

North Yorkshire Council

Community Development Services

Richmond (Yorks) Area Constituency Planning Committee

11th January 2024

ZD23/00564/FULL - Full Planning Permission for Proposed Development to Erect a New Community Building Including Food Preparation Areas and Attached Multi-use Space 1912 sq. m (use class E and F1), a Covered External Canopy 444 sq. m, Creation of new Public Square and Mini-Plaza (1724 sq. m), Car Parking and Delivery Bay, External Plant Room, Bin Store and Covered Cycle Shelter, 6.0m High Lighting Columns and Building Mounted Lighting, 2.0m High Perimeter Fencing and Gates, Removal of Trees, Associated Earthworks, Hard and Soft Landscaping and to Include Demolition of Buildings

At: Site on Land to the East of 42-44 Richmond Road Catterick Garrison.

Report of the Corporate Director – Community Development Services

<p>1.0 PURPOSE OF THE REPORT</p> <p>1.1 To determine a planning application for Full Planning Permission for Proposed Development to Erect a New Community Building Including Food Preparation Areas and Attached Multi-use Space 1912 sq. m (use class E and F1), a Covered External Canopy 444 sq. m, Creation of new Public Square and Mini-Plaza (1724 sq. m), Car Parking and Delivery Bay, External Plant Room, Bin Store and Covered Cycle Shelter, 6.0m High Lighting Columns and Building Mounted Lighting, 2.0m High Perimeter Fencing and Gates, Removal of Trees, Associated Earthworks, Hard and Soft Landscaping and to Include Demolition of Buildings on Site on Land To The East Of 42-44 Richmond Road Catterick Garrison.</p> <p>1.2 This application has falls outside the current Scheme of Delegation, as has been submitted on behalf of the Council for development.</p>

2.0 SUMMARY

RECOMMENDATION: That planning permission be **GRANTED** subject to conditions listed below and the completion of a legal agreement, to secure the highways financial payments.

- 2.1 Following the submission of a successful funding bid to HM Government for Levelling Up Funding (LUF), this application seeks Full Planning Permission for the erection of a new community building, multi-use space, covered external canopy and creation of public square and mini-plaza, off Shute Road, Catterick Garrison. There would be three new main building structures erected – a Community and Enterprise Centre (CEC); multi-purpose event space and external canopy. The area immediately around the proposed structures would be landscaped and a car park and south-facing growing area created towards the southern end of the site. In providing an accessible link from the proposed development to the existing Town Centre off Richmond/Gough Road, a ramp with central steps and public plaza would be created on the western side of Shute Road.
- 2.2 Improvement to the parkland to the east is also proposed including new play areas.

- 2.3 The application site is located centrally within Catterick Garrison and comprises approximately 7.2 ha of land, which includes an area of established open woodland and parkland to the east (known as Coronation Park). The Princes Gate Shopping Centre, Tesco supermarket and Catterick Leisure Centre are located within the vicinity (west), as well as Aldi supermarket which lies to the immediate south of the western part of the application site. All are within walking distance of the application site.
- 2.4 The National Planning Policy Framework (NPPF) 2023 set out that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management, and adaptation. The Richmondshire Local Plan Core Strategy (2012-2028) supports the strategic growth of Catterick Garrison and development projects that will support the local economy and create additional community and recreational assets.
- 2.5 There are a number of commercial buildings within the application site boundary that date back to the 20th century inter-war period, including an auction hall, supermarket and bank and these would be demolished as part of the proposal. These buildings are not listed and their general conditions has reduced over time, however, the loss of these historic buildings is taken into account as part of the overall Planning Balance.
- 2.6 Technical matters, such as drainage, flood risk and heritage (the total loss of buildings that are considered to be undesignated heritage assets, as well as impact on the setting of a building that has been put forward for potential listing) have been addressed and it is expected that any outstanding highways and ecology matters can be dealt with via the application of suitably worded conditions (subject to further formal re-consultation with the relevant technical consultees, update to be provided in Supplementary Update Report).
- 2.7 Having had regard to all relevant issues and material considerations, the scheme would deliver a significant economic and community 'hub' as part of the wider regeneration aspirations for this part of Catterick Garrison Town Centre. In weighing up all material Planning issues, the scheme is considered to be in accordance with policies CP1, CP2, CP3, CP4, CP7, CP9, CP11, CP12 and CP13 of the Development Plan and the NPPF.



Figure 1: Location Plan Extract

3.0 PRELIMINARY MATTERS

3.1 Access to the case file on Public Access can be found here:

[Online Documents](#)

3.2 Pre-application advice was provided earlier this year and dealt with all material planning matters as well as validation requirements for the submission of a formal application.

3.3 There have been no recent relevant Planning Applications within the application site boundary in recent years, however, the application forms part of wider ongoing plans for Catterick Garrison Town Centre. The redevelopment of this wider area most recently began with application ref. 13/00353/FULL which was for Full Planning Permission for Mixed Used Scheme Comprising Development of Retail Units (7,312sq. m.), 60 Bed Hotel, 5 Screen Cinema, Food and Beverage Outlets (3,703 sq. m.), Car Parking, New Access Road, Highway Works and Landscape Works, granted 10th October 2013. This new shopping area, known as 'Princes Gate', lies on the western side of Richmond Road but within walking distance of Shute Road and the application site. A further application was submitted in 2014 (ref. 14/00025/FULL) to amend the cinema elements of the previously approved scheme.

4.0 SITE AND SURROUNDINGS

4.1 The application site is located within Catterick Garrison Town Centre, which lies approximately 3 miles to the west of the A1, connected by the A6055 and A3136 (Catterick Road), linking the Town Centre to key settlements within the three main Sub Areas of the Spatial Strategy.

4.2 The application site itself comprises approximately 7.2 ha of land, which includes an area of established open woodland and parkland to the east (known as Coronation Park). In the western section of the site is Shute Road including buildings 26-27, 28, 32-34 and part of a disused supermarket and would be demolished as part of the proposals. The area immediately north of no. 26-27 is currently grassed and there is an existing footpath to the south of 28 Shute Road that provides a link to existing routes within the park.

4.3 The Princes Gate Shopping Centre (that was the subject of original planning decision ref. 14/00025/FULL, as referred to above), Tesco supermarket and Catterick Leisure Centre are located within the vicinity (west), as well as Aldi supermarket which lies to the immediate south of the western part of the application site. All are within walking distance of the application site.

4.4 The application site is openly accessible by foot and by vehicles, with access to Shute Road possible from two points along the eastern side of Richmond Road. Vehicular access to the existing car park on the western side of Shute Road is not possible from Richmond Road, although there is currently a pedestrian footpath that runs between buildings nos. 30 and 32 Richmond Road.

4.5 Leadmill Beck runs through part of the application site, within Coronation Park, entering the site from the west (north of Cherry Avenue) and leaves the site towards the north eastern end of the site, just beyond an existing footbridge.

4.6 Below ground utility alignments are evident throughout, including an above ground pipe that crosses the beck to the east of the site (recorded as a 'sewage pipe' on historical mapping). There are also existing residential properties within the vicinity, both in and around Shute Road and also around the perimeter of Coronation Park.

5.0 DESCRIPTION OF PROPOSAL

5.1 This application seeks Full Planning Permission for the erection of a new community building with multi-use space, covered external canopy, creation of public square and mini-plaza and associated car parking all off Shute Road, Catterick Garrison. The development also proposed a new accessible route/link through from Richmond Road and improvement to the parkland forming the east park of the application site. In order to allow for the proposed development, four buildings would be demolished. The development would significantly contribute towards the regeneration of Catterick Garrison Town Centre.

5.2 The three new main and connected building structures that are proposed would be set out as follows:

Catterick Community and Enterprise Centre (CCEC)

5.3 The CCEC (also referred to as a Community and Enterprise Building) would be a three-storey building that would occupy a central location within the site. This building would have a gross internal floorspace of 781 sqm.

5.4 The ground floor would contain five small permanent food retail concession “pods”; a small reception office; foyer and toilets and plant and equipment rooms. The second floor proposes to provide community uses including: training kitchen; multi-purpose space; second open-plan shared community space with office suites; a communal tea point/kitchenette and storage areas. Except for a communal area for tea/coffee making and ‘break-out’ space, the second floor would be used for office space and the creation of small office suites, to be made available for let to business start-ups, sole traders and small companies.

Multi-purpose Event Space

5.5 The second building structure that is proposed would be an all year-round enclosed multi-purpose events space, measuring approximately 260 sqm in gross internal floorspace and would connect to the CCEC through glazed bi-fold doors in the main foyer. Examples of the types of events the space could be used for would include exhibitions, book fairs, an indoor market, film shows/performance art and as a wedding venue.

