

North Yorkshire Council

Community Development Services

Richmond (Yorks) Area Constituency Planning Committee

12th October 2023

22/00730/FULL - Full planning permission for the erection of 5no. residential dwellings, creation of access and landscaping at Land at Station Road, Scorton, North Yorkshire for Rothstone and Torsion Homes

Report of the Assistant Director Planning - Community Development Services

1.0 PURPOSE OF THE REPORT

- 1.1 To determine a planning application for full planning permission for the erection of 5no. residential dwellings, creation of access and landscaping on land at Station Road Scorton North Yorkshire.
- 1.2 The application has been called in by Councillor Les on the grounds that the site was designated as a protected landscape zone by the former Richmondshire District Council Local Plan and due to its proximity to settlement limits.

2.0 SUMMARY

RECOMMENDATION: That planning permission be **GRANTED** subject to conditions listed below

- 2.1 The proposed development of five dwellings, represents a modest increase to new development within the village of Scorton. The appeal at Barton has made it clear that the correct approach is to consider whether the amount of dwellings is excessive when considered against the overall scale of the settlement to which it would relate and as to whether the infrastructure that is available can accommodate the proposal or can be made to accommodate it. In this case the proposal is not considered excessive and there is no evidence submitted that the existing infrastructure within the village cannot accommodate the proposal.
- 2.2 The site is located adjacent to the settlement boundary for Scorton, there is existing built form located to the east and south of the site and therefore the impact on the landscape is considered to be minimal.
- 2.3 The proposed access is considered acceptable by the highway authority, the foul and surface water drainage issues are acceptable by the relevant statutory consultees and the proposed development would not be harmful to the ecology of the site and there would be some bio diversity net gain.



3.0 PRELIMINARY MATTERS

- 3.1 Access to the case file on Public Access can be found here:- [Online Documents](#)
- 3.2 Planning permission granted in 2005 (reference 05/00735/FULL) for the erection of a two storey medical centre on an adjacent site.

4.0 SITE AND SURROUNDINGS

- 4.1 The Site lies within the open countryside adjacent to the development limits of Scorton and comprises an 0.3ha open grassed field. The site immediately abutts the northern built extents of the village of Scorton. The site lies immediately to the west of a relatively new health centre, which has its main access 30m to the east of the proposed residential access point.
- 4.2 Along the southern boundary of the Site, which is defined by an existing hedge, is Stags Way, an adopted highway which serves the medical centre and various residential properties. Beyond this are residential properties which front onto the unnamed main road which runs through Scorton in a north-south direction and which access is taken from. The western boundary of the Site, which is defined by a timber post and rail fence, abuts the grassed highway verge of the aforementioned road. The northern boundary is defined by a post and wire fence with a number of young trees; open agricultural land is situated beyond this point.

5.0 DESCRIPTION OF PROPOSAL

- 5.1 The Proposed Development seeks full planning permission for the erection of 5no. residential dwellings as well as the creation of a new access and landscaping. The site plan shows a private drive will be provided into the Site from Stags Way with a turning head at the northern end of the development. The proposed dwellings will be 2-storeys in height and constructed of brick under clay pantile roofs. A mix of property types are to be provided.

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:
Richmondshire Local Plan

Guidance - Material Considerations

- 6.3 Relevant guidance for this application is:
- National Planning Policy Framework 2021
 - National Planning Practice Guidance

7.0 CONSULTATION RESPONSES

- 7.1 The following consultation responses have been received and have been summarised below.
- 7.2 **Parish Council:** Object to the proposal the site was designated as landscape zone, in respect of 05/00735/FULL dated 16th August 2005.
- 7.3 **Ward Member:** The application is in a designated landscape zone in the former RDC LP, which some years ago resulted in the Scorton Medical Centre being well set back from the road, so creating a precedent.
- 7.4 **Highways:** Raised concerns initially, following adjustments to the entrance have no issues subject to conditions.
- 7.5 **Environmental Health:** No objection subject to unsuspected contamination condition being applied.
- 7.6 **Ecology:** No objections in principle, given that the PEA includes recommendations for achieving BNG. However, there will need to be a post-development BNG assessment undertaken to accompany this design, with the aim of achieving net gain.
- 7.7 **Waste and Recycling:** Require confirmation that the turning head is large enough to accommodate a 26 tonne refuse collection vehicle with a turning circle of no less than 22m. Highways have accepted the turning area detail.
- 7.8 **Yorkshire Water:** Initially required a revised plan of where the main was on the site in relation to the new builds. This has now been addressed.
- 7.9 **NYCC Archaeology:** A scheme of archaeological evaluation is required to identify and describe the nature and significance of any surviving archaeological remains within the proposed development area and enable an understanding of the potential impact of the proposal upon their significance. This evaluation should comprise geophysical survey, to be followed by trial trenching, as appropriate to be undertaken prior to determination. Survey provided by agent's conditions recommended.
- 7.10 **Yorkshire Wildlife Trust:** No comment

