

North Yorkshire Council

Community Development Services

Richmond (Yorks) Area Committee Planning Committee

14th November 2024

ZD24/00252/FULL - Full Planning Permission for Demolition of existing school building and development of a new single storey building with associated access, parking, replacement playing field and landscaping

At: Michael Syddall Church Of England Voluntary Aided Primary School, Mowbray Road, Catterick Village, Richmond, DL10 7LB.

On Behalf Of: Michael Syddall Church Of England Primary School

Report Of The Assistant Director Planning– Community Development Services

1.0 PURPOSE OF THE REPORT

- 1.1. To determine a planning application for full planning permission at Michael Syddall Church of England Voluntary Aided Primary School, Mowbray Road, Catterick Village.
- 1.2. This application has been referred to planning committee by Officers due to raising significant material planning considerations in relation to scale and location of development.

2.0 SUMMARY

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

- 2.1. This application seeks Full Planning Permission for the demolition of existing school building and development of a new single storey building with associated access, parking, replacement playing field and landscaping.
- 2.2. The site is currently occupied by Michael Syddall Church of England Voluntary Aided School as one of the family of Church schools in the Diocese of Leeds and the county of North Yorkshire. The site is comprised of an existing school building to north, an existing Multi Use Games Area (MUGA) to the eastern boundary, playing fields/ running track to the south and parking within the northeast corner. Vehicular and pedestrian access is currently gained via Noel's Court that fronts the northern boundary of the site. Pedestrian access is also provided via an additional access point to the southern boundary. The site is outside of the designated Conservation Area of Catterick Village but within Flood Zone 3a and within designated Development Limits.
- 2.3. The application site is an existing school site that is located within a Primary Service Village within the Central Richmondshire Spatial Strategy Area, the principle of the proposed development is considered to be in line with the expectations of CP4 and CP11 of the Local Plan, as well as Paragraph 99 of the NPPF.

- 2.4. Throughout the application process, the agent has worked with the LPA and relevant consultees to address certain technical matters that have arisen, such as flood risk and drainage, highway safety and ecology. The application site is surrounded on all four sides by residential properties and so potential impact on amenity has been assessed, taking into account local representations made and submitted plans and assessments. Whilst Environmental Health do not object to the scheme, a number of specific conditions are required in order to control aspects of the construction phase, as well as any future lighting requirements that may arise.

- 2.5. Having now resolved the relevant technical matters with regard to all relevant issues and material considerations, the scheme would deliver a new school building on an existing school site that would provide enhanced community and recreational facilities. The scheme is capable of delivering 11.10% Biodiversity Net Gains and subject to conditions (to be secured by a s.106 legal agreement), the proposed development meets the requirements and expectations of Spatial Principles SP1, SP2, SP4 and SP5 and Core Policies CP1, CP2, CP3, CP4, CP7, CP11, CP12 and CP13 of the Local Plan and the relevant parts of the NPPF.

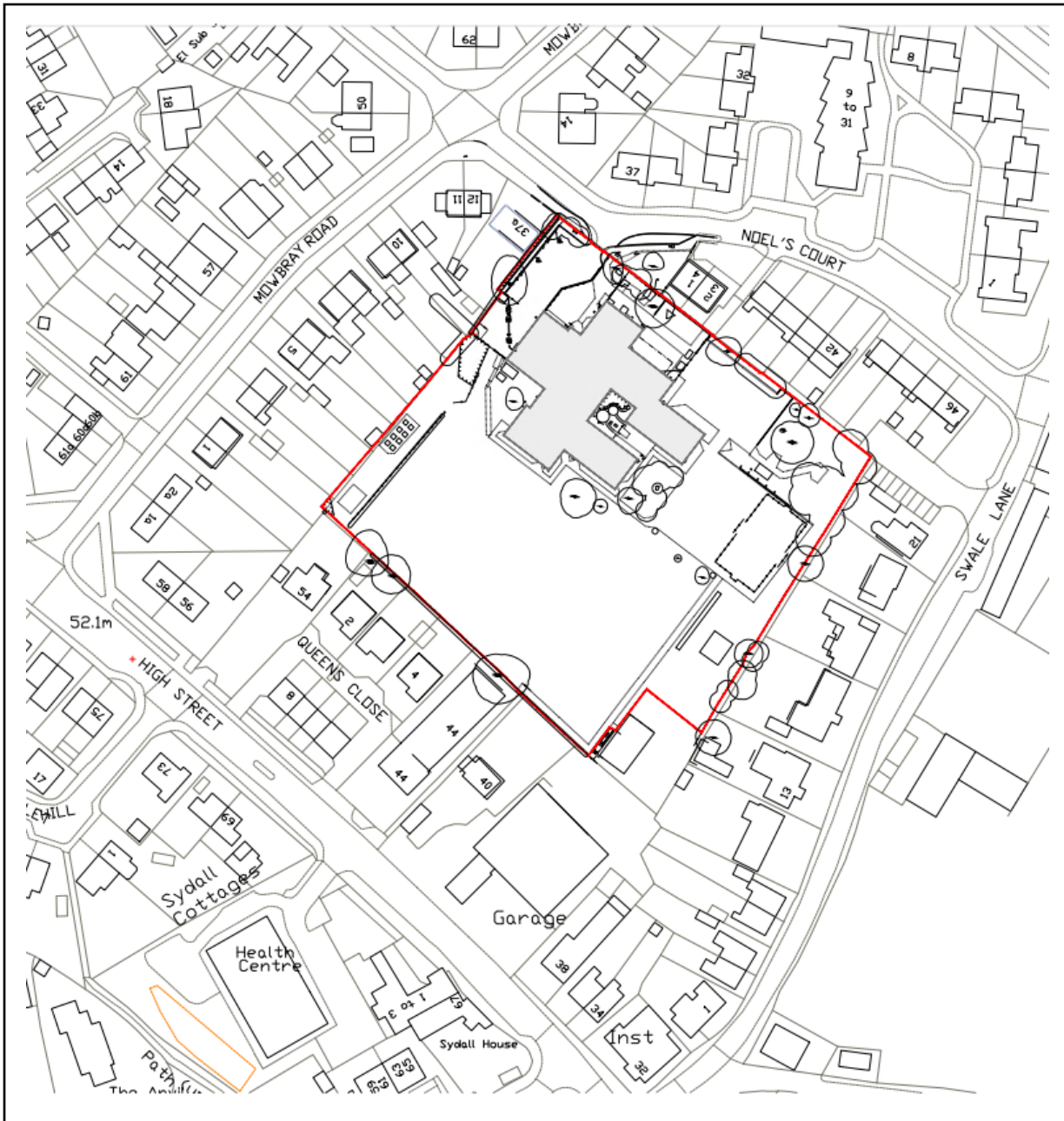


Figure 1: Location Plan Extract

3.0 PRELIMINARY MATTERS

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

3.2. There is one relevant planning application in particular for this application which is detailed below.

23/00058/FULL – Full Planning Permission for the Redevelopment of Existing Primary School– WITHDRAWN 12.05.2023