External Canopy

5.6 The third building structure proposed would be a lightweight steel glazed outdoor canopy forming two sets of dual pitched roofs, that would provide approximately 444 sqm of undercover protection from adverse weather. This would be intended as a flexible space that could be used on seasonal and community demand and offer a space for events such as outdoor markets (something that the area currently lacks at present).

5.7 External finishes for buildings are proposed as predominantly facing brickwork and zinc cladding panels, that would be applied to the roof and continue down into elevations below, and powder coated aluminium for windows and doors. Each structure would have the following dimensions (H x W x D):

- CCEC Building – 15.0m x 18.5m x 39.0m
- Multi-Event Space – 9.5m x 12.5m x 27.0m
- Canopy – 15.5m x 5.5m x 29.0m

5.8 Around the three new building structures would be 26 new car parking spaces (including 2 disabled) along with motor cycle parking. The proposal includes covered cycle storage to the south end of the new building(s) for 24 spaces within the first bay for building occupiers and 24 no. in the second bay for visitors. The visitor store would include 4 e-cycle charging points

together with 8 no. Electric Vehicle (EV) charging points (4no. doubles serving pairs of bays) within the car parking area. Emergency and delivery vehicles would have access to a layby at the south-west of the Community and Enterprise Building and removable bollards in the proposed square would allow vehicular access to the northern side of the building, public realm and existing sewer network.

- 5.9 The scheme includes highways improvements by narrowing Shute Road to make it more attractive to non-motorised vehicles and upgrading/resurfacing of existing footpaths both within and immediately around the application site area. There would also be improvements outside of the application site within the adopted highways as part of wider plans for the area, such as changes to the existing crossing point on the Richmond Road/Gough Road junction and the creation of a toucan crossing point in place of the existing puffin crossing.
- 5.10 The existing car park and a former cycle shop that fronts onto Richmond Road, nos. 32-34 Richmond Road would be demolished and redeveloped into an accessible route that would comprise a ramp (to cut across the gradient) and a central stair route. The eastern end of the route would open onto a public plaza, intended to encourage opportunities for community activities and informal recreation/performance, as well as providing a physical link from Richmond Road to the new Civic Square and community buildings.
- 5.11 Within Coronation Park, alterations to existing footbridges, resurfacing of existing footpaths and cycle ways (including a new cycle route linking the proposed public square to the existing cycle route that leads to the north east of the site) and resurfacing works to a portion of Shute Road within the application site boundary are proposed.
- 5.12 The scheme includes both hard and soft landscaping to create new attractive public realm and add to the existing park area. Some of the key elements of the submitted landscape strategy would be to provide "trail" or wayfinding opportunities and activities, such as sensory routes and an introduction to foraging. Part of the area that immediately surrounds the main building structures would include a south-facing Growing Area and Community Garden Space (320 sqm).
- 5.13 Within Coronation Park the applications proposes: a Toddler Play Area, Toddler Hedgehog Play Area, Junior Play Area, Active Play Area, Woodland Play Area, Skate Park and Accessible Seating Area.
- 5.14 As well as the completed application form, full plans and signed certificates, the application was accompanied by:
- Flood Risk Assessment and Drainage Strategy;
 - Ground Investigation Report and Land Quality Assessment;
 - Landscaping Strategy Energy Statement;
 - Noise Impact Assessment;
 - Waste Management Strategy;
 - Arboricultural Impact Assessment;
 - Acoustic Assessment;
 - Lighting Plan;
 - Ventilation and Extraction Statement;
 - Engineering Layout;
 - Air Quality Assessment;
 - Archaeological Assessment;
- 5.15 Information that has followed since submission includes Heritage Impact Statement; Preliminary Ecological Appraisal (PEA); Biodiversity Net Gain calculations, a Method Statement for Demolition and there have been some minor changes to window/louvre

positions on main elevations on account of technical design development. At the time of writing this report, additional ecological surveys and highway information is still expected. Members will be updated on these matters prior to the meeting.

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 2012-2028 Core Strategy, adopted 2014
 - Saved Local Plan Policy 23 of the Richmondshire Local Plan 1999-2006
 - The Minerals & Waste Joint Plan 2015 – 2030 adopted 2022
- Guidance - Material Considerations

6.3 Relevant guidance for this application is:

- National Planning Policy Framework December 2023
- National Planning Practice Guidance
- National Design Guide 2021

7.0 CONSULTATION RESPONSES

7.1 The following consultation responses have been received and have been summarised below.

7.2 **Hipswell Parish Council:** Support the proposals but wish to draw attention to the concerns raised by Yorkshire Water regarding sewage that must be satisfactorily resolved.

7.3 **Scotton Parish Council:** No objections

7.4 **The Byways and Bridleways Trust:** No response received

7.5 **LLFA:** Recommended that the applicant provide further information regarding the flow control flood risk, SuDS implementation and exceedance flows before any planning permission is granted by the LPA.

Since the initial consultation, the applicant has now demonstrated that the proposed overall discharge into Leadmill Beck of 6.6l/s is an overall betterment from the current discharge rate into Leadmill Beck when taking into account the Brownfield areas and submitted an acceptable exceedance plan, showing designed flow routes.

The LLFA have therefore now confirmed that the submitted documents demonstrate a reasonable approach to the management on surface water.

7.6 **Natural England:** No objections

7.7 **NHS:** No response

7.8 **NYC Arboricultural Officer:** No objections, subject to a condition to require the development to implement the approved specification for root protection (Smeeden Foreman Arboricultural Report dated August 2023) fencing and ground protection measures before any materials are brought onto the site and for the protection measures to be maintained until all development is completed.

- 7.9 **NYC Archaeology:** There are a number of commercial buildings dating to the 20th century inter-war period, including an auction hall, supermarket and bank that will be demolished as part of the proposal. Although these buildings are of historic interest, their current condition, alteration in the later 20th century and previous demolition of buildings that would have added group value reduces their significance. This said the authority should take into the account the loss of these historic buildings as part of the balanced decision-making process.

Should permission be granted then I would recommend that a fuller record is made of the following buildings prior to demolition: -

- 28 Shute Road - former Auction Hall, built between 1927 & 1933
- Supermarket, Shute Road - former NAAFI shop, dated 1937
- 42-44 Richmond Road - former Bank, built prior to 1927

The historic building recording should follow the guidance for a Level II survey as set out in Historic England's 'Understanding Historic Buildings: A Guide to Good Recording Practice (2016)'. Consideration could be given to the careful removal of the '1937' foundation stone at the supermarket and 'AUCTION HALL' naming stone for interpretative re-use within the new development. The same consideration could be given to any other historic features revealed during the historic building recording or demolition works.

- 7.10 **NYC Building Conservation:** No comments provided as this is beyond the scope of BC involvement at this stage.
- 7.11 **NY Building Control Partnership:** No response received.
- 7.12 **NYC Business and Community Manager:** The development fully aligns with the Council's Economic Growth Strategy 2024 – 2029 priorities by supporting the creation of flexible workspace and business hubs; developing sites for growth and investment; promoting and enabling innovation and encouraging and assisting start-up businesses with Catterick Garrison. The development will provide a unique venue within Catterick Garrison to create a base for start-up and SME businesses to relocate, provide access to community group spaces and event spaces. The project comprises offices, along with retail outlets and events spaces. The transformation of Shute Road and Coronation Park will provide an attractive and inclusive space to work, meet and socialise allowing for greater integration between the military population and the wider community. There is currently a lack of available small floorplate office, retail and event space in Catterick and the surrounding areas; this is especially true in relation to start up space and small retail space focussed on providing a base for small local food producers and creative companies. This development meets that need.
- 7.13 **NYC Climate Change Officer:** most of the measures suggested, including solar and GSHPs have been included. It's also good to see links to the local cycle infrastructure.
- 7.14 **NYC Ecology:** Biodiversity Net Gains (BNG) calculations were provided post-submission of the application and demonstrated that overall gains for habitat and hedgerow units are to be 10% and 397% respectively. These are considered to be achievable within the proposals which is in accordance with current policy. The Ecologist would like to see the watercourse element included within the calculations and if a loss, then measures would need to be put in place to enhance the watercourse. With regards the BNG, it is recommended that conditions to require a detailed BEMP or LEMP in order to set out the habitat creation, enhancement and management prescriptions and now these will be monitored and managed for a minimum of 30 years. This would usually be secured via a legal agreement.

Similarly, the Preliminary Ecological Appraisal (PEA) assessment were not initially provided and available for review. However, since this time, further surveys have been submitted and

the Ecologist raises no objections, subject to conditions for the CEMP, lighting, BNG and a long-term management plan (to implement the BNG and landscaping).

