon neighbouring properties or the character of the local area and the requirements of Policy HP4 are satisfied.

11.0 PLANNING BALANCE AND CONCLUSION

11.1. It is concluded that the variation of Condition 2 is acceptable to enable the substitution of revised plans to allow an additional storey on the middle section of the building.

12.0 RECOMMENDATION

12.1 That planning permission be GRANTED subject to conditions listed below.

Recommended conditions:

1. The development hereby permitted shall be begun on or before 19th December 2025.
2. The development hereby permitted shall be carried out strictly in accordance with the following drawings:
 - Location Plan 09999-P2-201
 - Site Plan 09999-P2-203 Rev B
 - Building Elevations 09999-P3-331
 - Floor Plans 1 09999-P3-321
 - Floor Plans 2 09999-P3-322
 - Site Sections 09999-P2-214 Rev A
 - Site Sections 09999-P3-312
 - Landscape Strategy 09999-P2-241 Rev B
3. The development must not be brought into use until the access to the site has been set out and constructed in accordance with the Specification for Housing and Industrial Estate Roads and Private Street Works" published by the Local Highway Authority and the following requirements unless otherwise approved in writing by the Local Highway Authority. The crossing of the highway verge and footway must be constructed in accordance with the approved details to Standard Detail number E7, be a minimum of 5.5 metres in width, and provide the footway link to the existing footpath as shown on the approved drawing P18017- 001E.

- i. Any gates or barriers must be erected a minimum distance of 4.8 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
- ii. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway must be constructed in accordance with the approved details shown on drawing Standard Detail E7 and maintained thereafter to prevent such discharges.
- iii. The final surfacing of any private access within 6 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
- iv. The existing footway crossing point on Wetherby Road must be upgraded to include tactile crossing guidance, and where the new proposed footpath link joins the existing footpath network, the footway width must be widened to 2 metres.
- v. Measures to enable vehicles to enter and leave the site in a forward gear.

All works must accord with the approved details.

4. 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 2.4 metres x 56 metres measured along both channel lines of Wetherby Road from a point measured down the centre line of the access road. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.
5. No part of the development must be brought into use until the vehicle access, parking, manoeuvring and turning areas have been constructed in accordance with the following approved plans:
 - Vehicular, Cycle and Pedestrian Access and Parking 09999-XX-C-PL-610-003 Rev P02;
 - Highways S278 New Entrance GA 09999-XX-C-PL-620- 002 Rev P02;
 - Swept Path Refuse Vehicle 09999-XX-C-PL-610-004 Rev P01;
 - Swept Path Delivery Vehicle 09999-XX-C-PL-610-005 Rev P03;
 - Swept Path Fire Tender 09999-XX-C-PL-610-007 Rev P01.

Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

6. The following schemes of off-site highway mitigation measures must be completed as indicated below:
 1. Uncontrolled crossing northwest of proposed access. Uncontrolled crossing improvements to include:
 - Widening of dropped kerbs;

- Removal of existing tactile paving to the back of footway;
- Tactile paving to be provided for extent of dropped kerbs;
- Northern footway to be widened and cleared of debris;
- Existing 'Reduce Speed now' signage to be relocated outside of proposed footway; Existing road markings to be replenished;
- Additional 'SLOW' road markings to be provided on approach to existing road hump.

2. Vegetation/ debris within Wetherby Road southern footway:

- Clear vegetation/debris and tidy up the general appearance of the footpath.

3. Substandard tactile paving, poor road surface and worn road markings at Wetherby Road/ Abbey Road junction. Junction improvements to include:

- Wider dropped kerbs either side of junction;
- Tactile paving to be provided for extent of dropped kerbs and laid to a depth of 1200mm - Road to be resurfaced where necessary;
- Road markings to be replenished.

4. Substandard crossing facilities at turning head east of Grimbald Bridge. Crossing facilities to include:

- Dropped kerbs on either side of the turning head to be located along the desire line;
- Tactile paving to be provided for extent of dropped kerbs and laid to a depth of 1200mm;
- Amendments to the footway on the eastern side of the crossing to improve pedestrian desire line to either northern/ southern KR1.

5. Misleading tactile/ substandard tactile paving arrangements at various uncontrolled crossing points east of Grimbald Bridge. Existing tactile paving layout to be removed as this is misleading for the visually impaired, and replaced with suitable tactile paving/corduroy hazard warning surface arrangements appropriate for shared cycle track/footway crossings.

6. Construction of the approved footpath link and associated infrastructure improvements as shown on plan P21094-006A dated 3 May 2022.