3.3 Application ref. ZD24/00394/EIASC - Environmental Impact Assessment Request for a Screening Opinion for the Redevelopment of Michael Sydall Church of England Primary School, that Comprises the Demolition of Existing School Building and the Development of a New Single Storey Building with Associated Access, Parking, Replacement Playing Field and Landscaping. Decision: Not EIA Development (November 2024)

4.0 SITE AND SURROUNDINGS

- 4.1. The site is currently occupied by Michael Syddall Church of England Voluntary Aided School as one of the family of Church schools in the Diocese of Leeds and the county of North Yorkshire. The site is comprised of an existing school building to north, an existing Multi Use Games Area (MUGA) to the eastern boundary, playing fields/ running track to the south and parking within the northeast corner. Vehicular and pedestrian access is currently gained via Noel's Court that fronts the northern boundary of the site. Pedestrian access is also provided via an additional access point to the southern boundary.
- 4.2. The school is within the designated Development Limits for Catterick Village and is surrounded by residential dwellings to the east and western boundaries and a mixture of residential and commercial buildings to the southern boundary. The Conservation Area Boundary is located approximately 60-70m to the southwest at its nearest point.
- 4.3. The application site is located within Flood Zone 3a and the application was accompanied by a Flood Risk Assessment and Sequential Assessment. There are 4 no. trees located just outside of the application site boundary along the southwestern edge that are protected by Tree Preservation Order no. 2007/03/TPO.

5.0 DESCRIPTION OF PROPOSAL

- 5.1. This application seeks Full Planning Permission for the demolition of existing school building and development of a new single storey building with associated access, parking, replacement playing field and landscaping.
- 5.2. The proposed new school would accommodate the same number of pupils and staff (252 no. pupils (+6 SEN places) and 20 no. Full time staff. The main building would be positioned towards the southeastern half of the site with a MUGA and "hard Internal and Social" space between the main building and the rear gardens of properties along Swale Lane to the south east. The playing field would be located within the north western half, as well as car parking spaces, 20 no. cycle parking spaces and screened bin stores. Access to the site would remain via Noel's Court and pedestrian access to the south would be retained.
- 5.3. The proposed building would take an 'L-shape' form with one storey and would be positioned to the south east of the site, parallel to Swale Lane. The proposed school building would be located approximately 20m from the rear boundaries of properties on Swale Lane and approximately 30m from the rear walls/habitable rooms. The existing MUGA would remain in a similar location but would be repositioned slightly to the east in order to accommodate the position of the new school building and hard informal and social space.
- 5.4. The majority of the proposed school building would be single storey in height (approximately 5.4m) and the tallest part of the building would be the hall (9.2m). Additional landscaping would be provided to create additional screening of the building. The building would incorporate PV panels the building itself would be finished predominantly in a "buff" coloured brick with red brick features and grey (and blue) coloured cladding above window head level.
- 5.5. A total of 6 no. individual trees; 1 no. group of trees and the partial removal of two groups of trees would be removed as part of the proposed development. All of the trees to be removed would be Category B or C and 30 no. new trees would be planted as part of the proposed landscaping scheme.

- 5.6. Boundary fencing would entail 2.4m high 'weldmesh' security fencing at the most sensitive areas to provide secure separation between pupils and visitors of the school, located within the car park, main entrances and the south of the proposed main building. Timber fencing of 1.2m in height would be located around the reception play space. The repositioned MUGA would incorporate 3m high games court fencing with lockable gates.
- 5.7. The proposed development would be constructed over 4 no. phases:
- Phase 1- construction of new building and construction vehicle/pedestrian access provided via 'haul road' from Noel's Court via the northwestern boundary around the southern boundary to the proposed building;
 - Phase 1a- installation of sub-station and new services;
 - Phase 2a- demolition of existing school and construction of proposed car park and
 - Phase 2b- sports field, landscaping and car parking entrance to be finalised and 'haul road' removed.

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

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

- 6.3. Relevant guidance for this application is:

- National Planning Policy Framework
- 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.

Parish Council: Catterick Parish Councillors discussed the planning application ref ZD24/00252/FULL redevelopment of Michael Syddall School, at the meeting last night and agreed the plans were greatly improved from the last application.

The only concern was raised by a resident about the lighting. Pole lighting in the car park was mentioned in the plans. They are worried about the height the poles might be as they do not want the lighting to intrude onto their property. Lower level lighting would seem more appropriate in the car park.

They were also concerned about the possibility of flood lighting being installed on the playing fields at some later date if the school ever decided to use the playing fields for extra community activities. This would adversely affect the houses surrounding the playing fields. Is there any way that as one of the planning conditions, if planning is granted, that flood lighting is not to be installed in the future?

Division Member(s): No response received.

Climate Change Officer: No response received

Designing Out Crime (Police): is satisfied that the applicant has considered the prevention of crime and disorder and that appropriate measures are to be incorporated to provide a safe and secure environment for all users (in terms of “designing out crime” and anti-social behaviour). Recommendations were made with regards to car parking (above ground anchors and metal support stands for motorcycle/moped parking); a review of lighting within pedestrian walkways, as well as advice on meeting current standards for doors and windows; CCTV and securing items during construction.

Counter Terrorism Policing: Separate responses were received in relation to Counter Terrorism, the details of which are of a sensitive and confidential nature.

Ecology: The revised application now demonstrates an acceptable amount of Biodiversity Net Gains (BNG) (11%) which is considered to be compliant with policy. Further emergence surveys were provided as recommended in the submitted Preliminary Ecological Appraisal (PEA), the results of which have been considered and no further concerns raised on behalf of the NYC Ecologist. Conditions relating to a Mitigation Strategy (as detailed in the submitted PEA) and BNG are recommended.

Education: No response received

Environment Agency: On the basis of the revised Flood Risk Assessment (FRA) dated 17th September 2024, the EA have now removed their previous objection on flood risk issues, subject to a condition to ensure that the flood mitigation measures as set out in the revised FRA are implemented, particularly including precise Finished Floor Levels; flood resilient measures and no ground raising within Flood Zone 3.

Environmental Health: No objections, subject to conditions relating to contamination; adherence to the measures set out in the revised CEMP; restrictions on working hours (Monday-Friday 07:30-18:00; Saturday 07:30-13:00 and no working on Sundays and Bank Holidays).

