

North Yorkshire Council

Community Development Services

Richmond (Yorks) Area Constituency Planning Committee

13 June 2024

**20/00892/OUT - Outline Application with Some Matters Reserved for 3 No
Commercial Units, Associated Parking and Access
At Land North Of Green Howards Road, Richmond North Yorkshire
On behalf of Mr David Eeles**

Report of the Assistant Director Planning – Community Development Services

1.0 PURPOSE OF THE REPORT

- 1.1 To determine a planning application for outline planning permission with details of access, appearance, layout and scale for 3 commercial units, associated parking and access on land north of Green Howards Road, Richmond North Yorkshire.
- 1.2 The application has been referred to planning committee following an accepted “call-in” request by the ward member. The reasons they raised are harm to open spaces, the northern boundary of Richmond and the development being visible from many locations around the settlement.

2.0 EXECUTIVE SUMMARY

RECOMMENDATION: That planning permission be GRANTED subject to conditions listed in section 12 and the completion of a S106 agreement with terms as detailed in Table 1.

- 2.1. The application is for outline planning permission with matters relating to Access, Appearance, Layout & Scale sought at this stage and landscaping being the only matter reserved for agreement at a later stage.
- 2.2. The site is located within/adjacent to Richmond and within The Richmond Conservation Area, where Bolton Crofts abuts the Gallowfields Trading Estate to the north of the town. The site is sloped from south rising northwards.
- 2.3. The proposal seeks to deliver a modest amount of high-quality single storey business accommodation in an area that adjoins a trading estate.
- 2.4. It is considered that the proposal would not be harmful to The Richmond Conservation Area nor setting of the town and that economic development in this location would be acceptable and in accordance with the Central Richmondshire Spatial Strategy & Local Plan Policy CP4.



Fig 1: O.S Site Location Plan

3.0 PRELIMINARY MATTERS

- 3.1. Access to the case file on Public Access can be found here:
[PUBLIC ACCESS DOCUMENTS](#)
- 3.2. The proposal has been subject to some relatively minor amendments during the course of the application, including revisions to the parking layout and reductions in plot sizes and the floor area. In general terms though, the spirit of the scheme has not changed, which has sought to deliver 3 small, high-quality business/workshop buildings, totalling just under 1000 sq m of floor space overall.
- 3.3. The planning register shows no record of any other planning applications for this site.

4.0 SITE AND SURROUNDINGS

- 4.1. This 0.39ha site is located on the western edge of the northernmost tip of the Richmond Conservation Area (RCA). The land is set as agricultural (grazing) land and forms the northwestern edge of the area known as Bolton Crofts. Gallowfield's Trading Estate (GTE) is to the west. Residential estates lie to the south west and south east.
- 4.2. Access to the site is via a track at the eastern edge of the GTE. At present this leads to a vehicle repair shop to the rear of the car dealership that sits in a prominent position on Green Howards Road.
- 4.3. Once on this track, access into the site itself would be taken via what is claimed to be a private road, which at present is unused and in disrepair. From Green Howards Road, this appears to serve little purpose other than providing a field access. At its northern end, the private road is more clearly defined, where it connects into Borough Road within the GTE, next to the telecommunications mast. This is probably due to a small garage / workshop, which accesses its premises at this end of the track.

5.0 DESCRIPTION OF PROPOSAL

- 5.1. This application seeks to secure Outline Planning Permission for the erection of three commercial units & associated parking & access. Matters relating to access, appearance, layout & scale are sought at this stage, with landscaping being the only matter reserved for agreement at a later stage.
- 5.2. The existing private road would be upgraded to provide an access route into the site and the three new buildings would front onto this, facing towards the industrial estate. Sizewise, the units would comprise two "double" 342m² units (split into two) and one single occupancy unit, measuring 222m². Parking would be to the front of the units, in-between them and the upgraded private road. To the immediate rear/east of the proposed units lies around 0.5Ha of the open space, which is also within the applicant's ownership. As part of the proposal, it is proposed that indigenous trees planted on this land, which would soften the western edge of the open space by screening the GTE from eastwards positions.

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

Emerging Development Plan – Material Consideration

6.3 North Yorkshire Council is preparing a new Local Plan, however, it is at too early a stage to be a material planning consideration.