At the time of writing this report, results of recent badger surveys that were carried out are awaited but are expected in early January. Any response will be the subject of further consultation with the Ecologist and a final recommendation reported at the meeting.

- 7.15 **NYC Environmental Health:** Consider the submitted Acoustic Appraisal to be acceptable, subject to conditions (relating to hours of use 07:00-23:00 hrs; no amplified music in the external canopy area and plant and machinery not exceeding 45 dBA LAeq during the daytime and 41 dBA LAeq during the night (23:00-07:00) in the interests of neighbour amenity. Similarly, no objections are raised in relation to air quality and dust, providing that the measures outlined in the submitted Air Quality report dated 5th October (in particular dust control measures and best practice in terms of construction traffic and plant, incorporated into an overall Construction Management Plan (CMP)).

Environmental Health have also considered the report submitted on ground contamination and have recommended that a 'Phase 2' assessment be carried out and submitted for approval prior to the commencement of development.

- 7.16 **NYC Highways:** Required further information on the following aspects: -

- A Transport Statement (TS) should be provided that explains the transport elements of the proposal, including a net trip generation and proposed land uses;
- The TS should set out the car parking proposals and how they accord with current standards. The management of staff and visitor parking should be clarified.
- Staff and visitor cycle parking to be clarified;
- A swept path analysis of the proposed parking provided, particularly for bays 6, 7, 15 and 22 and for the proposed loading bay on Shute Road.
- Clarification of the 'Adopted NYC Highways Zone' as this does not match records
- Removal of (to be) redundant vehicle crossover between building 32-34.
- Clarification of drawing ref. NY2205-APP-XX-XX-DR-D-006-P2 in terms of the toucan crossing
- Need for a 'Cycle Level of Service' (CLoS) and where necessary, a Junction Assessment Tool (JAT);
- Further details required to allow are traffic signal engineering team to assess the proposals. At this stage as a minimum the proposed method of control and number of traffic lanes proposed should be confirmed. Any proposed changes to this junction will need to be supported by local junction modelling.
- Any proposed changes to street lighting within the public highway will need to be reviewed by our street lighting team. The positions of proposed trees/ lighting columns should be reviewed. No trees should be located with 10m of a light column.
- Financial Contribution of £2,500 required to go towards existing traffic Regulation Order (TRO) along Shute Road. A check should be made as to whether the policy bay ought to be relocated as well as £5000 towards the monitoring of a Travel Plan.

- 7.17 **NYC PRoW:** Identifies a public right of way which runs within or adjoining the application site. Provides standard advice on where a development may impact on a public right of way.

- 7.18 **Police Designing Out Crime Officer:** In relation to designing out crime, the design and layout of this proposal has taken the principles of crime prevention through environmental design into consideration. It is considered that it accords with the core principles and design objectives set out in the National Planning Policy Framework in respect of developments creating safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

7.19 **Waste and Streetscene Manager:** No response.

7.20 **Yorkshire Water:** initially objected to the application, as it appeared from the submitted site layout that new tree planting would be sited within 5 metres of the public sewerage system located within the site.

Further details have been submitted on behalf of the applicant in seeking to address the objections, that have now allowed Yorkshire Water to remove their objection and recommend a condition to be attached to any Planning Permission granted (to ensure the development is carried out in accordance with submitted plan "DRAINAGE LAYOUT" NY2205-APP-92-XX-DR-C-2500-S1 rev, P02).

7.21 **Yorkshire Wildlife Trust:** No response received.

7.22 **British Horse Society:** No response received.

7.23 **North Yorkshire Local Access Forum:** *In the introduction to the project paper, 'increased cycle paths and secure cycle storage is mentioned', but there are no further details of how much storage there will be and nothing indicated on the plans provided. In fact, the Forum would advise cycle racks be provided at more points within the development area otherwise any claim to 'improve access by non-car mode' in Policy C11 rings hollow. The Design and Access section states that the car park is designed for 26 vehicles, a number which seems totally inadequate if it includes disabled parking and plenty of electric charging points, as this should cater not just for those working in the offices and setting up the events that are expected such as pop-ups and small artisan fairs, but also for the public. When Coronation Park was created in the Garrison 2000 Millennium plan, the paths were intended for shared cycle use to create a multi-user sustainable link between Hipswell and the Garrison centre, so the fact there is only one north/south connection on your plan does not reflect an imaginative improvement, but rather a loss of amenity, and we would like to see at least another what is termed footpath in this report widened for wheelchair and cyclist use. We support the need to depart from standard for the bridge as suggested. Unfortunately Richmondshire's Local Plan has not been updated since 2014 and does not adequately reflect the latest National Planning Policy Framework with its emphasis on Access for All providing Best Value in the cause of health and wellbeing. When it comes to the detailed design phase, we hope there will be plenty of seating throughout the development and maybe an area with tables too of wheelchair-friendly design of course.*

7.24 **The Ramblers:** *We welcome the improvements including the goal of providing both north-south and east-west links. The aim of the plan should also be, not only to provide "communication links" but also to create an environment which makes walking an enjoyable, as well as safe, experience. Ramblers welcome the planned improvements to both the existing multiuser paths as well as improvements to the pedestrian only paths and have no objection to the provision of multi user paths, providing there are separate clearly signed and marked ways for walkers and cyclists and a good network of pedestrian only paths, which in isolation provide an excellent communication and recreation facility.*

We continue to have concerns that the plans have been developed largely from a cycleway perspective. We would be reassured if the documents included a separate plan and statement of the specific network of pedestrian only paths including demonstrating that there is a complete east-west and north-south pedestrian only routes. Ramblers regret any evidence of input to the plans from North Yorkshire Council's Access team.

Finally, a technical point...Is there a reason why most of footpaths in Catterick are not dedicated rights of way?

7.25 No local representations have been received from residents or business'.

8.0 ENVIRONMENT IMPACT ASSESSMENT (EIA)

8.1 The development falls within Schedule 2 Category 10(b) Urban Development Projects of The Environmental Impact Assessment Regulations 2017 (as amended) and exceeds threshold (iii) due to the site being over 5ha. As such the Council as Local Planning Authority have screened the development and found that it is not EIA development and no Environmental Statement is required to be submitted with the application. The Screening Checklist which acts as the report and decision is available to view on the Council's website. Nothing has changed since the Screening Decision and it is still effective for the Committee Decision. No conditions are required to rule of a likely significant environmental effect.

9.0 MAIN ISSUES

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

- Principle of development
- Community and Economic Benefits
- Highways, Access and Parking
- Layout
- Design, Visual Impact and Landscaping
- Ecology and Biodiversity
- Drainage and Flood Risk
- Trees
- Residential Amenity
- Archaeology
- Heritage
- Other Matters – Demolition and Contamination

10.0 ASSESSMENT

Principle of Development

10.1 The NPPF set out that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. The NPPF emphasises the commitment to securing sustainable economic growth in order to create jobs and prosperity with *significant weight* being given to this factor. New developments generating significant amounts of transport movement should take opportunities to deliver sustainable transport modes; provide safe and suitable access for all people; and bring cost effective solutions to significant transport impacts arising from the development.

10.2 The NPPF also attaches great importance to the design of the built environment which is a key aspect of sustainable development contributing positively to making places better for people. New developments should:

- function well and add to the overall quality of the area for the lifetime of the development;
- be visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- establish or maintain a strong sense of place;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 10.3 At the local level, spatial strategy for the central sub-area supports the strategic growth of Catterick Garrison and the delivery of town centre development including development that :
- creates a balanced and thriving town centre with excellent services and facilities;
 - protects and enhances the vitality and viability of the Garrison town centre and its 'Principal Town' role;
 - provides for District and local needs;
 - enables the provision of services and facilities that can be shared with Richmond;
 - integrates with local communities;
 - provides the required transportation infrastructure and improves sustainable transport connections with neighbouring communities and between the two centres of Richmond and Catterick Garrison; and,
 - provides high quality development and public realm.
- 10.4 Policy CP13 promotes high quality design including sustainable construction principles which policy CP14 expects developments to provide, or enable the provision of, the infrastructure made necessary by that development.
- 10.5 The application is for the demolition of under used/ vacant buildings and the development off a community centre, new public realm including plaza and enhanced park land will regenerate an area that is currently run down and this is supported by Core Policy CP3 of the Local Plan. Having regard to this; the Town Centre location of the application site as a whole and the fact that the site falls within the Catterick Garrison and Strategic Direction of Growth Area, the development would comply with and facilitate the realisation of the Richmondshire Local Plan 2012-2028 Core Strategy with specific regard to Policies SP1, SP2, CP3 and The Central Richmondshire Spatial Strategy.
- Community and Economic Benefits
- 10.6 Policy CP11 (Supporting Community, Cultural and Recreation Assets) states that support will be given to development which helps to create additional community and recreational assets (land and buildings) that helps to improve community well-being and encourages social interaction. Policy CP11 also states that new community and recreational assets are expected to locate such buildings/land where they will be well served by public transport and accessible by walking and cycling.
- 10.7 The central location of the application site with an enhanced pedestrian link would provide better connections to Road with Richmond Road and the wider Town Centre (in terms of physical access but also visually), and would benefit from existing road and footpath networks in the local area to ensure good connectivity. This aspect of the scheme would therefore accord with the expectations of CP11.
- 10.8 As well as improvements to parts of Coronation Park, the proposed buildings and associated outdoors space(s) intend to provide an economic and social hub. The ground floor of the proposed Community and Enterprise Centre would be intended as a community space with seating and information boards, public toilets and dedicated Changing Place facility and a direct link to the multi-use events space to the side. The second floor of this building would be given over to entrepreneurs and local start-up businesses. The Business and Community Manager commented that the proposed development would fully align *with the Council's Economic Growth Strategy 2024 – 2029 priorities by supporting the creation of flexible workspace and business hubs; developing sites for growth and investment; promoting and*

