North Yorkshire Council

Community Development Services

Strategic Planning Committee

11TH AUGUST 2026

ZG2023/1037/EIA – OUTLINE APPLICATION (ALL MATTERS RESERVED) FOR RESIDENTIAL DEVELOPMENT, EXTRA-CARE FACILITY, LOCAL CENTRE, PRIMARY SCHOOL, AND ASSOCIATED INFRASTRUCTURE AND LANDSCAPING WITH ACCESS FROM WEELAND ROAD AND KELLINGTON LANE AT LAND TO WESTERN BOUNDARY OF EGGBOROUGH, WEELAND ROAD, EGGBOROUGH

Report of the Head of Development Management – Community Development Services

1.0 Purpose of the Report

1.1 To determine an Outline planning application (all matters reserved) for residential development, extra-care facility, local centre, primary school and associated infrastructure and landscaping with access from Weeland Road and Kellington Lane at land to western boundary of Eggborough, Weeland Road, Eggborough.

1.2 This application is referred to Strategic Planning Committee for determination as the application is for a large scale residential development indicated as providing more than 500 new dwellings and the recommendation to grant planning permission is recommended for approval. The application is also accompanied by an Environmental Impact Assessment.

1.3 The application was considered by this Planning Committee on 19th May 2026, where Members resolved to defer the application for the following reasons:

a) a decision on the application be deferred for an independent assessment on the provision of affordable housing provision and to review the mix of housing at the site and to review the use of CIL and S106 funds.

b) that further engagement be undertaken with Network Rail on improvements to the rail service.

c) that a site visit be arranged prior to the application being brought back to the committee.

1.4 This application has been brought back to this Committee for consideration and determination following submission of further supporting information with regards to the areas of concern raised at the May Planning Committee. The full report to the May Planning Committee is appended and should be read in conjunction with this report.

2.0 SUMMARY

RECOMMENDATION: That planning permission be GRANTED subject to prior completion of a S106 Agreement and subject to the conditions listed in Section 12 of this report attached at Appendix A

2.1. This is an outline planning application for the development of agricultural land to the west of Eggborough for 1,430 new dwellings, an extra-care facility (comprising 70 units), a local centre, primary school and associated infrastructure and landscaping. The proposed parameters plans set out the areas for proposed uses, indicative internal road layout, access to the site and provision of open space and infrastructure. The site is bounded by fields to north and west, the railway line and canal to the south and Eggborough village to the east. The site was intended to be an allocation (EGGB-Y) within the former emerging Selby Local Plan.

2.2. The Local Planning Authority cannot demonstrate a five-year supply of housing land and therefore Paragraph 11d of the NPPF is engaged and the "tilted balance" applies. Although the principle of locating the majority of development towards the towns, local service centres and the designated service villages defined within Policy SP2 of the CSLP still carries weight, the absence of a five-year supply means it can no longer be required to locate this development exclusively within their development limits (DL'S) as required by SP4. Policy SP5 is out of date and carries no weight because the housing need figure it contains is not calculated based on the required standard method. In this regard, the proposed DL's adjacent to sustainable settlements designated in Policy SP2, are a starting point from where applications can be considered on their own merits. This should be done in accordance with paragraph 11d from the NPPF. Permission should be granted unless the proposal fails to satisfy the tests in NPPF paragraph 11d. It requires consideration of whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