Local Representations

- 7.11 5 local representations have been received of which 0 are in support and 5 are objecting.
- 7.12 Objections on the following grounds:
- access point is planned to feed into Stags way, dangerously close to its junction with Station Road - just a few metres. Stags Way is a narrow lane with blind

tight bends. It already serves some 35 dwellings or so, a busy children's nursery & Doctors surgery plus a popular dance school.

- Too many dwellings on the site, the area will become blighted by all the proposed development in the village
- Bus routes. The services are not suitable for commuting as the first passes through Scorton too late & the last too early. On a Saturday the services cease early afternoon so are not suitable for social transport either.
- Overlooking of adjacent properties
- Flooding
- Will not benefit the village stretching services, doctors school etc
- This site is also likely to have an effect on the local wildlife with bats and birds nesting within the grounds and local area, especially trees on the site and opposite. Noise, light and air pollution will cause concerns in this case.
- Lack of affordable housing
- Brownfield sites must be used first

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 of development
- Affordable Housing
- Highway matters
- Flood Risk and Surface Water Drainage.
- Foul Drainage and Water Supply
- Ecology
- Archaeology
- Other Matters

10.0 ASSESSMENT

Principle of Development

10.1 Scorton is a designated Primary Service Village in the adopted Local Plan. The village benefits from a number of facilities and amenities which are accessible to the Site including; Scorton Medical Centre (c.50m); Little Learners Nursery Centre (c. 100m); Scorton Post Office (c. 260m); Scorton Village Pre- School (c. 400m); and Scorton Village Hall (c. 400m); and Bolton on Swale C of E School (c. 700m). There are also two bus stops located to the south of the Site to the east and west of The Green to the centre of Scorton. These provide access to Richmond, Darlington and Northallerton every day except Sundays.

10.2 The site lies outside but adjacent to the village's development limits and abuts the built extents of the village to the south and east. There has been a number of objections to the number of houses that are being proposed around the village and

which also raise that this would be contrary to the strategic policies of the adopted Local Plan.

- 10.3 The NPPF places great emphasis on significantly boosting the supply of homes and suggests there can be circumstances when consideration should be given to sites which reflect current and future demographic trends and market signals. Spatial Principle SP4 of the Core Strategy sets out the scale and distribution of housing development in the district, with a minimum of 3,060 dwellings sought to be delivered during the plan period at a rate 180 no. per year. The Plans explanatory text states that “should further suitable, sustainable and deliverable housing sites come forward, they will be considered on their merits.”
- 10.4 In the Central Richmondshire Area, Scorton is one of three Primary Service Villages (PSV’s), along with Catterick Village and Brompton on Swale, which collectively were expected to accommodate a minimum of 240 new dwellings during the plan period, which runs to 2028. It is important to note that this figure is the minimum target not the maximum or limit. There has also been a general expectation that this figure of 240 would be apportioned evenly across the three PSV’s but again, the Plan does not stipulate this. However, Policy SP3 does require development to be proportionate to the existing settlement size and local service provision.
- 10.5 Consequently, it is reasonable to expect the market and land availability to indicate the exact split between the three Central Richmondshire Area PSVs. However, the total amount of new housing for each proportionate should not substantially exceed this planned figure to ensure development is proportionate to the existing settlement size and local service provision. In terms of how much would be a substantial exceedance of the target, there is no guidance or figure set for this.
- 10.6 To date, a total of 402 dwellings have been granted in the Central Richmondshire PSV’s, broken down as follows:
- Scorton – 111 dwellings.
 - Catterick Village – 47 dwellings
 - Brompton-on-Swale – 244 dwellings
- 10.7 The target for Scorton (if evenly split) has been exceeded by 31 dwellings, equating to 39%. With this current application the total would therefore increase to 116 dwellings, an exceedance of 36 dwellings equating to 45%. There is a current live application for a further 10 dwellings on land opposite the site on Station Road (reference 22/00148/OUT).
- 10.8 A recent appeal decision for 50 dwellings at Rose Villa Farm, Barton (reference APP/V2723/W/21/3287312) has provided an objective insight into how such matters should be considered in respect of the spatial distribution of housing within the primary service villages. The appeal at Barton resulted in the target for the settlement being exceeded by nine dwellings, of which the Inspector noted that “...a numerical limit is not referenced. Notably, the Plan does not specify any further breakdown of the housing growth target set out in Policy SP4 by individual named settlement. Crucially, the precise wording of the Local Plan policies does not expressly direct the decision-taker to resist development where the proposed level of housing delivery would be exceeded in one of the Plan’s defined sub-area or settlement hierarchy geographies. Rather, the Plan states that a managed approach