The above highway improvement works must be carried out using an approved NYCC contractor and be completed prior to the proposed development's first occupation.

An independent Stage 2 Road Safety Audit must be 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.

A programme for the delivery of that scheme and its interaction with delivery of the 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 must be completed in accordance with the following approved engineering details and programme:

- Highways 278 Extent of Works - 09999-XX-C-PL-620-001 Rev P02
- Highways 278 Adoption Plan - 09999-XX-C-PL-620-000 Rev P01
- Highways 278 New Entrance GA - 09999-XX-C-PL-620-002 Rev P03
- Highways 278 Existing Services - 09999-XX-C-PL-620-003 Rev P07
- Highways 278 Crossing Upgrades Sheet 1 of 2 - 09999-XX-C-PL-620-004 Rev P02
- Highways 278 Crossing Upgrades Sheet 2 of 2 - 09999-XX-C-PL-620-005 Rev P02
- Highways 278 Road Markings, Signs & Sight Lines - 09999-XX-C-PL-620-006 Rev P02
- Highways 278 Construction Details - 09999-XX-C-PL-620-010 Rev P02
- Services Diversions Report, Adlington, January 2023
- Stage 2 Road Safety Audit - 610/2022/155/01 Rev 1, 12 November 2022
- Stage 2 Road Safety Audit Designers Response, Adlington, December 2022.

7. Construction of the permitted development must be undertaken in strict accordance with the approved Construction Management Plan – Construction Method and Management Statement by Gladman Homes LLP, March 2023.
8. Prior to any operations commencing on the site in connection with the development hereby approved (including any demolition work, soil moving, bringing materials onto site, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery), the developer shall implement the agreed specification for root protection area (RPA) and detail (as per FPCR Arboricultural Assessment dated April 2021) fencing in line with the requirements of British Standard BS 5837: 2012 Trees in Relation to Construction - Recommendations, or any subsequent amendments to that document, around the trees or shrubs or planting to be retained, as indicated on the approved plan and for the entire area as specified in accordance with BS 5837:2012. The developer shall

maintain such fences until all development the subject of this permission is completed.

9. The applicant is to retain, throughout the development process, including the proposed tree planting (as per the approved plans), the arboricultural consultant who is to forward a monthly progress report to the LPA. The progress report is required to demonstrate that the trees are being protected in accordance with the submitted detail, and any approved Method Statement or other documentation, during the course of the development. The retention of the arboricultural consultant will aid in the development process where it applies to trees in all forms e.g. no dig road, Root Protection Area enforcement and tree planting.

10. The development shall be carried out in accordance with the submitted flood risk assessment (ref SHF.1255.004.HY.R.002.G dated December 2021) and the following mitigation measures it details within section 5: - Finished floor levels shall be set no lower than 36.55metres above Ordnance Datum (AOD); - There is to be no built development within flood zone 3b and no raising of ground levels within flood zone 3. All excess spoil is to be removed from the floodplain and disposed of appropriately; - The development shall be constructed with a floodable basement, the sole purpose of which shall be for the storage of flood flows. The basement is to be built in accordance with drawing No.s 09999-P2-215 & 09999-P2-232, should be designed and built to drain by gravity, and, is to have a soffit of 35.85mAOD. The basement is also to have a floodable volume of at least 600m³. The basement is to be managed and maintained as per Table 5.4 of document SHF.1255.004.HY.R.005.B so that the full flood storage volume remains available for the lifetime of the development. A detailed management and maintenance plan should be agreed with the LPA prior to occupation of the development. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

11. No building or other obstruction including landscape features shall be located over or within: a) 3.5 (three point five) metres either side of the centre line of the public 675 mm diameter sewer i.e. a protected strip width of 7 (seven) metres, that crosses the site; and b) 3 (three) metres either side of the centre line of the public 225 mm diameter sewer i.e. a protected strip width of 6 (six) metres, that crosses the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

12. 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.
13. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, 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: i) Evidence that other means of surface water drainage have been properly considered and why they have been discounted; and ii) The means of discharging to the public sewer network at a rate to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker.
14. The development hereby permitted shall be carried out in strict accordance with the approved Phase II Geo-Environmental Report SHF.1255.012.GE.R.001.A dated November 2022 by Enzygo Geo Environmental.
15. Site remediation shall take place in strict accordance with the land contamination remediation strategy contained in the approved Phase II Geo-Environmental Report SHF.1255.012.GE.R.001.A dated November 2022 by Enzygo Geo Environmental.
16. Land contamination remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 15. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered or identified in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report 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.
17. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a land contamination 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 remediation measures have been completed for that part of the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the local planning authority. 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.