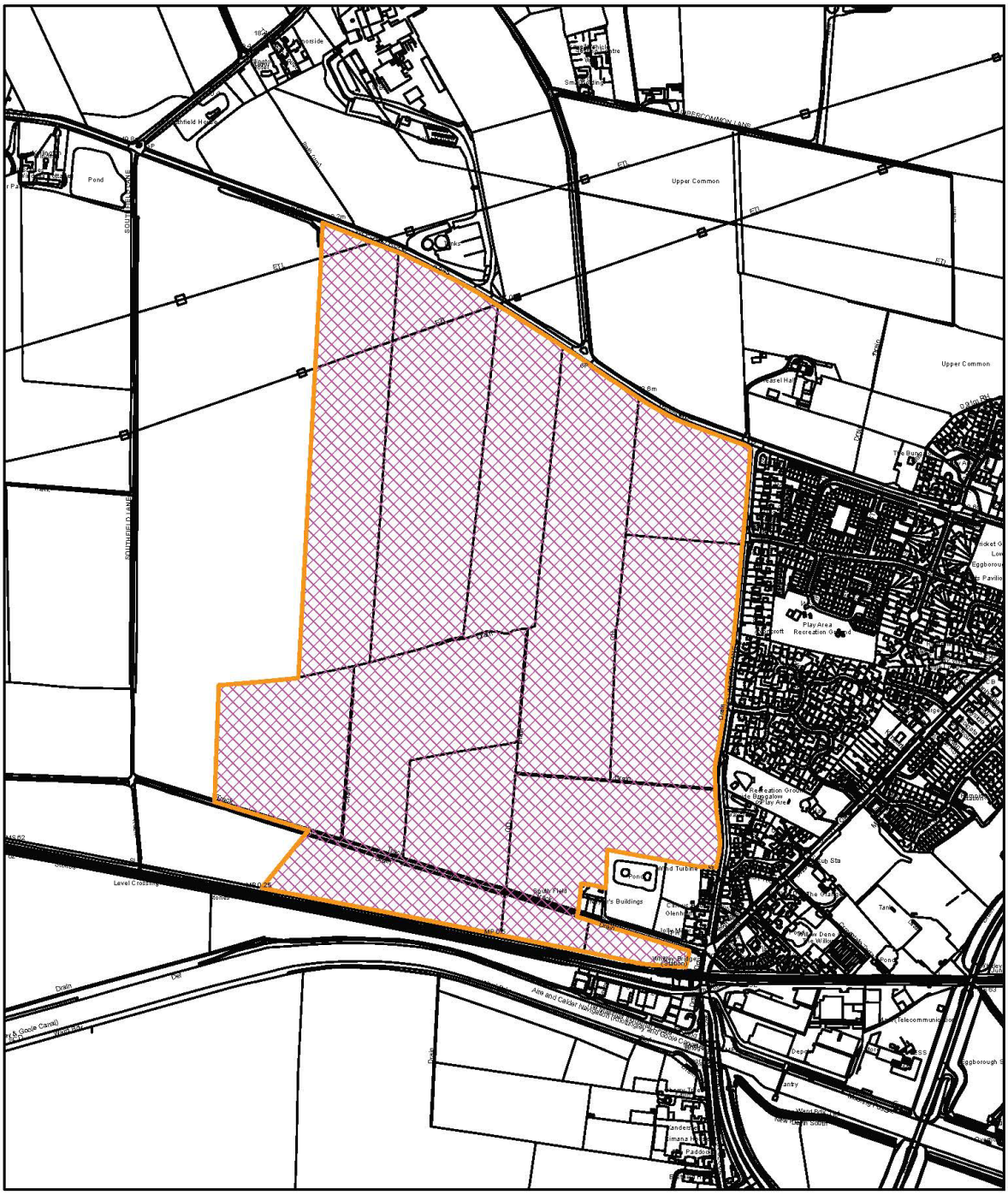
2.3. On this site the benefits include: the site being in a sustainable location; the significant contribution the proposal makes to market and affordable housing (great weight is given to this consideration); a housing mix that will deliver a mixed and balanced community; provision of a local centre, a primary school and an extra-care facility; contributions to recreational open space, biodiversity net gain and ecological enhancements; and, economic development both during construction phase and once the houses are occupied which are afforded moderate weight. There will be financial contributions made towards improved public transport services, healthcare and education provision.

2.4. Neutral matters include: the lack of conflict with mineral policies; density of development; the acceptable site specific flood risk implications and that suitable drainage can be controlled by condition; no harm arising from highway access; no harm to protected species or designated sites; that the site can be made safe from contamination; and, residential amenity would not be harmed.