enabling innovation and encouraging and assisting start-up businesses with Catterick Garrison. A unique venue within Catterick Garrison to create a base for start-up would be created and assist small and medium sized businesses to relocate, whilst at the same time providing access to community group spaces and event spaces.

- 10.9 The scheme is therefore considered to be in line with the expectations of both Core Policies CP7 and CP11 of the Local Plan, which are supportive of the development of the development of mixed use sites and the creation and enhancement of community, cultural and recreational assets.

Highways, Access and Parking

- 10.10 As well as being well-located in relation to the road network within Catterick Garrison, the site has connections with the extensive Garrison cycle route network and lies within close proximity to local bus stops with a number of regular bus services that serve the locality. There are also very good pedestrian connections between the town centre as a whole and surrounding areas.
- 10.11 Vehicular access to the site would remain via Richmond Road/Shute Road, however, improvements such as narrowing of Shute Road is proposed in order to create a space that is more attractive to non-motorised vehicle use, cyclists and pedestrians. A loading bay outside of the main CCEC building is proposed, within the highway boundary, and works outside of the application site boundary are to be carried out separately such as works to the southern junction of Shute Road and a review of the existing Traffic Regulation Order (TRO). The latter would extend to the whole length of Shute Road to ensure waiting restrictions are in line with the proposed use of the area.
- 10.12 Although the scheme would involve the reuse of an existing car park on the western side of Shute Road in order to create the accessible link through to Richmond Road, a new car park would be provided to the south of the proposed buildings. The application states that 26 no. car parking spaces are proposed which would include 2 no. accessible spaces and 8 no. EV charging points (4 no. EV cycle charging points).
- 10.13 At the time of writing this report (and as set out in paragraph 7.16 above), the Local Highway Authority have indicated that they are broadly satisfied with the proposals but are seeking clarification, additional information and in some cases, amendment. The agent and applicant's highways consultant have provided the requested information and this has been issued to the Local Highway Authority for comment. It is anticipated that the outstanding matters can be satisfactorily resolved prior to the meeting. Members will be updated via the Supplementary Update Report and/or at the meeting.
- 10.14 Concerns were also raised on behalf of the Local Access forum, in terms of connectivity and cycle provision and the applicant has since met with members of the forum to discuss their response further. The current pedestrian and cycle ways within the park do not currently comply with highway standards but the proposed scheme seeks to improve the existing infrastructure and provide increased amenity for both pedestrians and cyclists (whilst reducing conflict between the two). Covered cycle storage (24 no. spaces for visitors) would be provided to the southern end of the proposed buildings, 4 no. of which would include e-cycle charging provision. Within Coronation Park, alterations to existing footbridges, resurfacing of existing footpaths and cycle ways (including a new cycle route linking the proposed public square to the existing cycle route that leads to the north east of the site) and resurfacing works to a portion of Shute Road (within the application site boundary) are proposed. Additional seating throughout the development would be proposed and the applicant is currently looking at ways in which an accessible seating area could be created within close proximity to the beck. A condition is recommended to agree details of cycle parking to serve the new play areas within the park.

- 10.15 In terms of the financial contributions sought, which are considered necessary in order to contribute towards the monitoring of the Travel Plan and implementation of a TRO along Shute Road, these obligations would be met via a separate legal agreement between NYC and the current landowner. Any recommendation of approval is subject to the relevant legal contracts/agreements being exchanged/completed prior to the issue of any planning decision notice, to ensure the execution of these financial obligations in the interest of highway safety and sustainability. The funding, which equates to £7,500, would be met by NYC as applicant and secured by legal agreement.

Layout

- 10.16 The development would involve the demolition of nos. 27 and 28 Shute Road; the Former Londis Building and 32-34 Richmond Road in order to integrate and allow for the proposed new development. The proposed CCEC building would be fairly centrally located on the eastern side of Shute road with Coronation park beyond and a new access ramp to the west to link the newly developed area to Richmond Road and the surrounding Town Centre. Whilst facing north as opposed to having a roadside frontage, the main entrance to the buildings would be accentuated with the 'CCEC' signage and coloured steel feature corresponding with the perforated steel security shutters to the entrances to the Multi-Event Space. Overall, the layout is found to be acceptable and in accordance with Policies CP7 and CP13 of the Local Plan.

Building Height, Design and Visual Impact

- 10.17 The CCEC building would be a three-storey structure, with the remaining two structures proposed designed to transition from the most visually solid of the building, through to the glazed structure of the Multi-Events space and then the opaque and light External Canopy. The buildings would be slightly staggered to retain as many trees on site as possible and improve views across to the adjacent Coronation Park and existing mature landscaping within that area. All buildings emphasise a 'gable end' shape at differing scales and heights, starting with the highest at Shute Road and finishing with the smallest towards Coronation Park.
- 10.18 The proposed buildings would be prominent in the streetscene (particularly the CCEC and the demolition of nos. 32-34 Richmond Road, which would 'open up' public views from the A6136 that are currently obscured by buildings) although the land falls away to the east from Richmond Road and so buildings would appear slightly 'set down' from this perspective. Existing buildings that surround the application site are predominantly two storey in height, however, in the wider context there is the fairly recent Town Centre development and hotel on the corner between Gough Road and Richmond Road which are taller.
- 10.19 Buildings would be staggered and the use of facing materials (mainly red-brick to reference the vernacular brickwork within this part of Catterick Garrison and zinc cladding) which would visually 'break up' the massing. The palette would be of a relatively modern, muted appearance with the signage indicatively proposed to be kept to a minimum and in keeping with design principles of the main buildings.
- 10.20 The scale of the building would allow for a range of uses internally and the option to dedicate a floor to each intended use (entrance and foyer, retail units, toilets and Changing Place on the ground floor; community use at first floor, and business uses on the second floor). Having regard to the above and the functional requirements of the site, the building design is considered to be good quality and would improve the urban realm in this locale. The Police Architectural Liaison Officer has commented on the proposal and has confirmed 'no objections' with regards to community safety and the potential for crime and disorder as a material consideration. For all of the above reasons, the building design is found to comply with Policy CP13.