Lead Local Flood Authority: No objections, subject to a condition to ensure the development is built in accordance with the submitted FRA and Drainage Strategy.

Whilst the LLFA have not previously raised any specific concerns with regards to surface water drainage arrangements, the submitted FRA was revised in order to remove an objection raised on behalf of the EA. The LLFA have therefore been reconsulted on this document and have confirmed no objections.

Local Highway Authority: Amended plans were sought in order to provide changes within turning areas; configuration of parking areas to provide clearance to footways; widening of the vehicular access from the highway and further details relating to phasing arrangements.

There are now no objections on highway safety grounds, subject to conditions relating to the creation of the access, turning and parking areas and the submission of a Construction Management Plan.

NEDL: No response received.

National Grid: No response received.

Natural England: No response received.

Sport England: Sport England have not raised any objections to the application, however, in their initial response, a pre-commencement condition requiring a detailed assessment of ground conditions was recommended (as well as conditions relating to the submission of a "Community Use Scheme" and the construction of the relocated MUGA), to which the agent raised concerns over the timing restrictions and implications for the delivery of the proposed scheme. Having reconsidered the case put forward and that the field would not be used solely by the school, Sport England are now satisfied on the reworded condition (as set out at the end of the report) and request that the other two conditions are attached to any planning permission granted.

Tree Officer: No objections subject to conditions requiring an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) and a detailed scheme of landscaping.

Yorkshire Water: Originally noted that proposed tree planting would be sited over the public water supply infrastructure and a revised layout was requested to allow for adequate protection. Further to clarification on arrangements for a new supply to be fitted to the new school, Yorkshire Water have not raised any additional concerns and recommend conditions (relating to waste/foul water) to be attached to any permission granted.

Local Representations

7.2. 11 local representations have been received of which 3 are in support; 4 commenting and 4 are objecting. Comments have also been received from the Swale and Ure Drainage Board whom have offered "no comment" in relation to the application. A summary of the comments is provided below, however, please see website for full comments.

7.3. Support:

- School no longer fit for purpose
- Existing school expensive to maintain and using up valuable resources
- Added (much needed) SEN facilities

7.4. Objections:

- Traffic and parking around Noel's Court
- Floodlighting being installed
- Boundaries and hedging
- Loss of mature trees and orchard trees
- Noisy outdoors sports
- Block out light to properties along Swale Lane
- Will the field be used during school hours only?
- Construction traffic – parking conflicts and safety
- Single storey but still very high
- Can't the school be built in the same position?
- Loss of property value
- The landscaping may not be maintained
- Design and material finish of the building not in keeping with surroundings
- Upheaval in a residential area during construction

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 is an urban project that includes more than 1 hectare of urban development which is not dwellinghouse

development. As such the Council as Local Planning Authority have screened the development and found that it is not EIA development, subject to conditions on Flood mitigation, 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 Development)
- Highway Safety and Access
- Design, Appearance and Landscaping
- Neighbour Amenity and Lighting
- Flood Risk and Drainage Arrangements
- Ecology
- Crime and Anti-social Behaviour
- Trees
- Contamination and Demolition
- Sustainability
- Other Considerations

10.0 ASSESSMENT

Principle of Development

- 10.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a strong material planning consideration. The Richmondshire Local Plan 2012-2028 Core Strategy, adopted 2014 constitutes the statutory development plan and the starting point for determining applications as set out in the Planning Act and reinforced at Paragraph 12 of the NPPF.
- 10.2. The application relates to a site that is already in educational use and it must be acknowledged that the proposals may bring significant Policy considerations and new relationships that must be considered, but that also there are existing arrangements and operations on the site that are established and can be maintained. The application site is located within the Central Richmondshire sub area in terms of the settlement hierarchy and Catterick Village itself is considered to be a "Primary Service Village". There is Local Plan policy support for developments that maintain and enhance the role of the settlement within the hierarchy, particularly where they involve the enhancement of Community, Cultural and Recreational Assets (Core Policy CP11).
- 10.3. It is significant that Paragraph 99 of the National Planning Policy Framework (NPPF) (December 2023) emphasises the importance of providing sufficient school places to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive, and collaborative approach to meeting this requirement, and to development that will widen choice in education. This reflects wider Government educational policy (Securing developer contributions for education, Department for Education (August 2023)). Whilst some have questioned the need for a new school in this location, great weight is given to the enhanced facilities that the proposed new school development would bring and the contribution to the local community, as set out in CP11 of the Local Plan.
- 10.4. The new school would involve the demolition of the existing school building in order to provide a replacement school that would cater for existing and future pupils from ages 7-11,

accommodating up to 252 (+ 6 no. SEN places) and 20 Full Time Equivalent (FTE) staff with no changes to existing pupil or staff numbers. Overall, whilst there are several relevant technical matters to be considered that are covered by other policies within the Adopted Development Plan and the NPPF, the principle of the proposed development is deemed to be in line and supported by the relevant policies of the Development Plan and specifically relevant parts of the Framework.

Highway Safety and Access

- 10.5. Policies CP3 and CP4 of the ADP support development proposals that promote the safety of the population and do not cause significant adverse impact on highway safety. Development should be well related and in proportion to accessible service provision, reducing the need to travel as well as avoiding undue pressure on local infrastructure.
- 10.6. Some of the objections submitted have raised concerns relating to car parking and existing/historical indiscriminate car parking that can take place, particularly within and around Noel Court. The site is surrounded by residential properties on all four sides, but the main vehicular entrance to the site is from the north (and would remain so as part of this scheme). Residents experience these issues mostly from the influx of and exit of parents delivering and picking up students and from after school events, although the configuration of on-site parking can be difficult during the school day when on-site car parking is at capacity. The supporting statement sets out that whilst the number of students and staff isn't set to increase or decrease as a result of the redevelopment, one of the aims is to reconfigure car parking arrangements to make this more attractive to visitors.
- 10.7. Whilst it would be unrealistic (and highly unusual) for all car parking to be provided on site and it is likely that the influx of parents would still involve temporary car parking around the site at certain times of day, the Local Highway Authority (LHA) have assessed the proposals and further to amendments made to the layout, are now satisfied that the revised layout plan meets current NYC highways standards and that the proposals would not lead to a severe highway safety impact, as set out in paragraph 115 of the NPPF. This recommendation is subject to conditions, that largely relate to the implementation of the approved plans and also the submission of a Construction Management Plan, in order to ensure that appropriate safety measures are employed during the construction phase(s) of the development.
- 10.8. In addition, the submitted Travel Plan has been assessed and whilst the proposed development would entail a significant redevelopment of the site, there would be no tangible intensification. For this reason, no additional monitoring of the Travel Plan is considered necessary. In terms of accessibility and sustainability, the application site is positioned within a sustainable located with bus stops and the main High Street within the village within close proximity and walking distance. The existing pedestrian access to the south of the site would be retained; 20 no. cycle parking spaces would be provided along the northern boundary of the site, adjacent to the car park and two of the car parking spaces to be provided would have electric vehicle (EV) charging points.
- 10.9. On the basis of the revised plans and subject to planning conditions (including a Construction Management Plan that would amongst other matters, agree staff parking arrangements during the construction phase of the development), the LHA are satisfied that the proposed replacement school would not have a severe impact on highway safety.