2.5. The adverse impacts include: conflict with the development plan; visual and landscape character harm; and, the loss of best and most versatile agricultural land.

2.6. It is concluded that, in the planning balance, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits. The proposal benefits from the presumption in favour of sustainable development. Therefore, it is recommended that planning permission should be granted subject to conditions and the prior completion of a S106 agreement.

Land to Western boundary of Eggborough. Weeland Road
ZG2023/1037/EIA



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3.0 ADDITIONAL REPRESENTATIONS RECEIVED

3.1 Since the application was deferred from committee and at the time of writing this report, additional representations from five local residents have been received that maintain concerns and objections to the proposal. These can be found in full on the Council's website, but are summarised below:

- NYC housing shortfall engages the titled balance but this is not an automatic green light.
- Locational reasons for development at Eggborough on greenfield land questioned given the brownfield land availability.
- Applicant's failure to compete a robust sequential assessment of available brownfield sites.
- Question need for additional houses in Eggborough.
- Impact on Eggborough's scale, appearance and identity recognised for its rural setting, agricultural heritage and as peaceful village.
- Scale is excessive and represents overdevelopment that is disproportionate to size and character of Eggborough.
- Impacts of large site outside established development limits on landscape character and rural setting.
- Concerns over impact of 2.5 and 3.5 storey houses.
- Deficiencies in Environmental Statement with failure to model the 'in-combination' regional land loss and destruction of Grade 3a BMV agricultural land.
- Concerns about food security from permanent loss of greenfield agricultural land that is thriving due to underground irrigation system when other crops are failing.
- Violation of Habitat Regulations and negative impact on bat colony in area/Kellington Lane.
- Risk to wildlife habitats, fragmentation of ecological corridors, hedgerows and reduced biodiversity.
- Failure to deliver true Biodiversity Net Gain.
- Traffic congestion and highway safety concerns, with roads in the village already at capacity and not able to cope with additional traffic, leading to long queues at level crossing and impacting pedestrian/cyclist safety.
- Extra traffic from development causing much higher levels of air pollution.
- Residual cumulative infrastructure deficit and highway hazard contrary to NPPF.
- Lack of up-to-date viability information about Junction 34 M62.
- Railway safety and concerns about longevity of service.
- Insufficient or already under pressure infrastructure to support the development, including electricity supply, and drainage and sewer systems.
- Added impact on local services already experiencing increasing pressure
- Limited community facilities to serve Eggborough.
- Flawed Section 106 agreement by providing financial contributions as a diversion tactic used to justify drop in affordable housing quota to a deficient 10%.
- Crime rate dramatically risen linked to significant building in the area.

- Feeling that NYC has punished Eggborough already from new builds and that it should support the community by refusing the planning application.
- Impact of increased noise and air pollution from construction works and traffic.
- Impact on residential amenity from traffic, pollution and overlooking.
- Impact on vulnerable residents and community wellbeing.

4.0 ASSESSMENT

UPDATE ON DEFERRAL FOR AN INDEPENDENT ASSESSMENT ON THE PROVISION OF AFFORDABLE HOUSING PROVISION, A REVIEW OF HOUSING MIX, ENGAGEMENT WITH NETWORK RAIL AND TO REVIEW THE USE OF CIL AND S106 FUNDS

Affordable Housing Provision

4.1. Members expressed concern that the proposed provision of 10% affordable housing was not commensurate with the scale of development and queried whether a higher percentage should be secured.

4.2. In response to Committee's resolution, the applicant has submitted further information. These documents reiterate the applicant's position that the proposed 10% affordable housing provision remains policy-compliant and supported by the most recent viability evidence

4.3. The additional information provided by the applicant highlights that:

- The Council's commissioned Aspinall Verdi Viability Assessment (2022) identified Eggborough as lying within a lower value housing market area, where 10% affordable housing was considered viable on large greenfield developments.
- The applicant relies upon the Manor Farm, Hambleton appeal decision (APP/U2750/W/24/3347885) where significant weight was given to the Aspinall Verdi evidence and 10% affordable housing was accepted as policy-compliant.
- The applicant maintains that the proposed level of provision reflects the substantial infrastructure burden associated with a strategic allocation of this scale, including education, transport, healthcare, open space and other obligations.