Ecology and Biodiversity

- 10.21 Whilst the proposed buildings and public spaces would be located in a relatively small area adjacent to Shute Road, the application site as a whole extends to approximately 7.2 hectares, as it encompasses and proposes to make improvements to certain features within Coronation Park.
- 10.22 A Preliminary Ecological Appraisal (PEA) that was later submitted in support of this application provided a tree preliminary roost assessment was carried out and several trees (T1-9) were assessed as having low-moderate potential to support roosting bats. These trees would be affected by the proposed development and should be subject to further surveys, secured by condition, in the form of a climb and inspect survey looking for signs of bat use prior to works (no timing restrictions are applicable to this type of survey). Where a climb and inspect survey is not possible or cavities are too large for thorough inspection, emergence/re-entry surveys would need to be carried out during May-August/September prior to their removal or works which affect these trees.
- 10.23 Leadmill Beck was found to support features that are considered suitable to be utilised by White-clawed crayfish, however, based upon the return of a negative result for white-clawed crayfish and American signal crayfish DNA within the collected water samples, it was considered that white-clawed crayfish are likely absent from the watercourse on site.
- 10.24 Additional badger surveys have also been carried out as recommended in the submitted PEA, however, the results are still awaited and will in turn require further consideration by the Ecologist. As set out above, the results of the surveys are expected in early January and the Ecologist's final recommendation will be reported at the meeting. In all other respects and with the exception of some proposed tree losses, conclusions within the PEA set out that the development of the site would be feasible with minimal impact to biodiversity and potential for biodiversity gains, provided that the recommended mitigation, pollution prevention and enhancement measures are incorporated within the scheme.
- 10.25 One statutorily designated site (Foxglove Covert LNR) is located within 2km of Shute Road/Coronation Park and the site also falls within the Impact Risk Zone for Richmond Meadows SSSI and the North Pennines Dales Meadows SAC. Fifteen non-statutory designated sites are located within 2km of the site. Although not a statutory requirement, Natural England were consulted on the application but raised no objections. Subject to the adoption of pollution prevention measures, to prevent pollution of the watercourse on site and its connected habitats, it was considered that there would be no adverse impact upon any designated sites as a result of the proposed development. Natural England have concluded that the proposed development would not have significant adverse impacts on statutorily protected nature conservation sites or landscapes and therefore, the LPA consider that there would not be a requirement for a Habitat Regulations Assessment for the proposed scheme.
- 10.26 Biodiversity Net Gains calculations and a written assessment were submitted in support of the application. Units obtained for the site post-development, based on retained habitats and habitat creation included within the landscape proposals indicate that a net gain in respect to habitat areas would likely to be achieved with the current scheme with a potential biodiversity net gain of 7.22 habitat units (+ 10.03 % net change). Potential gains of 1.67 hedgerow units (+ 397.76 % net change) are also considered likely. These will be secured via condition. The proposals do not affect Leadmill Beck therefore the river units remain unchanged.
- 10.27 Although the Ecologist is not yet able to submit a full recommendation that includes all ecological constraints (on account of the awaited badger surveys) there are no objections in principle, subject to conditions. At this point, the submission of a Construction Environmental Management Plan (CEMP) is to be required prior to the development taking place (including ground works and vegetation clearance). Having also reviewed the submitted calculations for Biodiversity Net Gains on site, no objections are raised, providing long-term management can

be secured. As the current regulations are not yet mandatory, the Ecologist is satisfied that this can be secured by condition, requiring the submission of a Landscape and Ecological Management Plan (LEMP), to be approved in writing within 6 months of determination.
Flood Risk and Drainage

- 10.28 The application site is in Flood Zone 1 (low risk from rivers and seas) with localised Flood Zone 2/3 areas in the immediate vicinity to the watercourse, Leadmill Beck, which runs through from the south-western boundary through to the north-eastern boundary of the site, before eventually leading to the River Swale.
- 10.29 For the purposes of the Flood Risk Assessment (FRA), the site was divided into three areas/sites:
- 1) Access/plaza area to the west- discharge to existing drainage infrastructure;
 - 2) Site of the main buildings proposed – discharge to Leadmill Beck
 - 3) Parkland within Coronation Park – discharge to Leadmill Beck
- 10.30 The part of the site being developed with buildings, car parking, roads and external gathering areas are at a low risk of all types of flooding; except one high risk spot and one low risk spot associated with surface water flooding. The Flood Risk Assessment and drainage strategy (FRA) by Align indicates this would be managed by raising finished floor levels and designing exceedance flow routes. The report concluded that any residual risk of surface water flooding should be mitigated by the existing highways drainage within the carriageway and main development drainage, along with the building finished floor levels (FFL) to be raised a min. 300mm above surrounding levels ensuring any exceedance flow routes follow less vulnerable parts of the site. Once the proposed drainage system is constructed for the development, the flood risk from surface water is considered to be low.
- 10.31 The proposed drainage strategy set out to limit the surface water discharge rate to the runoff rates of 9.7l/s, 3.6l/s and 3.0l/s for systems 1, 2 & 3 respectively and install attenuation tanks to provide the necessary attenuation. As the skate park is situated in an area lower than the main building drainage system, a separate drainage system is proposed to avoid pumping water back up to the main tank beneath the proposed car park.
- 10.32 Since then, the applicant has received confirmation that the existing Severn Trent Water sewer within Shute Road confirms outfall of the existing Site 2 (area of main buildings) development to Leadmill Beck and a more realistic existing runoff would be:
- Site 2 Existing Greenfield 0.24ha = 1.4 l/s
 - Site 2 Existing Brownfield 0.27ha = 37.8 l/s (140l/s/ha as per guidance) with 30% betterment = 26.46l/s
 - Site 3 Greenfield 0.03ha = 0.2 l/s
- 10.33 The proposed drainage strategy had been designed so that flooding does not occur on any part of the site for all events up to 3.3% Annual Exceedance Probability (AEP) (1 in 30 years) and so flooding does not occur in any part of a building or utility plant susceptible to water for all events up to 1.0% AEP (1 in 100 years) + 45% climate change allowance.
- 10.34 The LLFA now consider that the proposed overall discharge into Leadmill Beck of 6.6l/s would be an overall betterment from the current discharge rate, when taking into account the Brownfield areas and that this aspect of the scheme is now acceptable. The applicant has also submitted an acceptable exceedance plan, showing designed flow routes. New flow routes would direct excess flows away from buildings and towards Leadmill Beck and this part of the drainage proposals is now also considered to be acceptable.
- 10.35 As set out in paragraph 7.20 of this report, Yorkshire Water initially objected to the application, as it appeared from the submitted site layout that new tree planting may be sited within 5

metres of the public sewerage system located within the site. The agent has since provided additional plans and evidence that have now allowed Yorkshire Water to be satisfied that this would not be the case and have removed the objection.

Trees

- 10.36 To facilitate the development the removal of the following is required: 5 x category B (moderate quality) trees, 18 x category C (low quality) trees and 3 x category U tree (low quality). The vast majority of trees will be retained and additional tree planting implemented.
- 10.37 Policy CP12 sets out that the green infrastructure network of the plan area will be protected and, where appropriate, enhanced to provide a high quality, accessible, diverse and well-connected network of green space to meet the needs of the community, businesses and visitors. The key green infrastructure network includes trees which flow through urban areas (particularly Catterick Garrison and Leyburn). To protect green infrastructure trees should be retained particularly high-quality category A trees. Whilst some trees will be removed, the vast majority will be retained and new trees will be planted within the landscape scheme. This arrangement is considered acceptable, facilitating the development whilst removing a small amount of necessary trees and providing good level of replacement trees. The agent estimates that around 85 no. trees (including orchard varieties) plus 30 no. trees around the woodland edge would be planted. However, full details of landscaping and tree planting are to be agreed in writing as part of a condition, in consultation with the Ecologist.

Residential Amenity

- 10.38 There are residential properties within the vicinity of the application site, with first floor accommodation above existing business premises, the nearest of which is located above the Eastern District Taylors Retail Shop at no. 6 Shute Road. The NPPF states that significant adverse impacts due to a new development should be avoided and other adverse impact should be mitigated and reduced to a minimum. Based upon the findings of the Acoustic Assessment that was carried out, it was concluded that the sound levels arising from the activities of the proposed development would not result in an adverse impact and would therefore comply with the requirements of the NPPF.
- 10.39 The Council's Environmental Health Officers have considered the report also and confirmed that the potential impact on amenity and the likelihood of the development to cause a nuisance to be limited subject to an operational maximum noise condition. Overall there are no objections to the application, but Officers do recommend conditions relating to noise and working hours restrictions, as well as compliance with the recommendations set out in the report and the submission of a Construction Environmental Management Plan (CEMP) once a contractor has been appointed. Subject to these conditions, the impact of residential amenity and the amenity of the local area is considered to be low and within acceptable parameters. The development is found to comply with Policy CP3 in respect of noise and residential amenity.

Heritage and Archaeology

- 10.40 The buildings to be demolished as part of the proposed scheme have been identified as Non-Designated Heritage Assets and as such, a Heritage Impact Assessment, prepared by Blue Willow Heritage and an Archaeological Desk Based Assessment by On Site Archaeology were submitted in support of the application. Beyond the boundary of the application site but within a 1 kilometre radius, there are four Grade II listed buildings and one Grade I listed building. All lie at least 400 metres away from the application site and given that they are therefore not in close proximity to the application site, it is not considered that the proposed development would have any potential to adversely impact upon any of these listed buildings. Consideration was also given to other Non-Designated Heritage Assets, such as the Ypres Lines army camp, however, much of the site now contains modern development (including retail development).