Guidance - Material Considerations

6.4 Relevant guidance for this application is:

- National Planning Policy Framework 2023
- National Planning Practice Guidance
- Richmond Conservation Area Appraisal & Management Proposals (Draft) (RCAAMP)

7.0 CONSULTATION RESPONSES

7.1. As the scheme has been subject to a number of revisions, consultations have been sent out on three occasions, most recently at the end of February this year. Consequently, some consultees have responded more than once. The following summary sets out the most recent & relevant comments received to date.

7.2. **Parish Council:** The committee has not changed its mind since earlier consultations and continues to object on the grounds of highway access. It agrees with the objections raised by Yorkshire Water and the Civic Society. The early responses raised that the very poor access/egress onto Green Howards Road which is a narrow road with blind hill crests. It is also considered to be a detrimental loss of a green field site.

7.3. **Division Members:** Object as they believe that the development would have a very negative impact on the open space which forms the boundaries to the north of Richmond. It would be very visible from all of the towns vantage points and would be visible from just about everywhere. They are also concerned about vehicles travelling to and from the site via Darlington Road, Gilling Road, Hurgill Road and Quarry Road in particular.

7.4. **NYC Economic Development Team:** Endorse the application as the Gallowfields Trading Estate is in relatively high demand with properties coming onto the market relatively infrequently. The proposal would contribute towards the council meeting its economic growth objectives and would provide additional opportunity for new businesses to relocate to the district or retain economic growth in the area by providing of high-quality employment space within a highly desirable business location.

7.5. **NYC Environmental Health:** has no objections to the proposal as any adverse impacts would be unlikely, due to the size of the units proposed, the location and distance to nearest residential receptors.

7.6. **NYC Highways:** No objection, subject to the imposition of conditions.

7.7. **The Ramblers:** As there is no impact upon any existing Public Rights of Way, we have no comment to make.

7.8. **Yorkshire Water:** Has no objections to the proposal, subject to the imposition of conditions.

Local Representations

- 7.9. In total, three local representations have been received, 1 of these objects to the proposal, whereas the other two have submitted some advice regarding the private road.
- 7.10. Comments have also been received from local interest groups The Civic Society, who object to the proposal and the Richmond Business & Tourism Association who are in favour. A summary of all of these comments is provided below, however, please see website for full comments.
- 7.11. Support:
- **Richmond Business & Tourism Association:** Fully supports the proposal, as it would greatly improve the appearance of the perimeter of the GTE.
- 7.12. Objections:
- The **Civic Society** strongly object to this development as it would remove part of a substantial area of mostly open ground which rises above the north side of the town, providing viewpoints over Richmond. This land also provides a backdrop to views from high points within Richmond such as The Castle Keep and is an important characteristic of this historical market town and its development. In addition, Green Howards Road is already narrow and unfit for some of the large vehicles which use it. To make another access point on this thoroughfare could be problematic.
 - One resident objects on the basis that the proposal would reduce the amount of green space which overlooks the town. Also, Green Howards Road is too narrow for commercial vehicles and lorries which currently use it, and the development would exacerbate the situation and create further hazards for pedestrians.
- 7.13 Neutral
- Two nearby business owners have wrote in to advise that whilst they have no objections to the construction of the new units, they would like assurance that their existing rights of access along the route of the road would remain, post-development.

8.0 ENVIRONMENT IMPACT ASSESSMENT (EIA)

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

9.0 MAIN ISSUES

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

- Principle of development
- Effect on the Character and Appearance of the RCA
- Highways Matters
- Ecology & Wildlife

Other Matters:

- Sustainability
- Flood Risk, Drainage & Ground Conditions
- Amenity
- S106 Agreement
- Equality