Officer Assessment

4.4. No new viability information has been provided to allow an independent review to be undertaken, however, officers have reviewed the further information provided alongside the viability evidence base previously relied upon within the officer recommendation.

4.5. The proposal has consistently been assessed against:

- Core Strategy Policy SP9;
- The Council's viability evidence base;
- Advice received from specialist officers;

- Relevant appeal decisions.

4.6. Members will be aware that affordable housing policy seeks delivery of affordable housing having regard to viability and site-specific circumstances. Whilst Members may reasonably consider whether a higher percentage would be desirable, the planning question is whether refusal on affordable housing grounds could be substantiated and defended at appeal.

4.7. The evidence before the Council continues to indicate that the proposed 10% provision aligns with the most recent viability evidence available for the former Selby area and has not been objected to by the Council's housing specialists. The officer conclusion contained within the original report remains, in that the affordable housing offer is policy compliant when considered in the context of the overall development package and viability evidence.

4.8. Officers therefore maintain the original recommendation and assessment in relation to affordable housing provision.

Housing Mix

4.9. Members also requested a review of the proposed housing mix, including concerns regarding the proportion of smaller properties and the overall balance of dwelling sizes.

4.10. The applicant has confirmed that the application is submitted in outline form and that the housing mix shown at this stage remains indicative only. The final housing mix will be determined through subsequent Reserved Matters applications.

4.11. The applicant refers to proposed Condition 53, which requires future Reserved Matters submissions to provide a housing mix to be agreed in writing by the Local Planning Authority.

Officer Assessment

4.12. Officers continue to consider that housing mix is capable of being effectively controlled through the reserved matters process.

4.13. The Committee report already acknowledged that the indicative mix was broadly aligned with identified housing needs and that detailed consideration of market demand, affordable housing requirements and demographic evidence would occur at the detailed design stage.

4.14. Given the outline nature of the application and proposed planning controls, officers remain satisfied that the housing mix can be secured in accordance with up-to-date evidence at the point of delivery.

Community Infrastructure Levy (CIL) and Section 106 Contributions

4.15. Members requested clarification regarding the relationship between Community Infrastructure Levy receipts and Section 106 obligations, particularly concerning

education, transport and wider infrastructure delivery.

4.16. The applicant confirms that the proposed infrastructure package comprises:
- Section 106 obligations exceeding £13.5 million.
- Estimated CIL receipts exceeding £6.8 million.
- Delivery of land for a new primary school, rail improvements and other community infrastructure.

4.17. The applicant's breakdown identifies contributions towards:
- Primary education, SEND and early years provision;
- Healthcare infrastructure;
- Public transport improvements;
- Canal towpath improvements;
- Walking and cycling infrastructure;
- Whitley Bridge Station improvements;
- Affordable housing;
- Open space and biodiversity enhancements.

4.18. The Applicant’s position is that secondary school infrastructure is to be delivered through CIL in accordance with the Council’s Infrastructure Business Plan, to be fully consistent with the regulations.

Officer Assessment

4.19. In relation to Education provision, part of the ask is for monies for secondary provision. The Council’s recently published Infrastructure Business Plan notes that CIL monies will be provided towards secondary provision with the Selby Area. It is therefore proposed that CIL monies from this development will be put towards this in addition to the further request for monies to fund increased frequency on the rail Goole-Leeds Rail Line.

4.20. As such, Officers remain satisfied that the proposed package complies with Regulation 122 of the Community Infrastructure Levy Regulations 2010 and appropriately distinguishes between:
- Site-specific mitigation secured through Section 106 obligations; and
- Strategic infrastructure funded through CIL receipts.

4.21. No consultee has identified any deficiency in the proposed obligations package and the original officer recommendation remains unchanged.