will be taken should further suitable, sustainable and deliverable housing sites come forward based on their individual merits.”

- 10.9 The Inspector then went on to say “I note that the Plan’s supporting text states that Barton is the largest settlement in this sub-area. In its totality, the appeal proposal would not be excessive in scale relative to the remainder of the built-up form and role of Barton.” The Inspector’s impartial view provides clarity over how to proceed in circumstances such as those presented by the current live applications in Scorton and this is a strong material consideration that carries great weight. Whilst it is acknowledged that most objectors have cited an exceedance of the predicted targets that are set out in the plan, it is unequivocal that these applications should not simply be refused on the basis that the minimum target in the Core Strategy has been exceeded. The correct approach is in fact to consider whether the amount of dwellings is excessive when considered against the overall scale of the settlement to which it would relate and as to whether the infrastructure that is available can accommodate the proposal or can be made to accommodate it.
- 10.10 As the proposal is only for five dwellings, it is considered that the modest amount of new residents that the development would accommodate would still have a positive impact on the bus service, garage/petrol station, convenience shop and public houses on offer. Scorton also has a medical centre and the NHS has not asked for a contribution to increase the size of this facility. It is therefore considered that in overall terms, the support from the new residents to the exiting business would bring marginal benefits to the village. Whilst objections over impacts on services are acknowledged, having paid regard to the aforementioned factors, the proposal is not considered to result in an excessive amount of new housing for the village which had a population of 1012 people in 2011.
- 10.11 In terms of location, whilst the land lies outside of, but is adjacent to, the development limits of the village, it is in fact contained by existing built development to the east and south and represents a logical rounding off on this side of Station Road. It therefore has limited impact on setting, landscape or approach to the village from the north. Furthermore, it is also within comfortable walking distance to the village’s various services and facilities.
- 10.12 The Parish Council refer to the site being designated as a landscape zone and refer to an application in 2005. The current local plan has no specific designation for the site other than being located within open countryside. Having reviewed the decision notice for 05/00735/FULL there is no condition protecting this current application site land.
- 10.13 The applicant has submitted a landscape visual assessment and states the landscape of the existing site is considered to have medium value. It provides a gateway from the northern approach into the settlement of Scorton and a transition between the settlement and the more rural fields to the north. It also provides some sense of separation and openness between properties in this location and vegetation and trees associated with its boundaries add to local character. It may be valued by the local community for this reason but has no wider recognition in terms of designation or recreational value. The landscape visual assessment concludes that clearly the existing site will change in character through the development. However, the effects are limited to the site itself and the proposed development will

knit into the existing edge of village character. A positive gateway into Scorton can be achieved through high quality design which we consider the layout and unit design to comprise. It is considered that the assessment accurately describes the site and agree that the impact on the landscape will be minimal.