10.0 ASSESSMENT

Principle of Development

- 10.1. The application site lies outside but adjacent to the development limit of Richmond at its western edge. Policy CP4 sets out that should be in, or if deliverable opportunities do not exist within, adjacent to the settlement's Development Limits. There are no live applications within or adjacent to Richmond for commercial development at the current time. There are two planning permissions granted since 2020 for the redevelopment of existing employment land (ZD23/00385/FULL and ZD23/00282/FULL) within the town.
- 10.2. The Councils Economic Development Team have advised that they had enquiries from a number of prospective end-users, who are attracted to the prospect of having a high-quality employment space with what they consider to be a desirable business location. The design & size of the units proposed are considered to meet a specific need locally.
- 10.3. It is considered that even if there a couple of sites within Richmond, that both these and this site could be developed due to the demand for floor space. For the foregoing reasons it is considered that the development location complies with CP4 paragraph 2.a.
- 10.4. Policy CP4 sets out further requirements for new development, of particular relevance to the proposal are criterion:
 - 1(d) development to meet the social economic needs of the local community.*
 - 1(e) is proportionate to the existing settlement size and local service provision; and*
 - 2(b) proposals should be (i) accessible and well related to existing facilities*
 - (ii) within the capacity of existing infrastructure.*
- 10.5. The proposal would meet a requirement in this location that has been identified by the Economic Development Team and as such, it would meet an economic need of the local community by way of providing additional job opportunities. In terms of size, its relatively small scale of five modestly-sized units are considered to be proportionate, as such a scale would not give rise to any highway or any other infrastructure issues, as is demonstrated later in this report.
- 10.6. Therefore, with all of the above in mind, it is considered that proposal is acceptable in principle and accords with the adopted development plan.

Heritage

- 10.7. The application site lies within the northern part of the Richmond Conservation Area, it is also adjacent to eastern edge of the GTE. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid in the exercise of planning functions to the desirability of preserving and enhancing the character and appearance of a Conservation Area.
- 10.8. The Central Richmondshire Spatial Strategy (CRSS) states that support will be given for development which strengthens and sustains Richmond within its significant environmental and infrastructure constraints. In this regard, the CRSS states that support should be given to employment development at GTE which promotes an appropriate range of non-town centre uses that are complementary to Richmond town centre, encourages reduced heavy goods vehicle movements, protects and enhances the setting and views of the historical heritage of the town, its landscape setting and other significant environmental assets and which limits further expansion to the northeast of Racecourse Road.
- 10.9. The character of this particular location within the Conservation Area is described in the draft RCAAMP as "mostly open fields" with a "boundary that appears arbitrary in several areas." The RCAAMP explains that the significance of this area lies almost exclusively in its openness and largely to it being at a significantly higher level than Richmond's historic town

centre. This openness can be experienced in different ways from a number of locations. There are a number of elevated viewpoints around Bolton Crofts from where you can “look down” upon the town. Conversely, Bolton Crofts also provides a “green backdrop” when “looking up and out” from the town, into the open countryside.

- 10.10 The draft RCAAMP notes that there are the “Modern estate incursions into the open space” and that it is in “close proximity to the GTE which partly compromises this section of the RCA”. It then explains that the GTE presents “a prominent element in the landscape with conspicuous buildings which certainly impact on the quality of the setting of the designated area”. Consequently, the RCAAMP states that “...the significance of this part of the Conservation Area lies almost exclusively in its openness and it is important that this is retained right up to the edge of the trading estate.”
- 10.11 It is clear that one of the main reasons that the draft RCAAMP seeks to prevent further incursions into this section of the RCA is in order to preserve its green and open nature, which is what gives this part of the RCA its special characteristic. However, the proposal provides an opportunity to reduce some of the harm caused by the GTE. This would be achieved as a result of the proposed units being positioned in front of the GTE, which would actually reduce its visual prominence. The high-quality design of the units and their use of natural materials, such as stone, along with the significant amount of planting that would then be planted along the northeastern edge of the RCA would significantly improve the quality of the setting of this part of the RCA. A visual impact assessment submitted as part of the application, considers whether the proposal would be readily visible from a variety of locations around the town and satisfactorily demonstrates that it would not be visually prominent. A series of “before & after” visualisations help to demonstrate the visual impact.
- 10.12 The proposal would run counter to recommendations of the RCAAMP by developing a field in the Bolton crofts area. However, for the reasons set out above it is considered that there will be an enhancement to the overall Conservation Area. A key component of achieving this visual improvement would be the establishment of the landscaped plantation to the rear of the application site. It would therefore be important to ensure that this would be adequately managed moving forward, which would be able to be achieved by the applicant entering into a s106 legal agreement to establish a management company that would adequately maintain this land in perpetuity.
- 10.13 The development will be visible from Richmond Castle tower/keep. It is considered that its adjacency to an existing industrial estate, single storey, modest design and good quality materials results in negligible harm to this important viewpoint. Otherwise, the site is not considered to be prominent from medium or longer viewpoints.
- 10.14 Taking all of the preceding paragraphs together, whilst it is unequivocal that the proposal would not fully preserve this specific part of the RCA, it would nevertheless present an opportunity to enhance the wider areas appearance, including views from afar. For these reasons, the pragmatic approach that is recommended would be to accept that the positive benefits arising would outweigh the less than substantial harm that would occur. In doing so, the proposal would achieve the objectives of the Framework and Policies CP3, CP4 and CP12 in this regard.