Design, Appearance and Landscaping

- 10.10. The proposed development aims to provide a revised layout in an L-shaped single storey building to the south-east of the site, with SEN resources, a library, staff room, reception, classrooms and main entrance in the southwestern wing of the building. Junior and infant classrooms separated by a corridor would form the 'spine' of the building and staff offices, kitchen, and assembly/dining hall would make up the northern part of the school.

- 10.11. Glimpses of the school site are possible between dwellings on Swale Lane, however, with development on all four sides of the site, the main public views of the school are currently from Noel's Court. The application proposes the demolition of the existing building with car parking to the northern end of the site, so this would open up views of the school from this aspect. However, the site is developed on all sides and so would project into important open spaces or stand in complete isolation.
- 10.12. As a functional, utilitarian building the proposed building design does not seek to copy or replicate any of the existing buildings that surrounding the site in design, which save for the nursery and garage buildings are largely residential (single and two storey dwellings). Nevertheless, the submitted Design and Access Statement shows that consideration has been given to the overall "palette" of building materials in the area and a "buff" brick colour would be used, to follow the tonal qualities of other civic buildings and distinguish from the residential properties, which tend to be red brick in this part of the village.
- 10.13. As mentioned in the planning history section of the report, this application follows a withdrawn scheme which proposed a more modular, double-height of a much darker material finish. This was not considered to be respectful of surrounding buildings (both in terms of scale, height and colour finish) and whilst every application must be determined on its merits, the proposed scheme would provide for a building that would be appropriate in terms of appearance whilst being able to fulfil its function as a school.
- 10.14. As well as a new school building, the scheme would include additional landscaping and a Landscaping Strategy has been developed that would retain existing features where feasible and emphasis on protecting existing mature trees around the site. Whilst the specific arrangements for tree removal and planting will be discussed later in the report, soft landscaping proposals have been drawn up in order to satisfy biodiversity requirements whilst adding to "curriculum activities".
- 10.15. Overall, officers conclude that the proposals would meet the respective requirements of the relevant parts of CP4 and CP13 of the Local Plan and paragraph 135 of the NPPF.

Neighbour Amenity and Lighting

- 10.16. Policies CP3 and CP4 of the Local Plan outline that developments should promote amenity of the population, without causing significant adverse impacts on amenity, whilst CP13 specifically expects a *balance to be made to limit the impact of light pollution from artificial light on local amenity*. Also materially relevant are Parts 12 and 15 of the NPPF, which require that a good standard of amenity for existing and future users be ensured, whilst seeking to prevent both new and existing development from contributing to, or being put at unacceptable risk from, unacceptable levels of pollution.
- 10.17. Residential amenity and the proposed relationship has been raised as an area of contention for some of the properties on Swale Lane, which would be closest to the proposed new school building itself. As well as the physical introduction of the building, queries over future intentions for lighting have been raised. A lighting scheme has been submitted with the application detailing how the car park and some pedestrian areas would be lit, the agent (and school) have confirmed that they have no plans to floodlight the proposed PE field. No lighting is illustrated within the relocated MUGA and social area to the west, and it is recommended this is controlled by condition to ensure that any lighting that may be required in the future becomes the subject of a separate formal planning application, which would have the benefit of full details and further consultation with technical consultees.
- 10.18. An acoustic report details the specific acoustic requirements for the scheme to ensure compliance with the School Output Specification and the School Specific Brief. Noise limits would be provided for external plant which should be 5db below background noise level at surrounding noise sensitive properties and absorption strategies will be implemented across the school to ensure sufficient noise reduction. Environmental Health have reviewed the

submitted documents and have not raised any specific concerns with the technical details as provided subject to these levels not being exceeded after installation has taken place.

- 10.19. At the time of writing this report, the Environmental Health Officer assessing this case is considering an appropriately worded conditions and any update on this will be reported prior to the meeting.
- 10.20. As previously mentioned, the proposed school building would be located towards the south of the site and adjacent to the rear gardens of properties along Swale Lane, as well as to the north of an existing nursery and Catterick Service Station and Co-Op (which both front onto the High Street). In assessing the likely impact on the nearest properties to the site, the Design and Access Statement that was submitted with the application sets out that the double height main hall has been sited away from residential boundaries so as to eliminate the risk of overshadowing and that there would be approximately 29m between this higher part of the building and the nearest facing elevation.
- 10.21. Whilst a Daylight/Sunlight Assessment has also been provided, seeking to illustrate the likely overshadowing at different times of year it is difficult to ascertain the true impact from these images as existing modelling images and a written commentary have not been provided. However, the submitted documents do also show that additional planting would be provided along the southern and eastern boundaries. The highest section of the proposed building would measure approximately 9.23m in height and the lower sections, approximately 5.23m in height.
- 10.22. Properties located nearest to the proposed new building currently benefit from an open aspect, although the school site and the activities associated with it have historically been located to the north. Concerns around the physical impact of siting a building to the eastern side of the site have been assessed and it is considered that due to the distance between properties and rear boundaries to the new building, along with additional planting that would be added, the impact on residential amenities in respect of the physical structure and any overshadowing that might be experienced during the year would not be severe. Members are aware that loss of view, along with impact on property value are not material in the planning assessment and so whilst the 'view' from the rear of properties along Swale Lane would undoubtedly alter, the distance between properties and the proposed building along with planting mitigation proposed is considered to be adequate in this case so as to prevent a significant detrimental impact on 'outlook'.
- 10.23. The MUGA would be slightly repositioned to allow for the siting of the proposed building but as previously mentioned, this area is currently used for outdoor activities and as lighting can be controlled by planning condition, noise and disturbance to surrounding residential properties, including those adjacent to the proposed PE field to the north and west is unlikely to be substantially different from that experienced currently. This matter has been carefully considered by Environmental Health from a technical perspective and no objections are raised, subject to conditions.
- 10.24. On balance, taking into account the existing use of the site as a school; the siting of the building; mitigation that is proposed and conditions that can be imposed to control lighting and boundary treatments, officers consider that the scheme as now submitted would not have an unacceptable impact on the amenity of local residents and that the application complies with the requirements of CP3, CP4 and CP14 of the ADP, as well as the relevant sections of Parts 12 and 15 of the NPPF.