18. Prior to the commencement of the external construction of the walls of the development hereby approved a scheme containing full details of arrangements for internal air extraction, odour control, and discharge to atmosphere from commercial cooking operations, including any external ducting and flues, shall be submitted to and approved in writing by the local planning authority. The works detailed in the approved scheme shall be installed in their entirety before the use hereby permitted is commenced. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions and operated at all times when cooking is being carried out unless otherwise agreed beforehand in writing with the local planning authority.
19. Prior to the first occupation of the development a scheme for the minimisation of the effect of light glare on nearby properties shall be submitted to the local planning authority for written approval. The submitted scheme shall include an isolux diagram showing the predicted luminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent properties. The approved works shall be completed before any lighting equipment to which this approval relates to is operated and shall be maintained during such operation for the life of the development.
20. Before the development is first brought into use, all works which form part of the sound attenuation scheme as specified in the Noise Report, dated April 2021, reference GM10886, Version 004 V1 Final and produced by Wardell Armstrong :- a) Shall be completed; and b) Written evidence to demonstrate that the specified noise levels (including the noise design criteria for all mechanical plant and extraction systems) have been achieved shall be submitted to and approved in writing by the local planning authority. If it cannot be demonstrated that the noise levels specified in the aforementioned Noise Report have been achieved then a further scheme shall be submitted for the written approval of the local planning authority incorporating further measures to achieve those noise levels. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise 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.
21. The development hereby permitted must be carried out in strict accordance with the approved Construction Ecological Management Plan Rev A by FPCR dated 23.02.23, which must be incorporated as a biodiversity chapter of the wider site Construction Environmental Management Plan. Species-specific enhancements such as the provision of faunal boxes must be in place prior to the first occupation of the new building. A copy of the Construction Ecological

Management Plan must be available on site and accessible to site operatives at all times during construction.

22. The development hereby permitted must be carried out in strict accordance with the approved Drainage Strategy and Calculations by Adlington Retirement Living dated December 2022 and the Sustainable Drainage Management and Maintenance Plan by Adlington Retirement Living dated December 2022. The flowrate from the site shall be restricted to a maximum flowrate of 3.5 litres per second to public sewer for up to the 1 in 100 year event. A 30% allowance shall be included for climate change effects 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.
23. A detailed scheme for landscaping, including the planting of trees (in broad accordance with the submitted Tree Mitigation Plan dwg no. 8603-L-01 Rev G & 8603-L-02 Rev G dated 8 May 2021) and or shrubs and the use of surface materials shall be submitted to the Local Planning Authority prior to the commencement of any external construction of the walls of the development hereby approved. The scheme shall specify materials, species, tree and plant sizes, number and planting densities and the timing of the implementation of the scheme, including any earthworks required. The landscape scheme is to be implemented the planting season (October to March) after completion of the permitted development.
24. 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 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.
25. The development hereby permitted must be carried out in strict accordance with the approved electric vehicle infrastructure strategy and implementation plan as set out in the Electric Vehicle Charge Points Document v2 and the External Works Plan 00000-XX-C-PL-610-000 Rev P07. The development shall be carried out as approved with charging points installed prior to occupation.
26. Prior to commencement of any external construction of the walls of the development hereby approved, a scheme for the installation of the solar panels shall be submitted in writing for the written approval of the Local

Planning Authority. The scheme shall include: (a) Details of design and specification of the solar panels; (b) Timing of installation; and (c) Submission of MCS Certificates upon completion. The development shall be carried out in strict accordance with the approved details.

27. The windows on the permitted development, unless alternative details are submitted to and approved in writing by the Local Planning Authority, shall have 75mm window reveals.
28. Before the first use of any materials in the external construction of the roof and walls of the development hereby approved, samples of those materials shall have been made available for inspection by, and the written approval given by the Local Planning Authority. The materials shall be in general conformity with the document Building Appearance 09999-P2-232 Rev C. The development shall be carried out in strict accordance with the approved details.
29. Prior to first occupation of the development a Flood Evacuation and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.
30. Notwithstanding details as approved by Condition 2, should any further alterations be considered necessary to levels on site, full details of existing and proposed site levels, finished floor levels and any changes to the surrounding landform must be submitted in writing to the Local Planning Authority and approved prior to any such changes taking place.
31. Prior to first occupation of the development a Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Informative

For details of where the various plans and documents listed in this decision can be found please see "Approved Planning Conditions Schedule – Ref: 21/02251/FULMAJ (August 2023).

Target Determination Date: 29 September 2023

Case Officer: Kate Broadbank
kate.broadbank@northyorks.gov.uk