Highways Matters

- 10.15 Having fully considered the proposals, the Local Highway Authority does not have any objections to the proposal. Having acknowledged concerns raised about the potential increase in vehicular movements to and from the GTE, Highways are satisfied that the surrounding road network would not be adversely affected by what would be a relatively small increase to the amount of traffic that already visits the GTE. The new access road and parking provision to the units would also be satisfactory.

- 10.16 The only concern raised by highways has been with regards to the visibility splay requirements, where the new access road would tie into Green Howards Road (see figure 3). Part of the westward visibility splay would cross third party land (the access track to the immediate left on figure 3) which the applicant has no control over. To this end, the applicant has successfully negotiated with the landowner in order to maintain a degree of control over the land in question. To ensure there is certainty and security over such an arrangement, it would be necessary for the applicant and the third party to enter into a s106 with the Council and any grant of planning permission would need to be conditional upon that agreement being entered into.
- 10.17 In addition to the above, it is important to remember at this juncture that comments have also been received from two individuals who claim to have access rights to the current private road and are seeking re-assurance that these would remain, should the scheme proceed. This is not a material planning consideration and is a civil matter.
- 10.18 The initial plans submitted showed the northern end of the new access road terminating with parking spaces running across its head, which would have prevented any through access. However, this arrangement has been revised during the consideration of the proposal and whilst the submitted plans do not show the entire length of the private road being upgraded, they now also do not show any restrictions / gates / barriers that would prevent access. To ensure that such an arrangement is achieved, it would be necessary to impose a condition to agree such matters.
- 10.19 Subject to the above requirements, the current proposal (as amended) would be acceptable from a highways perspective and would therefore accord with Policy CP3 of the Local Plan in this regard.

Amenity

- 10.20 The proposal is considered to be of a high-quality design, which as explained earlier in this report would assist in the visual enhancement of the eastern edge of the GTE. It would have no direct impact upon the interests of neighbouring business uses, and no neighbouring business occupiers/owners have objected to the public consultation. There are also no residential properties in the vicinity that would be materially affected by the proposal, which therefore accords with the priorities of CP3 which relate to amenity.

Flood Risk, Drainage & Ground Conditions

- 10.21 The application site lies in an area categorised as Flood Zone 1 and as such, there is only a low probability of flooding occurring. As the proposal is under 1000m² nor is there any requirement for a scheme of sustainable drainage to be formally agreed in advance by the Lead Local Flood Authority. However, given the sloped nature of the site and being just under 1,000sqm it is recommended to control the final drainage scheme by condition.
- 10.22 Notwithstanding the above, Yorkshire Waters observations have highlighted the fact that a public water main crosses the site which must be kept clear from development. The most recent submissions show that this will be satisfactorily achieved. In terms of wastewater, Yorkshire Water have recommended conditions be imposed to ensure that surface water run-off or foul water discharges take place until proper provision has been made for their disposal. Subject to these measures, it is considered that the proposals can comply with the requirements and expectations of Policy CP2 of the Local Plan.

Ecology & Wildlife

- 10.23 Policies CP3 and CP4 seek to support developments that promote biodiversity and avoid adverse impacts in this regard. The submitted Biodiversity Net Gain Assessment show that the site is dominated by a semi-improved neutral grassland field, with a small area of young plantation woodland lying to the north. Post Development, the assessment shows that the proposal would deliver a net gain of at least 10.53%. However, the full habitat creation,

enhancement and ongoing management details would be a matter considered separately in a detailed management plan, which is recommended to be included in the S106 agreement. This would allow Ecology Officers the opportunity to give detailed consideration of the final detail of the proposed enhancements prior to their implementation. Provided such measures are put in place, the proposal has the potential to bring positive benefits to biodiversity in the area and would accord with RLPCS Policies CP3 & CP4 in this regard.