Flood Risk and Drainage Arrangements

- 10.25. National advice within the NPPF and PPG with regard to flood risk advises that a sequential approach to the location of development should be taken with the objective of steering new development to Flood Zone 1 (areas with the lowest probability of river or sea flooding).

When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where a sequential test and some instances exception tests are passed, informed by a site-specific flood risk assessment.

- 10.26. A Flood Risk Assessment was submitted with the application and sets out that the site is entirely within flood zone 3a, which means that it is at risk of flooding from rivers and the sea. Whilst the site is deemed to be at very low risk of flooding from surface water, sewers and groundwater, the River Swale is approximately 250m northeast of the northern site boundary and Brough Beck, approximately 270m south of the southern site boundary. There is considered to be no risk to the site of flooding from reservoirs.
- 10.27. As mentioned above, for sites such as this that are classified as “More Vulnerable”, a Sequential and Exception Test is required and so this has also submitted with the application to determine if there are any other sites that might be suitable for the proposed development and out of those, which has the lowest flood risk. It was concluded that there are no other available sites within the extent of the village that could accommodate the proposed development. Another important aspect is that the site is already occupied by the school. As a result, there are no other sequentially preferable sites and the Sequential Test has been passed. In terms of the Exception Test, the sustainable benefits of redevelopment this site such as it being ‘brownfield’ land; continued and improved education provision for local children; carbon savings that can be made; sustainable drainage scheme and biodiversity enhancement) are considered to outweigh the risk of flooding.
- 10.28. As part of the consultation process, the Environment Agency (EA) initially responded with an objection to the scheme, on the basis that the submitted FRA failed to consider how people would be kept safe from identified flood hazards; how flooding events would affect people and property and the requirement for flood emergency planning, to include flood warning and evacuation. In addition, the applicants were asked to address whether or not compensatory storage was required and take the impacts of climate change into account.
- 10.29. A revised FRA was recently submitted, seeking to address the matters raised in the EA response and as a result, following further consultation with the EA, the objection has now been removed. This is with a recommendation that the development is carried out in accordance with the revised FRA (dated 17th September 2024), which includes specific flood mitigation measures, such as precise Finished Floor Levels and no ground raising.
- 10.30. In terms of surface water drainage, no objections have been raised on behalf of the LLFA on the proposed scheme, which would involve drainage to soakaway and repairs and potentially replacement of elements of the existing drainage infrastructure. Desktop studies have confirmed that infiltration is a viable option for the management and disposal of surface water on this site, as well as combined SuDS element such as filter drains, permeable paving and underground storage tanks. This would be split into two separate networks to allow for construction phases, with the first network delivered during the construction of the new school building and the second, during the construction of the car parking following demolition of the existing building.
- 10.31. The foul water network is proposed as a pumped system to discharged to the existing combined drain prior to connection to the YW public foul water sewer. On the basis of the revised FRA, Yorkshire Water have confirmed no objections, subject to conditions.
- 10.32. Whilst the FRA and Drainage Strategy was updated in order to remove an EA objection, the LLFA have also been reconsulted on the revised document in order to ensure there are no resultant implications for surface water drainage. On the basis that Drainage Officers have now confirmed that the proposal complies with Council and National Standards in providing a sustainable surface water management solution for the proposed development, and no objections on behalf of Yorkshire Water with regards to foul drainage, subject to conditions

to ensure the proposed development is implemented in accordance with the revised FRA and Drainage Strategy, the drainage elements of the scheme are concluded compliant with the requirements of the ADP, and parts 14 and 15 of the NPPF.

Ecology

- 10.33. Part 15 of the NPPF seeks to ensure that developments protect and mitigate harm to biodiversity interests, and where possible, improve them. Having been consulted on the submitted Preliminary Ecological Appraisal (PEA) and additional emergence surveys carried out, the NYC Ecologist considers the supporting ecological survey work is suitable, subject to a condition to ensure the recommended mitigation is adhered to.
- 10.34. Planning Permissions in England are deemed to be granted subject to the general Biodiversity Gain Condition as set out by Schedule 7A, paragraph 13 of the Town and County Planning Act 1990 (TCPA) as amended by Schedule 14, Part 2, paragraphs 13, 14 and 15 of the Environment Act 2021. This is a pre-commencement condition.
- 10.35. A Biodiversity Net Gain Report followed the submitted metric during the application process and demonstrates that the development is capable of incorporating more than the required 10% net gain for biodiversity (11.10%), however there is a need to ensure that these trees are incorporated into the landscape masterplan and that they are capable of being accommodated on site in terms of having sufficient space and maintenance requirements. Once the Biodiversity Gain Plan (BGP) has been submitted and approved via the statutory deemed condition the approved habitat plan (that accompanies the BGP) cannot then be amended. A Habitat Monitoring and Management Plan (HMMP) will need to be submitted with the BGP to demonstrate how those habitats retained, enhanced and created will be managed to target condition for a period not less than 30 years, secured via a s.106 legal agreement.
- 10.36. The submitted scheme meets the requirements of the for BNG as set out in the ADP and NPPF.

Trees

- 10.37. Arboricultural reports and plans were submitted with the application and revised in July 2024. The Arboricultural Impact Assessment (AIA) confirms that the removal of 5 no. individual trees; 1 no. group of trees and the partial removal of tow groups of trees would be required. All trees to be removed would be either Category B or C trees only. Arrangements for root protection, sequencing of works, protective fencing and protection during demolition and construction have been included in the report, as well as new tree planting and alignment of replacement trees. New tree planting is illustrated along the southeastern boundary (partial); to the north west of the proposed new building and to the north, around the entrance and proposed car park. There are protected trees on the opposite side of the southern site boundary. Although outside of the application site, these trees have been referenced in the submission so that any works within the vicinity can be carried out so as not to cause harm to either the canopies or root systems of these trees.
- 10.38. Having reviewed the revised documents, the Tree Officer has confirmed that there are no objections to the application, subject to conditions. Whilst an AMS report has been provided, the details are considered to be too general and so more detailed plans and statements are required to be submitted and approved prior to any phase of the development (including demolition) commencing. In addition to this, a more detailed landscaping scheme is required, again, prior to commencement. On this basis, the proposals are considered to comply with the requirements of CP12 of the Local Plan.