- 10.41 The development proposes to demolish a former Auction Hall, supermarket and bank building, which have been altered substantially over time, causing a detrimental impact to occur upon their historic interest. Due to the buildings being left vacant and unmaintained, they are considered to be unattractive, especially those located on Shute Road. Nevertheless, the demolition of these buildings would still result in complete loss of significance for these Non-Designated Heritage Assets.
- 10.42 The submitted Heritage Statement also considered the potential impact of the proposed development on the Command and Staff Training North building, which features an imposing southern façade and demonstrates a particularly impressive and historically-significant example of military architecture. The structure is labelled on historic mapping as a 'soldiers' home' building as early as the 1920s. Because of these historical and architectural factors, the structure is currently under consideration to become subject to listed building protection. Having assessed potential impact on the setting of this building on site, there is no intervisibility between this building and the proposed development site and so from a material Planning perspective, it is considered that the proposed development would not be inappropriate within the setting of the potential Listed Building.
- 10.43 NYC Building Conservation were consulted on the application and having assessed the proposals and the submitted heritage assessment(s), agree with the general findings in terms of the supermarket and nos. 26-27 Shute Road specifically being of little historic interest, contributing negatively to the character of the area. It is considered that there are greater amounts of significance in both the Auction House and bank on account of there being greater architectural interest compared to the other structures to be demolished. New buildings would be of a modern design, simple detailing and along with the proposed landscaping would result in an attractive space within the Garrison to be used as a focal point for the local community.
- 10.44 Paragraphs 203 and 204 of the NPPF state that effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application and that Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. From a technical point of view, it is also necessary to bear in mind that as Undesignated Heritage Assets, a notification could be submitted at any time for the removal of those buildings and the Planning Authority would not be able to resist a request for demolition on heritage grounds (and the buildings are not of sufficient quality to justify a potential listed status).
- 10.45 On balance, the proposals would result in total loss of historic building fabric, but it is considered that the proposed scheme would provide greater enhancement of the streetscene and surrounding area and provide substantial public benefits that would outweigh the harm caused, allowing Shute Road to continue with its commercial function. The proposals are therefore not in conflict with the expectations of CP12 of the Local Plan.

Lighting and Light Pollution

- 10.46 Mention has already been made of community safety in paragraph 10.17, but reference also needs to be made to the design intention to incorporate lighting. Details of a broad lighting scheme been included within the submission and formally assessed by Environmental Health but once the external functional areas, community spaces and landscaping are finalised, it is recommended that a more specific proposal for external lighting be submitted to the LPA for approval. Rather than an 'informative' (as recommended by Environmental Health), it is recommended that these details be required by condition in order to ensure that objectives for protecting amenity and minimising light pollution, glare and spill into neighbouring communities and limit impact to wildlife are met if planning permission is granted.

Demolition

- 10.47 As previously mentioned, the application would involve the demolition of some existing buildings (27 and 28 Shute Road; the former Londis Building and 32-34 Richmond Road). The buildings are owned by the MOD and a separate notification has also been submitted under Part 11 of The Town and Country Planning (General Permitted Development) (England) Order 2015. A similar Method Statement for Demolition has been submitted with this application and although there are no policies that deal directly with proposals for demolition, in assessing neighbour impact and ensuring that the demolition will have no harmful impact on the area that immediately surrounds the application site, Policy CP3 of the Local Plan is deemed to be relevant.
- 10.48 NY Building Control Partnership have been consulted on the application as a whole and specifically on the submitted Method Statement but have not raised any objections or provided comments other than that they would not usually become involved in the demolition process until demolition works commence. Therefore in the interests of the protection of nearby residential properties and businesses, it is recommended that a condition be attached to any planning permission granted to require the proposed demolition to be carried out in accordance with this Method Statement, unless otherwise formally agreed in writing at a later stage.

Contamination

- 10.49 The application is supported by a preliminary Risk Assessment in the form of a Phase 1 Desk Study, to consider the potential risks and hazards on, in or under the land that may be affected by contamination, in connection with this development. The National Planning Policy Framework (NPPF) aims to encourage sustainable development and the reuse of brownfield land, but this land and its surrounding environment must be made suitable for its proposed use. The study reports there are no significant risks identified or any historical records of previous contamination raised and therefore the risks are low, or moderate to low but further assessment is recommended to confirm these preliminary findings.
- 10.50 On this basis, Environmental Health recommend a Phase 2 intrusive ground investigation be undertaken to identify potential contaminant linkages. This would be required through the application of a 'pre-commencement' condition, with any resulting remediation strategy submitted to and agreed in writing by the LPA prior to the undertaking of remedial works. Subject to this condition being applied, the development is considered to comply with Policy CP3.

Carbon Savings

- 10.51 Policy CP2 of the Local Plan requires developments over 1000 sqm to submit an Energy Statement, that shows consideration of opportunities to deliver carbon savings in excess of Building Regulation requirements. The application is supported by such a statement and sets out that compliance against Part L 2021 is achievable, with the building emission rate (3.69 kgCO₂/m².annum) envisaged to be lower than the target emission rate (3.85 kgCO₂/m².annum) (BER < TER). Therefore, the minimum compliance criteria for Regulation 25B can be satisfied, in that it ensures that the Building Emission Rate (BER) is lower than the Target Emission Rate (TER). Further carbon reduction improvements are proposed which will introduce 20 no. additional PV panels to the East side of the winter garden roof. This will provide a carbon emission rate for the building of 3.03 kgCO₂/m².annum which will be 21.2% lower than the target emission rate set by the SBEM.
- 10.52 Core Policy CP2 also requires applications of this scale to demonstrate reasonable endeavours to actively contribute towards the development of a district heating network. At the present time, the Council has not advanced any feasibility studies for a district heating network for the Catterick Garrison strategic direction of growth and contributions have not been secured for permitted schemes to date. It is considered unlikely a district heating network will be advanced in the plan period and therefore it is not considered reasonable to

seek a contribution towards this. This results in the development being part non-compliant with Policy CP 2 paragraph 2, however, it is not possible for the applicants to comply with this aspect of the policy at the present time.

- 10.53 The submitted Energy Statement does provide a Renewable Technology Feasibility Assessment and concludes that, based upon preliminary SBEM calculations it would provide renewables in the form of a ground source heat pump system and a comprehensive photovoltaic array across the roof profiles would be the most feasible and viable options at this time. The building would have LED lighting throughout, ventilation systems incorporating heat recovery and thermal properties.
- 10.54 It is therefore recommended that if planning permission is granted by Members, that a planning condition is imposed to ensure the development is carried out in accordance with the submitted Energy Statement and calculations provided.

The Equality Act 2010

- 10.55 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. As the need for Changing Places facilities emerged the Changing Place toilet have been provided at the ground floor level as well as accessible toilets on each floor of the building. Access to a ground floor corridor leading past a part M compliant passenger lift to the staircase is regulated by way of access control at each floor. All exits throughout the building will provide min. 850mm clear width and consultation (outside of the formal application process) with the Dementia Forward charity has been carried out. Considerations, such as ensuring the building entrance would be easy to find and access as well as clear signage and level thresholds have been applied throughout ground floor. There is no overt reason why the proposed development would prejudice anyone with the protected characteristics, as described above.

Planning Obligations

- 10.56 The planning obligation referred to in this report (highways) would ordinarily be secured by way of a Section 106 Agreement. As NYC is the applicant, it is not possible for a Section 106 Agreement to be entered into. Instead the Council intends to enter into a Collaboration Agreement and Lease with the Defence Infrastructure Organisation as confirmed by the Executive meeting resolution on 12th December 2023. This agreement will include a commitment to for the Council to take on the responsibility for delivering any planning obligation requirements, specifically this will be the Highways payments. This is considered an appropriate legal mechanism to secure the necessary obligations. It has been agreed that the triggers for the monies to be paid would be prior to first occupation of the buildings for both the monitoring of the Travel Plan and implementation of the TRO.
- 10.57 It is considered that the financial obligations requested by the LHA would be directly related to the development and fairly and reasonably related in scale and kind and as such complies with the Community Infrastructure Levy (CIL) Regulations 2010.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1 The proposed development would deliver a pivotal element of wider regeneration aspirations for Catterick Garrison Town Centre and is fully supported in principle by both the Core Strategy and NPPF. It is a scheme that has been in gestation for a number of years, but is set to be made possible as a result of a successful application to HM Government for Levelling Up

Funding (LUF)(albeit funding is not a material planning considerations). The proposed development would provide a physical base or 'hub' to both existing and new businesses, as well as essential social space for the local community.