- 10.14 Taking into account that the population of the village is around 1000, this modest proposal of 5 units, adjacent to the existing settlement limits is considered to be a form of development that would help the village grow in a more measured and organic way than it would with a larger addition of a homogenous “bolt-on” housing estate. Furthermore, the proposal meets other expectations of Policy CP4 in terms of the proportionate size of the development in relation to the existing settlement and its accessibility and relationship to existing facilities.
- 10.15 Some of the objectors have raised the issue of using brownfield land first. It is also important to consider that Policy CP3 sets out that development will be encouraged to utilise previously developed land first (brownfield land), where that land is in a sustainable location and is not of high environmental value, in preference to greenfield sites. However, there are limited brownfield sites remaining in Scorton and of those that are there, these are considered likely to come forward in any event.
- 10.16 In relation to infrastructure and services, the NPPG advises that contributions should not be sought for minor applications such as this and the impact due to the small development will be negligible when viewed in context of existing patients list etc.
- 10.17 Policy CP5 of the Core Strategy relates to providing an appropriate housing mix. The policy states that: Proposals for housing must take account of the local housing requirements across all sectors of the community in terms of size, type and tenure, and also the accessibility and adaptability of dwellings. The housing mix of the proposed development is a matter which was discussed in detail during the pre-application stage and the proposals been revised to reflect the discussions. The current mix includes 3no. three and 2no. four-bedroom properties, which had been agreed with the LPA to represent an appropriate approach to meeting the housing needs of the population across the Plan Area and one that meets the expectations of Policy CP5 in terms of the sizes/types of properties.
- 10.18 Overall, having had regard to all of the above, the principle of this relatively modest amount of housing coming forward at this time is, on balance, considered to be compliant with Policies SP1, SP2, SP4, CP3, CP4, CP5 of the Core Strategy and is therefore acceptable.

Affordable Housing

- 10.19 With respect to affordable housing, Policy CP6 of the Local Plan Core Strategy requires a 40% affordable housing provision from new developments located within the Central Richmondshire Sub Area. This target is subject to an economic viability assessment. However due to recent appeals the Planning Inspectorate has raised concerns with policy CP6. The Inspector gave significant weight to the NPPF (para 64) which stipulates “affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas

(where policies may set out a lower threshold of 5 units or fewer". Recently the Council made a resolution not to require affordable housing in line with this threshold. As a result, no affordable housing contribution is required for this project.

Highway matters

10.20 The proposal has been subject to a number of changes to the site layout to meet the requirements of adequate access, parking and turning areas. The Local Highway Authority is now content with these amendments to the initial plans. There have been some concerns raised by nearby residents as to the access point and the additional traffic that would be created. The Local Highway Authority have not raised any concerns with regards to highway safety therefore the proposal complies with the relevant part of Policy CP4.

Flood Risk and Surface Water Drainage.

10.21 Although it was initially proposed that surface water would be disposed by connection to the public sewer, the applicant has since carried out further work into the feasibility of soakaway drainage as a more sustainable means of surface water disposal. Percolation testing has confirmed that ground conditions do enable soakaway drainage to be used and the details of this, including arrangements for future management and maintenance of individual soakaways, are being developed in consultation with the Flood Risk Management Team at North Yorkshire County Council. Whilst suitable in principle, the details of surface water drainage will almost certainly still need to be the subject of conditions in the event of planning permission being granted.

10.22 With regard to Flood Risk the site is located in Flood Zone 1 which is the lowest category of flood risk and is not considered to be an issue for the proposed development.

Foul Drainage and Water Supply

10.23 Yorkshire Water have confirmed that foul drainage from this development can be accommodated by the local treatment works and sewers. A suitable water supply can also be provided for the development. An objection was initially raised as to the location of the main across the site and how the proposal may affect this. Amended plans were forwarded to YW who have now rescinded their objection subject to conditions.

Ecology

10.24 The site has been subject to a preliminary survey, the results of this showed a low value site albeit there were hedgerows and trees. The hedges didn't connect to the wider area and although there maybe nesting birds given that the hedges and trees are to be retained the potential harm would be minimal. There are opportunities to improve the site with fencing being made mammal friendly for example, ideally a 10% gain should be made. A suitably worded condition will be attached to achieve this. The Council ecologist has stated they have no major concerns in relation to the impacts of the development upon existing habitats and species.

Archaeology

- 10.25 The council archaeologist advised the results of the agents' survey showed a number of anomalies of archaeological potential including a pair of parallel ditches that run north-south through the site. There are also several anomalies consistent with pits. The site to the immediate north was also subject to geophysical survey as part of a site assessment. The linear features noted in the current survey are most likely continuations of linear gullies noted in this earlier survey. The site to the north was also subject to trial trenching and this suggested either a late prehistoric/Roman date for the linear features or an early medieval date, with the obvious possibility that these features, probably representing a trackway, were in use over an extended period. The pit type anomalies are more enigmatic, with three appearing to be in alignment. These would be consistent with a prehistoric pit alignment, a number of which are recorded elsewhere in the area.
- 10.26 Given that we have a reasonable understanding of both types of anomaly present from previous investigative work it is appropriate to make a planning recommendation based on the results of the geophysical survey in this case. Accordingly, officers are content that the condition will provide sufficient measures to deal with any archaeological findings, in line with the latest guidance.