<u>Engagement with Network Rail on improvements to the rail service</u>

4.22. Committee requested further engagement with Network Rail regarding potential rail service enhancements and sustainable transport opportunities associated with the development.

4.23. Since the previous Strategic Planning Committee meeting, officers have reviewed additional evidence supplied by the applicant, including a dedicated rail infrastructure briefing note.

The note confirms that:

- Network Rail has been consulted throughout the application process and has raised no objection to the development.
- A £450,000 package of station-related improvements is proposed through Section 106 obligations.
- These improvements include platform extensions, waiting shelters, cycle facilities, CCTV, passenger information systems, crossing improvements and associated station infrastructure.
- Land is to be safeguarded and made available for future station enhancement works.

4.24. The applicant has also provided evidence of ongoing collaboration involving:

- Network Rail;
- York and North Yorkshire Combined Authority;
- West Yorkshire Combined Authority;
- North Yorkshire Council;
- East Riding of Yorkshire Council; and
- Wakefield Council.

4.25. This work is developing a wider strategic business case for enhanced rail services on the Knottingley–Goole corridor, including improvements serving Whitley Bridge Station. Consultation work has already been undertaken and a Case for Change report is expected to conclude in Autumn 2026.

Officer Assessment

4.26. Additional evidence of engagement in relation to the railway service, as requested by Committee confirms that: -

- Network Rail does not object to the development.
- Rail service frequency enhancements are being progressed through regional transport authorities.
- The proposed development does not rely upon enhanced rail frequencies to make it acceptable in planning terms.
- The application nevertheless secures substantial station and rail-related infrastructure investment together with potential future CIL contributions toward wider rail improvements.

4.27. Officers therefore remain satisfied that the development accords with relevant transport and sustainable travel policies and continue to support the conclusions of the original committee report.

<u>Site Visit</u>

4.28. In accordance with Committee's resolution, a Members' site visit has been planned to be undertaken, prior to redetermination of the application.

4.29. The visit should enable Members to observe:

- The relationship between the application site and Eggborough village;
- Existing development on Kellington Lane and Weeland Road;
- The proposed access arrangements;

- The location of Whitley Bridge Station;
- The wider transport network including the route to M62 Junction 34;
- The surrounding landscape context.

4.30. The site visit will facilitate Member understanding of the site and surrounding area, in advance of reconsideration of the application.

Overall officer comment

4.31. Having reviewed all the information submitted following the Committee deferral, officers conclude that:

- The affordable housing position remains supported by the most recent available viability evidence and specialist advice.
- Housing mix can appropriately be controlled at Reserved Matters stage.
- The proposed Section 106 and CIL framework remains robust, policy compliant and capable of delivering significant infrastructure benefits.
- Further engagement with Network Rail confirms no objection to the development and demonstrates ongoing strategic work toward future rail service enhancement.
- The requested site visit will have been undertaken.

5.0 DEVELOPER CONTRIBUTIONS

5.1 The developer contributions arising from the development, as set out in section 10 of the May 2026 committee report, are reproduced below: -

5.2 The agreed Heads of Terms are set out below:

Category/type	Contribution	Triggers
Highways – Bus Services Increasing frequency of service from 2 hourly to hourly and provision Sunday service and diverting service through the site. Based on 2023 price (figure to be indexed)	£1,350,000	1st payment prior to occupation of 45th dwelling. Four equal payments every 12 months from the payment of the first instalment.
Highways - Improved footpath link from Kellington Lane to Eggborough Village Hall	£66,727.90	Prior to occupation of 500th dwelling
Travel Plan and Travel Plan Monitoring Fee	£10,000 towards monitoring of residential travel plan.	Prior to first occupation of each phase
Highways – Traffic Regulation Order	£2,500	Prior to commencement of development