Contamination and Demolition

- 10.39. A Remediation Strategy has been provided by Roberts Environmental Ltd dated 25th July 2024, document ref: 240725.RS.02; to be read in conjunction with completed report titled, *Phase II Geo-Environmental Site Investigation and Risk Assessment Michael Syddall Primary School, Catterick*, dated April 2024. This has been provided in connection with a request for a formal strategy for removal of any Hazardous Waste known or subsequently found as part of this development process, but with specific consideration of the hazardous waste ground/soil samples identified within the Geo Environmental report located within the play area of this site.
- 10.40. Having been consulted on the application, including the Remediation Strategy and CEMP (which includes arrangements for demolition), Environmental Health have confirmed that they have no objections to the application subject to the imposition of a planning conditions. The recommended conditions set out requirements in the event of contamination being found or suspected during construction, restrictions on working hours and adherence and implementation of the submitted CEMP. Overall, the proposed development does not raise any significant or unacceptable issues in relation to land contamination.

Crime and Antisocial Behaviour

- 10.41. The potential of the site to become a meeting place for crime and anti-social activity is a material consideration and has been raised as an objection by residents through the consultation process. North Yorkshire Police have been consulted on the application and do acknowledge this as a potential issue, based on analysis of police recorded incidents in the area of the proposed development that highlights the presence of crime and anti-social behaviour, which could impact upon the security of the scheme. Although they have not raised any objections to the development, they have recommended the implementation of measures in order to minimise crime associated with the development to be a minimum, including providing sufficient lighting (to be balanced with the protection of amenity as set out in paragraph 10.29 above); landscaping; the locking of bin and recycling stores and the management and maintenance of the site. These measures can be required by planning condition.
- 10.42. Separate responses from have been received from Counter Terrorism Policing. Their initial response made recommendations which the applicant considered and updated their proposals to partially accommodate. A second response was received from Counter Terrorism Policing again with recommendations following the amended proposals. A condition requiring a review of these comments and a final Counter-Terrorism and Crime Prevention scheme to be submitted, approved and implemented is recommended. However, it is likely at least one of the recommendations will not be required by the Local Planning Authority at approval of detail stage as it would be very costly to implement.
- 10.43. If any Members require more detailed information of the Counter Terrorism Policing comments, we recommend contacting the case officer prior to planning committee.

Sustainability

- 10.44. Core Policy CP2 of the Local Plan seeks to ensure that new developments demonstrate carbon savings and all new development is expected to be adaptable to climate change in terms of both location and the specific design and layout of buildings and associated space. Proposals should demonstrate how their design, orientation, materials and construction will minimise mechanical cooling needs and risk of overheating. In addition to this, green infrastructure should be incorporated where possible and show how development will seek to minimise waste production.

10.45. An Energy Strategy Report was submitted with the application and outlines various low carbon measures that would be incorporated into the proposed development. One such measure would include the installation of PV panels on the roof of the building, as well as employing a “Fabric First” approach and “Solar Shading”, heat recovery ventilation and a new “block” heating system with heat pump. It is recommended to secure these measures via condition.

Other Considerations

10.46. The proposed site plans (revised) show that the new school would be constructed partially on the existing playing field. Following the demolition of the current school buildings, a new area of playing field would be constructed to mitigate for that being lost. A Multi Use Games Area (MUGA) would still remain but would be repositioned eastwards. The detailed response on behalf of Sport England includes comments from the National governing Bodies for Sport but overall, have no objections to the scheme. This is subject to conditions relating to the construction of the new sports facilities; a requirement for a Community Use Scheme to be submitted and agreed in writing (to agree details of pricing policy, hours of use, access by non-school users/members, management responsibilities and mechanism for review) and the construction of the relocated MUGA. The scheme is therefore considered to be compliant with the expectations of CP11 of the Local Plan and paragraph 103 of the NPPF.

The Public Sector Equality Duty

- 10.47. 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.
- 10.48. The proposed school has been designed closely in conjunction with the school and Department for Education and there is no overt reason why the proposed development would prejudice anyone with the protected characteristics, as described in this report.

S106 Legal Agreement

10.49. The following Heads of Terms have been agreed with the applicant for this applications.

Table 1		
Category/Type	Contribution	Amount & Trigger
Biodiversity Net Gain	Compliance, funding, monitoring and enforcement	11.10% BNG to be provided

10.50. This requirement complies with CP3 and CP4 of the Local Plan in terms of biodiversity and 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.

11.0 PLANNING BALANCE AND CONCLUSION

11.1. The proposed development would involve the rebuilding and repositioning of an existing school and community facility, using existing arrangements for access and egress. Whilst the scheme seeks to improve the facility for children, including SEN provision and sports facilities. There would be no increase in capacity (pupil places or staff numbers). The site

currently offers some existing after hours community usage and this would continue as part of the redeveloped site.

- 11.2. Heavily weighted in support of the application, paragraph 99 of the Framework advises that great weight should be attributed to the need to create or alter schools through decisions on applications and CP11 of the Local Plan supports developments that aim to enhance community and recreational assets.
- 11.3. It is acknowledged that the proposed building would introduce a building within an area of the school site that is currently "open". However, contrary to some local views expressed through the consultation process, Officers are of the opinion that the scale, and design of the proposed building is appropriate for its intended use and although its position would alter the outlook, particularly from some properties located along Swale Lane, would not lead to an unacceptable impact on neighbour amenity or privacy due to the separation distances involved and additional landscaping to be created.
- 11.4. No objections are raised on behalf of the Local Highway Authority in terms of highway safety and subject to conditions. It is considered that the proposed arrangements would not lead to unacceptable impact on highway safety and any residual cumulative impacts on the road network would not be severe.
- 11.5. Further to the submission of a revised FRA (which now includes specific acceptable flood mitigation measures, such as precise Finished Floor Levels and no ground raising), the EA have removed their initial objection to the scheme. Acceptable arrangements can be made for the provision of sustainable surface water and foul drainage.
- 11.6. The scheme is capable of providing Biodiversity Net Gains of 11.10% (secured via a legal agreement) on site and would also provide for the implementation of measures to minimise crime associated with the development to be a minimum (subject to a condition to require written confirmation that other safety measures set out in the response are agreed in writing by the Police and LPA, prior to the commencement of the development). Also subject to the approval of further details by planning conditions, it is considered that good levels of carbon saving/energy efficiencies and lighting can be adequately controlled by condition to ensure the scheme remains sensitive to residential properties surrounding the site.
- 11.7. Overall, the proposed development meets the requirements and expectations of Spatial Principles SP1, SP2, SP4 and SP5 and Core Policies CP1, CP2, CP3, CP4, CP7, CP11, CP12 and CP13 of the Local Plan and the relevant parts of the NPPF.