Other Matters

- 10.27 With regard to other matters raised by objectors not covered above, the issue of overlooking of adjacent properties has been raised. However, the degree of separation between the proposed dwellings and the existing dwellings located to the east is relatively significant. Furthermore, the windows in the proposed dwellings located in the northern most part of the site, which are closest to the neighbouring properties, are orientated north and south, which is away from the nearest property located to the east. It is considered there will be no issues in respect of overlooking existing properties.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1 The proposed development of five dwellings, represents a modest increase to new development within the village of Scorton. The appeal at Barton has made it clear that the correct approach is to consider whether the amount of dwellings is excessive when considered against the overall scale of the settlement to which it would relate and as to whether the infrastructure that is available can accommodate the proposal or can be made to accommodate it. In this case the proposal is not considered excessive and there is no evidence submitted that the existing infrastructure within the village cannot accommodate the proposal.
- 11.2 The site is located adjacent to the settlement boundary for Scorton, there is existing built form located to the east and south of the site and therefore the impact on the landscape is considered to be minimal.
- 11.3 The proposed access is considered acceptable by the highway authority, the foul and surface water drainage issues are acceptable by the relevant statutory

consultees and the proposed development would not be harmful to the ecology of the site and there would be some bio diversity net gain.

12.0 RECOMMENDATION

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

Condition 1: The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended)

Condition 2: The development hereby permitted shall be carried out precisely in accordance with the approved drawings and particulars as set out below, together with any conditions attached to this approval which may require any variation thereof:

- a) application form and certificates
- b) Site Location plan A010 Revision P00
- c) Proposed Site Plan AO13 Revision P10
- d) 3 Bed House Type DRA-A-101 Revision P0
- e) Proposed Site Sections DR-A-A300 Revision P01
- f) Proposed Single Garage DR-A-103 Revision P00
- g) 4 Bed House Type DR-A-100 Revision P02
- h) Proposed Double Garage DR-A-102 Revision P00
- i) Preliminary Ecological Appraisal Report, Brooks Ecological Ltd, dated 12th September 2022

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 3: 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 express planning permission from the Local Planning Authority.

Reason: In order to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it in the interest of safety and the general amenity of the development.

Condition 4: No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan. The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works.

1. The provision of wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway by vehicles exiting the site.

2. An area for the parking of all contractors, site operatives and visitor's vehicles clear of the Public Highway.
3. An area for the storage of all plant and materials used in constructing the development clear of the Public Highway.
4. Measures to manage the delivery of materials and plant to the site including the location of loading and unloading areas.
5. A photographic record of the condition of the Public Highway adjacent to the site (to include the carriageway, footways and grassed verges) should be undertaken before the development commences and submitted to the Planning Authority and the Highway Authority. The survey will be used in order to establish if any damage or degradation to the Publicly Maintainable Highway has occurred during the period of work on the site and any such damage deemed to have taken place as a consequence of the development works will require to be rectified at the cost of the applicant.
6. Contact details for a responsible person who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity.

Condition 5: Prior to commencement of development hereby approved a detailed surface water drainage scheme shall be submitted to and agreed in writing by the Local Planning Authority. The Strategy shall demonstrate how the sustainable drainage hierarchy has been followed which requires infiltration to ground if feasible first.

The scheme shall be designed to the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document). The scheme shall be designed for the 1 in 100 year rainfall/ storm event plus 40% allowance for climate change and urban creep. The scheme shall include a detailed maintenance and management regime for the storage facility and drainage system.

The approved surface water drainage scheme shall be implemented and delivered in full prior to first occupation of the development hereby approved or in accordance with any phasing embodied within the scheme. There afterwards the approved surface water drainage scheme shall be maintained and retained in perpetuity in accordance with the approved maintenance details.

No piped discharge from the application site shall take place unless first approved in writing with the Local Planning Authority.

Reason: To ensure delivery of an adequate surface water drainage scheme which prevents keeps the development safe for its lifetime and prevents an increased of flooding off-site. This condition is also applied having regard to paragraphs 167 and 169 of the National Planning Policy Framework 2021 and Policy CP2 of the Richmondshire Local Plan 2012-2028 Core Strategy adopted 2014.