Sustainability

- 10.24 There is no detail submitted with regards energy efficiency or carbon savings. However, as a modern development with no obvious site constraints, there should be no reason why it ought not to be capable of exceeding the requirements of Part L of the Building Regulations as required by Policy CP2. As such, it would be reasonable to impose a condition requiring submission of an energy statement for approval at the reserved matters stage. On this basis, the proposal is considered to generally accord with RLPCS Policy CP2 in this regard.

S106 Legal Agreement

- 10.25 The following Heads of Terms have been agreed with the applicant for this application:

Category/Type	Contribution	Amount & Trigger (note triggers are subject to change post committee)
Visibility Splay to be kept free of obstruction in perpetuity.	Splay provision	Prior to first occupation of the development
Delivery and Maintenance of landscaped plantation in perpetuity.	Scheme and Delivery	Prior to first occupation of the development
Biodiversity Net Gain	Scheme	Prior to works above existing ground level
Biodiversity Net Gain	Monitoring Fee	£3,040 prior to first occupation of the development
Legal Agreement Monitoring	Monitoring Fee	£280 prior to commencement of development

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

The Public Sector Equality Duty

- 10.27 There is a requirement for the Council to show that it has complied with the statutory duty under Section 149 of the Equality Act 2010 to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation. There is no reason why the proposed development would prejudice anyone with the protected characteristics as described within this paragraph.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1. The proposed development has a number of benefits, chiefly the economic development of providing 3 high quality small business units next to an existing employment area and thus facilitating new job creation. The Councils Economic Development Team have advised that

are often approached by prospective end-users and this proposals meets the needs identified.

- 11.2. The proposal also presents a unique opportunity to improve the appearance of the eastern edge of the Gallowfields Trading Estate on the outskirts of Richmond. This location in particular has long been identified as being harmful to character and appearance of the Richmond Conservation Area, which abuts the boundary of the trading estate. Whilst it is accepted that the development itself would be within the RCA, the design of the buildings proposed along with a scheme of landscaping would soften and green this location, reducing the visual prominence of the trading estate. As such, the proposal would not preserve the appearance of the RCA but it would enhance it, which would be of benefit.
- 11.3. Due to the landscaping aspect of the proposal, it would create a defensible edge to the trading estate helping to resist further development eastwards.
- 11.4. Whilst concern has been raised in relation to highways capacity and safety, highways have not objected and do not consider the cumulative impact to be so serve as to warrant refusal. Harm to neighbouring land users is considered to be negligible.
- 11.5. Subject to conditions and S106 agreement the development is considered to accord with the adopted development plan when considered as a whole.

12.0 RECOMMENDATION

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

Recommended conditions:

1. 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) Planning Application Forms and Certificates.
 - b) SVY 00 – Location Plan & Block Plan
 - c) PP01 Rev G – Proposed Floor Plans in site.
 - d) Proposed Elevations dated 17/01/24
 - e) PP 01 Rev G – Proposed Floor Plans in Site
 - f) PP04 Rev C – Proposed Roof Plan
 - g) PL00 PDA – Heritage & Economic Statement
 - h) PL10 – Visual Impact Assessment
 - i) Biodiversity Net Gain Assessment 7492 by E3 Ecology Ltd

Reason: To confirm the basis and terms of the outline planning permission.

2. Application(s) for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years beginning with the date of this permission. Thereafter, the development must be begun no later than the expiration of two years from the final approval of the reserved matters.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended.

3. Approval of the landscaping of the development (hereinafter called "the reserved matter") shall be obtained from the Local Planning Authority in writing before the

development is commenced. The detailed landscaping design shall be based upon the principles set out on the approved plans and in the approved Biodiversity Net Gain Assessment.

Reason: To reserve the rights of the Local Planning Authority with regards to these matters and ensure a high-quality layout.

4. The development must not be brought into use until the access to the site has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements: The crossing of the highway verge must be constructed in accordance with the approved details as shown on Drawing Number PP 01 Rev G and Standard Detail Number E60 Revision B (Construction Depths Only) and the following requirements:

- Any gates, bollards or barriers must be erected a minimum distance of 15 metres back from the carriageway of the existing public highway and must not be able to swing over the existing public highway.
- The final surfacing of any private access within 6 metres of the boundary with the public highway must not contain any loose material that is capable of being drawn on to the existing public highway.
- Details of measures necessary to prevent surface water from the site discharging onto the existing highway must be agreed with the Planning Authority in consultation with the Highway Authority before work starts on site. The measures should then be constructed in accordance with the approved details and maintained thereafter to prevent such discharges. All works must accord with the approved details.