- 11.2 The scheme would involve the demolition of some existing buildings as discussed earlier in the report, however, any harm caused by the loss of the fabric of these Undesignated Heritage Assets is considered to be outweighed by the substantial public benefits that the proposed scheme would deliver. Off-street car parking would be provided to the south of the building and the site as a whole would be accessible to the parkland to the east and wider Town Centre to the west.
- 11.3 Proposed buildings would be modern in appearance but muted in colour and follow a design concept that would see new buildings and structures 'stepped' towards the direction of Coronation Park, with the highest and most visually solid sited adjacent to Shute Road and the existing built environment. The plans would provide for landscaped outdoor areas, including a growing area and events space and made available to the community (something that the area lacks at present). With suitable controls in place, such as hours of use and acoustic attenuation through the use of building materials, the proposed development would not have a unacceptable impact on the existing amenity of local residents or existing businesses.
- 11.4 Whilst at the time of writing this report, a formal recommendation on behalf of the Local Highway Authority (in response to the latest highway details submitted) and results of recent badger surveys are awaited, there are no insurmountable technical matters that would prevent the development from going ahead. Any final comments from consultees will be reported prior to the meeting and it is recommended that matters, such as archaeological recording and Phase 2 contamination assessments be finalised through the application of suitably worded pre-commencement conditions.
- 11.5 Having had regard to all other relevant issues and material considerations, the balance lies clearly in favour of supporting this scheme, which is in accordance with the policies of the Development Plan and the National Planning Policy Framework.

12.0 RECOMMENDATION

- 12.1 That planning permission be **GRANTED** subject to conditions listed below and the completion of a legal agreement, to secure the highways financial payments.

RECOMMENDED CONDITIONS:

Condition 1 - Time Limit

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 - Approved Plans

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 ref. NY2205-APP-XX-ZZ-DR-A-000005
- c) proposed site plan sheet 1, ref. NY2205-APP-XX-00-DR-A-000091, rev. P6
- d) proposed site plan sheet 2, ref. NY2205-APP-XX-00-DR-A-000092, rev. P6

- e) External works and Hard landscaping Plan sheet 1, ref. NY2205-APP-XX-00-DR-A-090100, rev. P6
- f) External works and Hard landscaping Plan sheet 2, rev. P6
- g) Catterick Community and Enterprise Centre- Ground Floor Plan, ref. NY2205-APP-XX-00-DR-A-010100 rev. P9
- h) Catterick Community and Enterprise Centre- First Floor Plan, NY2205-APP-XX-00-DR-A-010101 rev. P10
- i) Catterick Community and Enterprise Centre- Second Floor Plan, ref. NY2205-APP-XX-00-DR-A-010102 rev. P10
- j) Catterick Community and Enterprise Centre- Roof Plan, ref. NY2205-APP-XX-00-DR-A-010103 rev. P3
- k) North and East Elevation CCEC, rev. NY2205-APP-XX-00-DR-A-010200 rev. P9
- l) South and West Elevations CCEC and Multi-Purpose Space, rev. NY2205-APP-XX-00-DR-A-010201 rev. P9
- m) East Elevation CCEC and Multi-Purpose Space ref. NY2205-APP-XX-00-DR-A-010202 rev. P9
- n) Waste Management Strategy, ref. NY2205-APP-XX-ZZ-DR-A-007110 rev. P4
- o) Proposed Block Plan, ref. NY2205-APP-XX-ZZ-DR-A-090114, rev. P4
- p) Proposed Site Plan – Coloured ref. NY2205-APP-XX-ZZ-DR-A-090117 rev. P3
- q) Proposed Access and Connectivity Works within Coronation Park Sheet 1 ref. NY2205-APP-XX-ZZ-DR-A-090120 rev. P3
- r) Proposed Access and Connectivity Works within Coronation Park Sheet 2 ref. NY2205-APP-XX-ZZ-DR-A-090121 rev. P3
- s) Proposed Tracking, ref. NY2205-APP-XX-ZZ-DR-A-090123 rev. P1
- t) Landscape General Arrangement ref. BHA_23_1008_APP_L 001 rev D
- u) Landscape General Arrangement Detail Area A ref. BHA_23_1008_APP_L 002 rev D
- v) Landscape General Arrangement Detail Area B ref. BHA_23_1008_APP_L 003 rev. D
- w) Landscape General Softworks Layout Sheets 1 of 5, ref. BHA_23_1008_APP_L 004 rev. E
- x) Landscape General Softworks Layout Sheet 2 of 5 ref. BHA_23_1008_APP_L 005 rev. E
- y) Landscape General Softworks Layout Sheet 3 of 5 ref. BHA_23_1008_APP_L 006 rev. D
- z) Landscape General Softworks Layout Sheet 4 of 5 ref. BHA_23_1008_APP_L 007 rev. F
- aa) Landscape General Softworks Layout Sheet 5 of 5 ref. BHA_23_1008_APP_L 008 rev. F
- bb) Play Area Strategy - Play Area Location Plan ref. BHA_23_1008_APP_L 009 rev. D
- cc) Play Area Strategy - Detail Areas – Squirrel ref. BHA_23_1008_APP_L 010 rev. C
- dd) Play Area Strategy - Detail Areas - Hedgehog, Café, Junior ref. BHA_23_1008_APP_L 011 rev. C
- ee) Play Area Strategy - Detail Areas – Active ref. BHA_23_1008_APP_L 012 rev. C
- ff) Play Area Strategy - Detail Area - Woodland & Skate Park ref. BHA_23_1008_APP_L 013 rev. B
- gg) External Levels Plan ref. NY2205-APP-90-DR-C-2400 rev. P02
- hh) Surface Water Management Plan ref. NY2205-APP-90-DR-C-3500 rev. P02
- ii) Drainage Layout ref. NY2205-APP-92-DR-C-2500 rev. P02
- jj) External Lighting ref. NY2205 APP-XX-00-DR-E-000609 rev. P2
- kk) Road Lighting Layout - Catterick LUF Project 1, rev. B
- ll) Arboricultural Impact Assessment, ref. SF3409 – AIA, rev. A
- mm) Tree Constraints Plan, ref. SF3409-TC01, rev. A
- nn) Woodland Management Plan, ref. SF3409-WMP01, rev. A
- oo) Waste Management Strategy, ref. NY2205-APP-XX-00-RP-A-005, ref. P1
- pp) Photographs ref. NY2205-APP-XX-00-RP-A-002, ref. P2

- qq) Design and Access Statement, ref. NY2205-APP-XX-00-RP-A-006, ref. P02
- rr) Archaeological Desk Based Assessment, rev. A
- ss) Heritage Impact Assessment, rev. 3
- tt) Acoustic Appraisal Report, ref. J004544-7264-LK-01, rev. 1
- uu) Flood Risk Assessment, ref. NY2205-APP-00-XX-RP-C-1001, rev. P02
- vv) Preliminary Ecological Appraisal, EclA Issued December 2023
- ww) Energy Statement, rev. A
- xx) Ventilation and Extraction Statement, rev. A
- yy) Arboricultural Survey Report:BS5837:2012, rev. A
- zz) SuDS Maintenance Report, ref. NY2205-APP-92-XX-RP-C-1002, rev. P01
- aaa) Engineering Desk Study, ref. 20257-R-001-V02, rev. V01
- bbb) Method of Demolition, dated in system December 2023

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.

Pre-Commencement

Condition 3 - Contamination Remediation (discharge required)

No development shall be commenced until a Phase 2 Investigation of the risks posed by contamination are carried out in line with the Environment Agency's Land Contamination: Risk Management (LCRM) and submitted to and approved in writing by the Local Planning Authority.

If the Phase 2 Investigation does identify an unacceptable risk of harm to people or environment or property a Remediation Strategy must be submitted to and agreed by the local planning authority prior to works within 20m of the identified contamination. The buildings hereby approved shall not be occupied until the approved Remediation Strategy has been implemented and a Verification Report detailing all works carried out and testing as required has been submitted to and approved in writing by the Local Planning Authority.

Please follow the attached link for the latest YALPAG guidance : 'Development on Land Affected by Contamination, Technical Guidance for Developers, Landowners and Consultants, Yorkshire and Lincolnshire Pollution Advisory Group, Version 12.2 July 2023 Which can be found here: [Building on contaminated land | North Yorkshire Council](#)

Reason: Where a development introduces a vulnerable end use this guidance will help remediate and/or prevent contamination which can cause harm to human health, property, and the wider environment. Due to the scope, scale, demolition, and ground-breaking activities on this development a further assessment in the form of a Phase 2 intrusive ground investigation must be undertaken to identify if there are any actual or potential contaminant linkages, or not.

Condition 4 - Historic Building Recording (discharge required)

No demolition/development shall commence until a Written Scheme of Investigation for Historic Building Recording 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. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation

6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No demolition/development shall take place other than in accordance with the approved Written Scheme of Investigation.

The development shall not be occupied until the Historic Building Record has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: This condition is imposed in accordance with Section 16 of the National Planning Policy Framework as the building is of historic interest.