Condition 6: Noisy demolition/construction works audible outside the site boundary shall only take place between the hours of 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturdays and at no time on Sundays and Bank Holidays.

Reason: In order to protect neighbouring residential amenity

Condition 7: The development must not be brought into first 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:

The crossing of the highway must be constructed in accordance with the approved details as shown on Drawing Number A013 Revision P10 and Standard Detail Number A1 and the following requirements:

- Provision to prevent surface water from the site discharging onto the existing highway must be constructed in accordance with the approved details and maintained thereafter to prevent such discharges.
- 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 public highway

All works must accord with the approved details.

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

Condition 8: There must be no access or egress by any vehicles between the highway and the application site until minimum splays are provided giving clear visibility of 19.5 metres to the west and 18 metres to the east measured along the nearside channel lines of Stags Way 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.

Reason: In the interests of highway safety.

Condition 9: No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users have been constructed in accordance with the details approved in writing by the Local Planning Authority and as shown on Drawing Number A013 Revision P10 and Standard Detail Number A1. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

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

Condition 10:

- (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:

1. The programme and methodology of site investigation and recording
2. Community involvement and/or outreach proposals
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

(b) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

(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

Reason: In accordance with Section 16 of the NPPF (Paragraph 205) as the site is of archaeological significance

Condition 11: If contamination is found or suspected at any time during development that was not previously identified, all works shall cease and the local planning authority shall be notified in writing immediately. No further works (other than approved remediation measures) shall be undertaken, or the development, occupied until an investigation and risk assessment carried out in accordance with the Environment Agency's Land contamination: risk management (LCRM), has been submitted to and approved in writing by the local planning authority. Where remediation is necessary, a scheme for the remediation of any contamination shall be submitted and approved by the local planning authority before any further development occurs. The development shall not be occupied until the approved remediation scheme has been implemented and a verification report detailing all works carried out has been submitted to and approved in writing by the local planning authority.

Reason: To ensure that any potential contamination and any risks arising are properly assessed and that the development incorporates any necessary remediation and subsequent management measures to satisfactorily deal with contamination.

Condition 12: Prior to the commencement of the development hereby approved, a Biodiversity Gain Plan (BGP), in line with the recommendations set out in the submitted Preliminary Ecological Appraisal, dated 12th September 2023 shall be submitted and approved in writing by the Local Planning Authority. This shall include:

- a) steps taken to minimise disruption of existing onsite habitats and any other habitat;
- b) the pre-development and post-development biodiversity of the onsite habitat;

- c) the biodiversity gain of any registered off-site habitat allocated to the development;
- d) any biodiversity credits purchased;
- e) any other matters which regulations specify (such regulations not yet having been published);
- f) Planting Plans including species, size and quantity.
- g) A management and maintenance plan; and
- h) Implementation timetable

Once approved, the development shall be implemented in accordance with the BGP unless otherwise approved in writing.

Reason: To ensure that adequate steps are taken throughout the course of the development process to mitigate the impacts on ecology and biodiversity and achieve an overall biodiversity net gain.

Condition 13: Prior to the commencement of the development hereby approved, an Ecology Management Plan (EMP) shall be submitted to and agreed in writing by the Local Planning Authority. There afterwards the development shall take place in complete accordance with the EMP.

Reason: To ensure that adequate steps are taken throughout the course of the development process to mitigate the impacts on ecology and biodiversity

Condition 14: Prior to the commencement of the development hereby approved, an Tree Protection Plan and Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall take place in complete accordance with the approved details.

Reason: For the protection of existing trees.

Condition 15: No dwelling shall be occupied until the boundary treatments shown on Proposed Site Plan AO13 Revision P10 to which it adjoins has been erected. The 5th dwelling shall not be occupied until all site boundary treatments as shown on Proposed Site Plan AO13 Revision P10 have been erected. There afterwards, all site boundary treatments shall be retained unless replaced like for like.

Prior to the commencement of the development hereby approved, an Ecology Management Plan (EMP) shall be submitted to and agreed in writing by the Local Planning Authority. There afterwards the development shall take place in complete accordance with the EMP.

Reason: To ensure that adequate steps are taken throughout the course of the development process to mitigate the impacts on ecology and biodiversity.

Target Determination Date: 19th December 2022

Case Officer: Nick Howard, nick.howard@northyorks.gov.uk