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:

Condition 1 Time Limit

Development shall be commenced before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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 Certificate
- b) Location Plan ref. SRP1069-ONE-ZZ-XX-D-L-0015
- c) Planning Statement & Statement of Community Involvement ref. 5686LE.R001
- d) Proposed Site Plan ref. SRP1069-ONE-ZZ-XX-D-L-0002-P19
- e) Proposed Elevations ref. SRP1069-BBA-01-ZZ-D-A-3001-P05
- f) Proposed Roof Plan ref. SRP-1069-BBA-01-RF-D-A-2001-P03
- g) Proposed Upper Roof Plan ref. SRP-1069-BBA-01-R2-D-A-2001-P03
- h) Proposed Ground Floor Plan ref. SRP1069-BBA-01-00-D-A-2001-P08
- i) Proposed Site Sections Plan ref. SRP1069-ONE-ZZ-XX-D-L-0009
- j) Proposed Parking Dimensions ref. 700154-HEX-00-00-DR-TP-0200-P01
- k) Proposed Vehicle Swept Path Analysis ref. SRP1069-HEX-XX-00-DR-H-0002-P03
- l) Transport Statement ref. 700154-HEX-00-TP-RP-X-0001-V03
- m) Travel Plan, dated 18.04.2024
- n) Proposed Lighting Strategy ref. SRP1076-RPS-ZZ-ZZ-D-E-6305-P01
- o) External Lighting Layout ref. SRP1069-TME-ZZ-ZZ-D-E-6314-P01
- p) Lighting Strategy Report ref. SRP1069-RPS-XX-XX-T-E-0004-P02
- q) Acoustic Strategy ref. SRP1069-RAM-XX-XX-T-J-0001
- r) Sunpath Analysis ref. 23131-P03
- s) Site Landscaping Plan ref. SRP1069-ONE-ZZ-X-D-L-0010-P10
- t) Arboricultural Impact Assessment ref. Rev B 31.07.24
- u) Arboricultural Statement ref. Rev B – 31.07.24
- v) Tree Protection Plan ref. Rev B 31.07.24
- w) Tree Protection Plan ref. Arbtech TPP 01-A
- x) Phasing Plan Phase 1 ref. SRP1069-ONE-ZZ-XX-D-L-0011-P04
- y) Phasing Plan Phase 1a ref. SRP1069-ONE-ZZ-XX-D-L-0012-P05
- z) Phasing Plan Phase 2a ref. SRP1069-ONE-ZZ-XX-D-L-0013-P05
- aa) Phasing Plan Phase 2b ref. SRP1069-ONE-ZZ-XX-D-L-0014-P05
- bb) Phase II Geo-Environmental Site Investigation and Risk Assessment ref. 231118.SI.003
- cc) Utility Assessment Report ref. SRP1069-RPS-XX-XX-T-Z-0015-P01

- dd) Remediation Strategy ref. 240725.RS.02
- ee) Site Waste Management Plan ref. MP0063
- ff) CEMP ref. P7 – 08.08.2024
- gg) Net Zero Carbon Strategy Report ref. SRP1069-RPS-XX-XX-T-Z-0011-P01
- hh) Energy Strategy Report ref. SRP1069-RPS-XX-XX-T-Z-0002-P02
- ii) Security Strategy Report ref. SRP1069-RPS-XX-XX-T-E-0006-P01
- jj) Flood Risk Assessment and Drainage Strategy ref. SRP1069-HEX-XX-XX-T-C-0005-P04
- kk) BNG Report ref. V4 – 24.10.24
- ll) Statutory BNG Metric Ref. V4 – 24.10.24
- mm) Bat Emergence Surveys dated 5-8-24

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 Tree Protection (approval required)

Prior to commencement of development including enabling works a detailed Arboricultural Method Statement (AMS), Root Protection Area (RPA) and alternative construction/protection measures to address conflicts highlighted within the AIA that cannot be designed out and have overriding planning justification, has been submitted to and approved in writing by the Local Planning Authority.

This must include a specification of tree protection measures and an auditable system of arboricultural supervision and monitoring requirements. It must also address how works close to retained trees will be achieved.

The AMS will be implemented in full prior to any works taking place and during the development and tree protection measures must remain in place until for the duration of the construction works or in accordance with any embodied phasing plan.

Prior to commencement of development, an on-site meeting shall be offered to the Local Planning Authority Arboricultural Officer with Site Manager and an appointed Arboricultural Specialist to check all tree protection measures have been installed in accordance with the approved details. At least 3 meeting dates shall be offered and at least 5 working days' notice given. No retained tree(s) shall be felled, pruned or otherwise impacted without the prior written approval of the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details or any variation as may be subsequently agreed in writing by the LPA.

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

Condition 4 Landscaping (approval required)

A detailed scheme for landscaping, including the planting of trees and or shrubs and the use of surface materials shall be submitted to the Local Planning Authority (LPA) and no development shall take place until the LPA have approved such a scheme. The scheme shall specify materials,

species, tree and plant sizes, number and planting densities and the timing of the implementation of the scheme, including any cellular confinement specification and detail as required.

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 5 Counter-Terrorism and Crime Prevention (approval required)

Prior to the erection of any external walls or development of the car park above existing ground level, a security assessment update shall be submitted to and approved in writing by the Local Planning Authority. This shall include a review of the specific elements listed in the Counter-Terrorism response, dated 12th August 2024 and whether these can be achieved, together with final security proposals to reflect these comments and review. This can include a benefit/cost analysis where necessary.

Once approved, the development shall be carried out in accordance with the agreed details and retained as such thereafter.

Reason: In the interests of public safety.

Condition 6 Crime Prevention

Prior to the erection of any external walls or development of the car park above existing ground level, details of precise measures to minimise crime and anti-social behaviour (to be in accordance with the advice provided by the Police Designing out Crime Officer dated 16th May 2024) shall be submitted to and agreed in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first use of the buildings within the phase.

Reason: To ensure that the development minimises the risk of crime and anti-social behaviour, and to reserve the right of the Local Planning Authority with regards to this matter.

Condition 7 Drainage and Flooding Design (approval required)

The Development shall be built in accordance with North Yorkshire Council SuDS Guidance and the approved plans and FRA & Drainage Strategy, by Hexaconsulting, Reference SRP1069-HEX-XX-XX-T-C-0005-P04, including the designs within the appendices.

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. This condition is required to prevent a significant environmental impact from flooding/flooding risk.