Condition 5 - Tree Protection

Before any materials are brought onto the site or any development is commenced, the developer shall implement the approved specification for root protection area (Smeeden Foreman Arboricultural Report dated August 2023) fencing and ground protection measures 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 and ground protection until all development the subject of this permission is completed unless an alternative phasing timetable is first agreed in writing with the Local Planning Authority.

Reason: In the interests of good arboricultural practice and ensuring existing trees are adequately protected from works associated with the development.

Condition 6 - Ecology (discharge required)

No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

The construction works shall thereafter take place in complete accordance with the approved CEMP (Biodiversity).

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 7 - Construction Environmental Management Plan (discharge required)
Prior to the commencement of any part of the development a Construction Environmental Management Plan including details of best practicable means to minimise noise and dust shall be submitted to and approved in writing by the Local Planning Authority.

Unless otherwise agreed by the Local Planning Authority, the Construction Environmental Management Plan shall ensure that construction works (including any deliveries of construction materials) for the development do not take place outside the hours of 8.00 a.m. to 6.00 p.m. on weekdays and 9.00 a.m. to 1.00 p.m. on Saturdays. Furthermore, it should ensure that no construction works or deliveries of construction materials take place on Sundays or Bank Holidays. Any waste exemption plans may require an environmental permit.

The Management Plan shall also ensure that site compounds and fixed item of plant such as compressors are located away from the nearest residential property.

Thereafter the approved Construction Environmental Management Plan for the development shall be implemented during all construction works unless otherwise varied in writing by the Local Planning Authority.

Reason: In the interests of the amenities of local residents and to mitigate the impacts of noise and dust during construction works.

Early Stage/ Construction Period

Condition 8 - Lighting - Biodiversity and Amenity (discharge required)
Prior to commencement of development or within 6 months of the date of this decision notice, whichever is the later, a permanent lighting design strategy which has consideration for biodiversity and residential amenity shall be submitted to and approved in writing by the local planning authority. The strategy shall: a) identify those areas/features on site that are sensitive to lighting and b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that sensitive areas/features will not be impacted by lighting.

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

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

Condition 9 – LEMP (discharge required)
Within 6 months of determination, a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the local planning authority. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details

Reason: This condition is necessary to ensure the protection of wildlife and management of supporting habitat.

Condition 10 - Drainage (compliance)

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed, in accordance with the approved plans and documents listed under condition 2 of this decision notice.

Reason: To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading.

Condition 11 - Materials (discharge required)

No materials shall be used in the construction of the external surfaces of the buildings and structures hereby permitted until details of such materials (with samples as appropriate) have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the proposed development and to reserve the rights of the Local Planning Authority with regard to this matter.

Pre-Occupation

Condition 12 - Landscaping (compliance)

The approved hard landscaping and external areas shall be installed/ completed in full prior to first occupation of the buildings hereby approved unless a phasing strategy is first submitted to and agreed in writing by the local planning authority.

The soft landscaping will be planted and laid out in the first planting season following commencement of development within the areas identified within the approved 'Softworks Layout Sheets 1-5', as stated in Condition 2, unless an alternative timetable is first agreed in writing with the Local Planning Authority. All soft landscaping areas must be complete and planted at the latest in the planting season following first occupation of the development hereby approved.

Any trees or plants which are damaged, die or become diseased within 5 years of planting or from 5 years from the first occupation of the development, whichever is the later shall be replaced like for like.

Reason: To ensure high quality landscaping is delivered as part of the development having regard to Policies CP2, CP3 and CP4 of the Richmondshire Local Plan 2012-2028 Core Strategy adopted 2014.

Condition 13 – Cycle Parking

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

Reason: to facilitate sustainable travel and health communities.

Condition 14 - Parkland Furniture

Notwithstanding the proposed site plan hereby approved, a detailed layout of the proposed seating areas (including specifications for any equipment, accessible seating areas, planting, surfacing, bins and boundary treatments) shall be submitted to and approved in writing by the Local Planning Authority prior to installation and implemented and maintained within the development thereafter, unless otherwise approved in writing by the LPA.

Reason: To reserve the rights of the Local Planning Authority with regard to the use and development of this area of land within the site, in interests of the residential amenity, accessibility and mitigating anti-social behaviour.

Condition 15 - Uses (compliance)

The building(s) hereby approved shall be used solely for the uses falling within Use Class's E(b), E(d), E(f), F1 and F2; other than the third floor which shall additionally be used for Class E(g)(i) of the Town & Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification); without the first express permission of the Local Planning Authority in writing.

Reason: These uses are considered sustainable uses for this Town Centre location and to ensure a mixture of both economic and community uses are retained.

Condition 16 - Separate Drainage Systems (compliance)

The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage.

Condition 17 - Refuse/recycling (compliance)

The development hereby approved shall be carried out in accordance with the approved Waste Management Strategy, dated 30th August 2023, by Align Property Partners. Thereafter the development shall be carried out in accordance with the approved details and the storage/recycling facilities shall thereafter be retained for their approved purpose unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of adequate refuse/recycling storage/collection facilities having regard to the general appearance of the development together with the amenities of neighbouring residential properties.

Condition 18 - Ecological Measures (compliance and possible discharge)

The recommendations of the Ecological Appraisal accompanying the application shall be carried out in association with the development, including the need for additional surveys that may arise as the development progresses, as set out in Table 13 (Ecological Impacts: Summary), by Smeeden Foreman Ltd, dated December 2023, the results of which shall be submitted to and approved in writing by the Planning Authority prior to the tree works being carried out.

Reason: In the interests of minimising the ecological and landscape impact of the development and maximising the scope for ecological enhancement.

Condition 19 - Drainage (compliance)

The drainage system shall be delivered in complete accordance with the approved details listed below and shall be completed in full prior to the first occupation or use of the area they are designed to drain.

- a) Surface Water Management Plan ref. NY2205-APP-90-DR-C-3500 rev. P02
- b) Drainage Layout ref. NY2205-APP-92-DR-C-2500 rev. P02
- c) Flood Risk Assessment, ref. NY2205-APP-00-XX-RP-C-1001, rev. P02
- d) Waste Management Strategy, ref. NY2205-APP-XX-00-RP-A-005, ref. P1

Once built/delivered, the drainage systems shall be maintained and managed in complete accordance with the details set out in the approved SuDS Maintenance Report, ref. NY2205-APP-92-XX-RP-C-1002, rev. P01.

Reason: To ensure that the development is built to the submitted drainage design; to prevent the increased risk of flooding; to ensure the provision of adequate and sustainable means of drainage in the interests of amenity.

Condition 20 - Demolition (compliance)

Demolition of buildings is to be carried out in accordance with the approved Method of Demolition, dated December 2023 unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interest of protecting the environment, future users of the land and neighbouring land and without unacceptable risks to workers, neighbours, and other nearby receptors.

Condition 21 - Noise (compliance)

The development hereby approved shall be built in complete accordance with the 'Stage 3 Acoustic Appraisal Report, Catterick Garrison Levelling Up Project', dated 6 October 2023, by Philip Dunbavin Acoustics Ltd that was submitted with the application.

Once built, buildings and outside spaces shall operate as followed:

1. The hours of use of the multi-use events space and external canopy area shall be restricted to 07:00 and 23:00 hours.
2. There shall be no amplified music within the external canopy area.
3. Noise associated with plant and machinery incorporated within the development shall be controlled, such that the Rating Level measured or calculated at the boundary of the nearest existing noise sensitive premises, shall not exceed 45 dBA LAeq during the daytime (07:00 – 23:00 hours) and 41 dBA LAeq during the night-time (23:00 – 07:00 hours).

Reason: to protect the amenity and quality of life of nearby residents.

Condition 22 - CMP (compliance)

The construction phase of the development shall be carried out in accordance with the submitted Construction Management Plan, which states that operational hours shall be between 8.00 a.m. to 6.00 p.m. on weekdays and 9.00 a.m. to 1.00 p.m. on Saturdays. Furthermore, there shall be no construction works or deliveries of construction materials take place on Sundays or Bank Holidays.

Reason: In the interests of the amenities of local residents and to mitigate the impacts of noise and dust during construction works.

Condition 23 - Energy (compliance)

The development hereby permitted shall be carried out in accordance with the submitted Energy Statement and associated appendices (report reference 008063 Issue 1, dated March 2021), in order to exceed the minimum standards prevailing through Part L of the Building Regulations to the maximum level that is feasible and viable for this particular development.

All technologies/ equipment as proposed in the approved Energy Statement shall be delivered in full working condition prior to first occupation of the building(s) hereby approved and shall thereafter be retained and maintained for their viable lifetime.

Reason: In the interests of securing a sustainable form of development.

Target Determination Date: 16.01.2024

Case Officer: Caroline Walton, caroline.walton@northyorks.gov.uk