Contribution towards legal and advertising costs associated with the implementation of a Traffic Regulation Order to extend the 30mph speed limit on Weeland Road.		
Highways – provision of dropped kerbs at: - A645 Weeland Road / Selby Road Roundabout (western arm) - Kellington Lane / Westfield Avenue - Selby Road / Stuart Grove and; - Access to the Maltings Industrial Estate.	£20,000	Prior to occupation of the 1st dwelling
Canal and River Trust – Tow Path improvements (Whitley Bridge to Sudforth Lane)	£966,000	Half to be paid prior to occupation of 1st dwelling Half to be paid prior to occupation of 100th dwelling
Network Rail - Delivery of infrastructure within station gateway area (station waiting shelter, double deck cycle shelter, Help Point, CCTV, extension to x2 platforms, fence replacement on southern side of development, refreshing road markings to distinguish pedestrian access over the crossing)	£450,000	£200,000 to be paid prior to occupation of 1st dwelling £250,000 to be paid prior to occupation of 400th dwelling
Education – Primary School Contribution	Primary: £6,483,657.50 To be used by NYC towards provision of a new primary school to serve the development and/or education facilities at other primary school within the locality serving the development	To be paid over a 10 year period based on phased development of the site with payments to commence upon commencement of development. Triggers to be agreed as part of Section 106 Agreement. All payments are to be index linked and subject to 10 years spend period.

Education – SEND contribution	£1,078,025.84 To be used by NYC for the provision of SEND provision at the new Selby Special School for children and young people with complex special educational needs in the areas of communication and interaction needs, including autism and speech language and communication needs; and/or cognition and learning needs (moderate/severe learning difficulties); or another school with SEND provision serving the locality of the development.	To be paid over a 10 year period based on phased development of the site with payments to commence upon commencement of development. Triggers to be agreed as part of Section 106 Agreement. All payments are to be index linked and subject to 10 years spend period
Education – Early Years	£1,347,532.30 To be used by NYC for early years provision serving the locality of the development.	To be paid over a 10 year period based on phased development of the site with payments to commence upon commencement of development. Triggers to be agreed as part of Section 106 Agreement. All payments are to be index linked and subject to 10 years spend period
Healthcare	£1,768,114	Each residential reserved matters application to pay a phased contribution. Triggers to be agreed as part of Section 106 Agreement.
Affordable Housing	No less than 10% for each Phase to comprise 60/40 social rent/shared ownership (88 dwellings social rent and 55 dwellings shared ownership)	Triggers to be agreed as part of Section 106 Agreement.
Provision of Land for Education Purposes	The transfer of land, fully serviced, for a 420 place primary	The applicant will transfer the fully serviced site to

	school on a site of 2.5ha (use class classification F1(a))	NYC on the following key terms: Trigger – point of offer to be agreed. Price - £1. Access - Construction of the road adjacent to the school land. The applicant to provide servicing requirements for the school in accordance with the council's checklist for new school sites The land will need to be safeguarded under the terms of the s106 Agreement.
Whitley Bridge Railway Station	The transfer of 0.72ha of land for improvements to Whitley Bridge Station	The applicant will transfer the site to North Yorkshire Council for sum of £1 on either - The completion of the adjacent phase and delivery of pedestrian, cycle and road connections to the land, or; - At the request of NYC (in the event delivery of Rail Service and Station improvements are accelerated).
Provision of Mixed-Use Local Centre	Provision of mixed-use local centre including) retail (Class E - 8,000 square feet Gross External Area) Provision of car parking and associated public realm	Provision of retail element of local centre to be delivered within 4 years of the primary road between Weeland Road and Kellington Lane opening to general traffic, cyclists and pedestrians.
Provision of Mixed-Use Local Centre - Extra Care	Extra-care facility (up to 70 units, C2)	Provision of extra care element of local centre to be delivered within 4 years of the primary road between Weeland Road and Kellington Lane opening to general traffic, cyclists and pedestrians.