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

5. There must be no access or egress by any vehicles between the highway and the application site until splays are provided giving clear visibility of 90 metres measured along both nearside channel lines of Green Howards Road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times. The provision and retention of the Visibility Splay to the west will need to be secured by means of a Section 106 Agreement.

Reason: In the interests of highway safety

6. No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users have been constructed in accordance with approved plan Drawing Number PP 01 Revision G and Standard Detail Number E60 Revision B. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

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

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

1. The parking of contractors, site operatives and visitors vehicles clear of the Public Highway.
2. Areas for the storage of plant and materials used in constructing the development clear of the Public Highway.
3. Wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent Public Highway.

Reason: In the interest of public safety and amenity.

8. No building or other obstruction including landscape features shall be located over or within 3 metres either side of the centre line of the public water main i.e., a protected strip width of 6 metres, that crosses the site. Furthermore, no construction works in the relevant area(s) of the site shall commence until measures to protect the public water supply infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the water main, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.

Reason: In the interest of public health and maintaining the public water supply

9. Prior to development above existing ground level a surface water drainage scheme shall be submitted to and approved in writing with the Local Planning Authority. The approved system shall be delivered in full prior to first use of the development hereby approved.

If discharge to public sewer is proposed, the information shall include, but not be exclusive to:

- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
- ii) the means of discharging to the public sewer network at a rate not to exceed 3.5 litres per second.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal.

10. No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works and phasing of the necessary infrastructure, have been submitted to and approved by the Local Planning Authority. No buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that no foul water discharges take place until proper provision has been made for their disposal)

11. If contamination is found or suspected at any time during development that was not previously identified, all works shall cease, and the local planning authority shall be notified in writing immediately. No further works (other than approved remediation measures) shall be undertaken, or the development, occupied until an investigation

and risk assessment carried out in accordance with the Environment Agency's Land contamination: risk management (LCRM), has been submitted to and approved in writing by the local planning authority. Where remediation is necessary, a scheme for the remediation of any contamination shall be submitted and approved by the local planning authority before any further development occurs. The development shall not be occupied until the approved remediation scheme has been implemented and a verification report detailing all works carried out has been submitted to and approved in writing by the local planning authority.

Reason: In order to ensure that risks from land contamination to future users of the land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 12 Prior to the commencement of the development, excluding ground levelling works, a scheme setting out how carbon savings are to be delivered with reference to the extent that this will exceed Building Regulation Requirements along with an explanation of why this is the maximum level that would be feasible and viable for this particular proposal, shall be submitted to and approved in writing by the Local Planning Authority. The development shall there afterwards take place in full accordance with the approved details and any associated technology for specific buildings or car parking areas, installed and made fully functional prior to that building/areas first use. The approved measures shall be retained and maintained in perpetuity unless replaced for a more sustainable system which is more energy efficient.

Reason: To secure a more sustainable form of development and to meet the expectations of Policy CP2 of the adopted Local Plan Core Strategy.

- 13 No materials shall be used in the construction of the external surfaces of the development hereby permitted until details (with brick and roof material(s) samples as necessary) of those materials have been submitted to and approved in writing by the Local Planning Authority. The materials shall be used as approved in the construction of the development. There afterwards the approved materials shall be retained unless replaced like for like.

Reason: In the interests of the appearance of the proposed development and conservation area.

- 14 All pointing of stonework shall be undertaken with a lime/cement/sharp sand mix in proportions of 1:1:6 and then brush finished.

Reason: In the interests of the appearance of the proposed development.

- 15 All guttering and downpipes shall be black in colour and be maintained as such thereafter for the lifetime of the development.

Reason: In the interests of the appearance of the building.

- 16 Details of any external lighting to be used on the site shall first be submitted to, and approved in writing by, the Local Planning Authority prior to its installation. The information shall include a layout plan with beam orientation and schedule of equipment in the design (luminaire type, mounting height, aiming angles, and luminaire profiles) and shall detail any measures to be taken for the control of any glare or stray light arising from the operation of artificial lighting.