Condition 8 Foul Drainage Details (approval required)

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. If sewage pumping is required from any part of the site, the peak pumped foul water discharge must not exceed 3 (three) litres per second. Furthermore, unless otherwise approved in writing 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

Condition 9 Materials (approval 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. Only such approved material shall be used in connection with the approved building.

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.

Condition 10 BNG implementation

Prior to the commencement of this development, a scheme for the implementation and full delivery of the approved Biodiversity Gain Plan (BGP), required by the deemed planning condition attached to this permission, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- A timetable for the implementation and Completion of the biodiversity enhancement measures set out in the approved BGP including a definition of Completion of Development
- A timetable for implementation and Partial Delivery of the approved BGP in the event the development is commenced but Completion of Development is not reached and constructions works have stopped for at least 12 months
- Proposal for on-site funding and management of the BGP where these are not detailed in the approved BGP for a 30 year period

The scheme as approved shall be implemented in its entirety in accordance with the timetable set out in the approved scheme or such other period which shall first be approved in writing by the Local Planning Authority.

Any biodiversity features identified for retention in the approved Biodiversity Gain Plan (BGP) shall be protected for the duration of the construction period.

The Local Planning Authority shall be notified in writing within 28 days of the date of completion of the development (including completion of the on-site habitat enhancements). If the development has commenced but Completion of Development is not reached, and constructions works have ceased for a period of 12 months, notice shall be served to the Local Planning Authority in writing within 13 months of the last construction works on site.

Immediately following Completion of Development, or within 13 months of Partial Delivery completion of the development the approved provisions within the BGP in relation to maintenance, monitoring and reporting (sometimes referred to as the Habitat Management and Monitoring Plan) shall be complied with for 30 years.

Reason: In order to meet the requirements of Schedule 7A of the Town and Country Planning Act to achieve biodiversity net gain.

Condition 11 Separate Drainage Systems (compliance)

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

Reason: In the interest of satisfactory and sustainable drainage.

Condition 12 Piped Discharge (compliance)

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network.

Condition 13 Altered Private Access (compliance)

The development must not be brought into use until the access to the site has been widened and reconstructed 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 access must be widened and reconstructed in accordance with the approved details as shown on Drawing Number SRP1069-ONE-ZZ-XX-D-L-0002 Revision P19. And Standard Detail Number A1.

- Any gates or barriers must be erected a minimum distance of 6 metres back from the carriageway of the existing highway and must not be able to swing over the existing highway.
- Details of any measures necessary to prevent surface water from the site discharging onto the existing Public 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.

Condition 14 Provision of Approved Access, Turning and Parking Areas (Compliance)

No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users have been constructed in accordance with the details approved in writing by the Local Planning Authority and as shown on Drawing Number SRP1069-ONE-ZZ-XX-D-L-0002 Revision P19.

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

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

Condition 15 Construction Phase Management Plan (Compliance)

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 provision of wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway by vehicles exiting the site.
2. An area for the parking of all contractors, site operatives and visitors vehicles clear of the Public Highway.
3. An area for the parking of all staff employed by the school clear of the Public Highway.

4. An area for the storage of all plant and materials used in constructing the development clear of the Public Highway.
5. Measures to manage the delivery of materials and plant to the site including the routing and timing of deliveries and the location of loading and unloading areas.
6. A photographic and / or video record of the condition of the entirety of Noels Court which is the road adjacent to the site. The survey should include the carriageway, footways and grassed verges and will be used in order to establish if any damage or degradation to the Publicly Maintainable Highway has occurred during the period of work on the site. Any such damage deemed to have taken place as a consequence of the development works will require to be rectified at the cost of the applicant.
7. The provision of contact details for a responsible person associated with the site who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity

Condition 16 Ecology (Compliance)

The development shall be carried out in full accordance with the recommendations and mitigation measures specified in the approved Ecology Report and Biodiversity reports (listed in Condition 2), as updated January 2024. All on-site enhancement and compensation measures within a phase shall be provided/installed prior to first use of the development hereby approved and thereafter retained and maintained in perpetuity.

Reason: To ensure the full and proper implementation of the approved development in the interests of ecology any protected species.

Condition 17 Contamination -Unexpected Contaminated Land. (Compliance)

If contamination is found or suspected at any time during the 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 (LC:RM), 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 LPA before any further development occurs. The development shall not be occupied until the approved remediation scheme has been implemented and a verification report detailing all works carried out has been submitted to and approved in writing by the local planning authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Condition 18 CEMP (compliance)

The development (including demolition) shall be carried out in strict accordance with the Construction Environmental Management Plan, dated April 2024 (Bowmer and Kirkland).

For the avoidance of any doubt, construction works (including any deliveries of construction materials) for the development shall not take place outside the hours of 8.00 a.m. to 6.00 p.m. on weekdays, 9.00 a.m. to 1.00 p.m. on Saturdays and 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 19 Lighting (compliance)

For the avoidance of any doubt, only lighting indicated in the approved plans and technical documents is approved by this permission, which excludes illumination of the PE field, relocated MUGA and informal hardstanding area.

Any additional external lighting to be used on the site shall be first submitted to, and approved in writing by, the Local Planning Authority prior to 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: In the interests of residential amenity and minimising light pollution.

Condition 20 Ecological Measures (compliance)

The development shall only be carried out in accordance with the proposals and mitigation measures (including the timing of such works) specified in the ecology report by arbtech Ltd, dated January 2024, approved as part of this planning permission.

Reason: This condition is necessary to ensure that ecology and biodiversity present on and around the application site are given adequate protection and mitigation measures forming part of the approved scheme are implemented in full as part of the development.

Condition 21 Pile Foundations (compliance)

No piling work shall be undertaken until a Piling Method Statement has been submitted to and approved in writing by the Local Planning Authority. Piling work shall be undertaken in accordance with the approved method statement and shall include the following details:

- Details of the method of piling
- Days/hours of work
- Duration of the pile driving operations (expected starting date and completion date)
- Prior notification to the occupiers of potentially affected properties
- Details of the responsible person (e.g. site manager / office) who could be contacted in the event of complaint

Any Piling operations shall be undertaken using best practicable means to reduce the impact of noise and vibration on neighbouring sensitive properties. All piling operations shall be restricted to:

- Monday – Friday: 09:00 – 17:30 hrs
- Saturday: 09:00 – 13:00 hrs
- No working on Sundays and Public Holidays

Reason: To minimise any increases in background sound levels and vibration levels and to protect the amenity of any residents.

Condition 22 Energy (compliance)

The development hereby permitted shall be carried out in accordance with the submitted Energy Statement (ref. SRP1069-RPS-XX-XX-T-Z-0002-P02).

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 wards be retained and maintained for their viable lifetime.

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

Target Determination Date: 18.11.2024

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