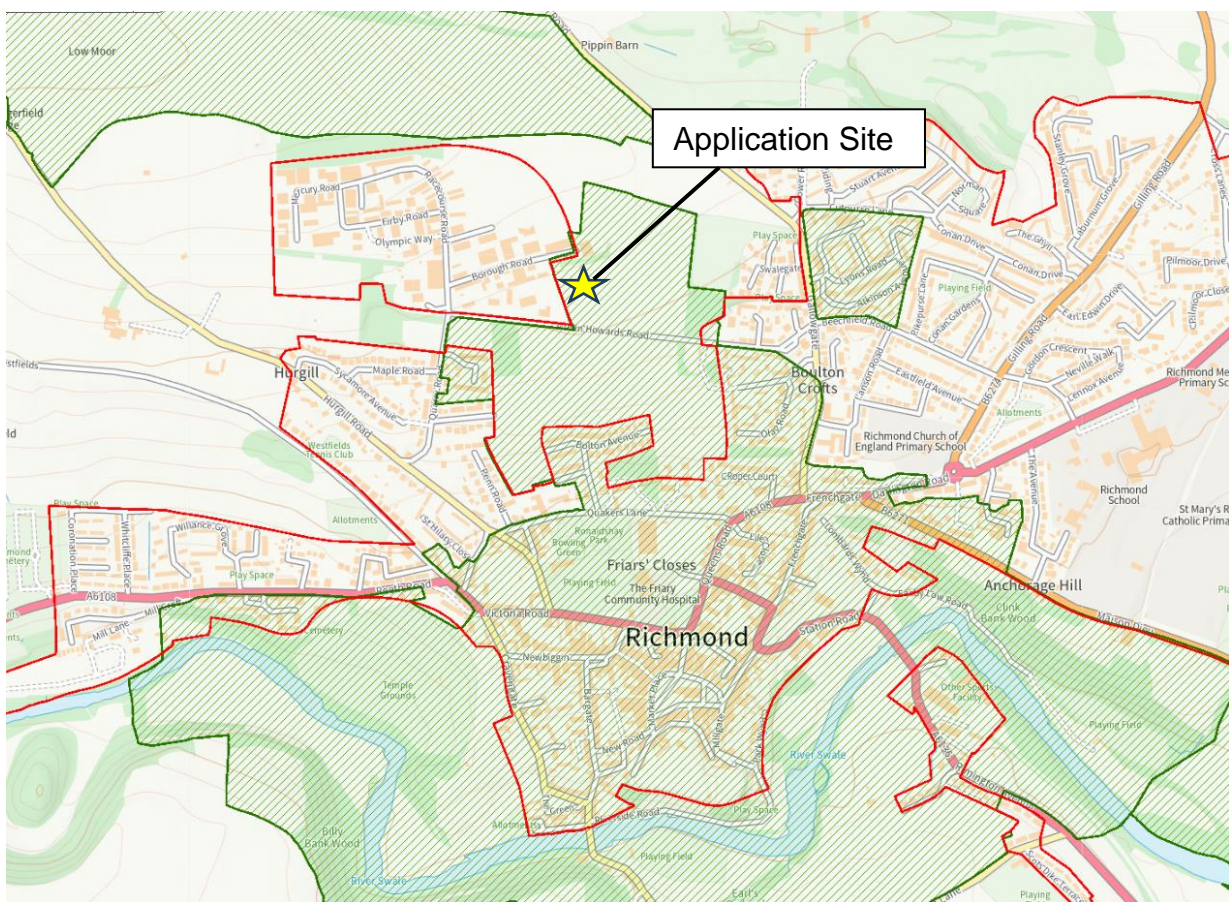
Thereafter the artificial lighting shall be installed, operated and maintained in accordance with the approved scheme. Changes to any element of the lighting scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the changes taking place.

Reason: To reserve the rights of the Local Planning Authority in this matter and in the interests of amenity, ecology and minimising light pollution.

Target Determination Date: 01.03.2021

Case Officer: Jamie Reed Jamie.reed@northyorks.gov.uk

Appendix A – Development Limits and Conservation Area



Key

- Redline – Richmond Development Limit
- Green Hashed Areas – Conservation Area
- Yellow Star – application site position