Biodiversity Enhancements and long-term monitoring and management	Habitat and Monitoring Plan for the delivery of Biodiversity Net Gain for each phase/reserved matters application showing a minimum of 30 years monitoring. Ecological Monitoring Fees	Overall BNG plan with first Reserved Matters and then phased plans for each phase
On-Site Open Space Provision and Management	Management plan to be provided for each type of open space. Open space maintenance and management in accordance with SPD requirements.	Overall open space plan with first Reserved Matters and then phased plans for each phase
S106 Monitoring	£2,690	Each reserved matters application will require a monitoring fee

5.3 It is considered that the above obligations contained in the 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.

Section 149 of The Equality Act 2010

6.1 Under Section 148 of the Equality Act 2010 Local Planning Authorities must have due regard to the following when making decisions: (i) eliminating discrimination, harassment and victimisation; (ii) advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (iii) fostering good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age (normally young or older people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

6.2 The development of the site for residential purposes would not result in a negative effect on any persons or on persons with The Equality Act 2010 protected characteristics and could in the longer term have a positive effect through the provision of further residential housing to meet needs in a sustainable location with local facilities provided on site or via financial contributions to existing services.

Human Rights Act 1998

6.3 It is considered that the proposal would not contravene Convention rights contained in the Human Rights Act 1998 in particular the right to health and the right to private and family life.

7.0 PLANNING BALANCE AND CONCLUSION

7.1 The spatial development hierarchy outlined in Policy SP2 seeks to deliver sustainable development across the former District, directing new development towards the most sustainable settlements. Eggborough is a Designated Service Village with scope for additional growth. This proposal is for significant development outside of the village development limits in the countryside, and as such is contrary to Development Plan Policy SP2A(c) of the Core Strategy.

7.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers to a balance, stating development should be in accordance with the development plan unless material considerations indicate otherwise. Therefore, whilst the primacy of the development plan remains and its status is unaffected, there are circumstances where a scheme can be supported despite development plan conflict. To assess that requires a judgement based on the relative weights afforded to material considerations.

7.3 In favour of the scheme the applicants present that the proposal is in a sustainable location and would contribute to the housing land supply. Other benefits cited are affordable housing and care home provision, provision of a school and local centre, provision of on-site recreational open space and biodiversity net gain, although this is not mandatory for this application.

7.4 In terms of the Council wide policies on housing delivery, the report above highlights that the Core Strategy in relation to housing is out of date because the housing needs figure it contains is not calculated based on the required standard method. Core Strategy Policy SP2 is inconsistent with NPPF paragraph 61 which seeks to significantly boost the supply of housing and aims to meet an area's identified housing need. A continued strict application of Policy SP2, which prevents market housing outside development limits in the countryside such as this, would not allow the LPA to meet the identified local housing needs. Furthermore, the weight afforded to conflict with Core Strategy Policy SP2 is diminished as it does not include the more detailed approach to the consideration of development that is found in the NPPF. Thus, the policy is inconsistent with the NPPF and should be given limited weight.

7.5 The Local Planning Authority acknowledges that it cannot demonstrate a five-year supply of housing land as required by the NPPF. Therefore, the policies most important for determining the application, SP2 and SP5, are out of date as set out in NPPF paragraph 11. Permission should be granted unless the proposal fails to satisfy the tests in NPPF paragraph 11d). The proposal complies with paragraph 11d)i because no NPPF policy that protects areas or assets of particular importance provides a strong reason for refusing the development proposed. The requirements of paragraph 11d)ii are more detailed as set out below. It requires consideration of whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

7.6 The site can be made safe from contamination; residential amenity would not be harmed; there is no harm to heritage; noise and air pollution matters can be mitigated by condition; education and healthcare contributions can be secured to ensure no

detriment to existing services are caused.

7.7 Benefits include the site being in a sustainable location and well related to the village; the proposal makes a significant contribution to needed market and affordable housing (great weight is given to this consideration); a suitable housing mix can be secured; there would be biodiversity net gain and ecological enhancements; there would be sustainable transport benefits; economic benefits both during the construction phase and once the development is occupied are afforded moderate weight.

7.8 In terms of neutral matters, suitable drainage can be controlled by condition; there; there would be no harm to protected species or designated sites; landscape harm can be mitigated.

Environmental Impact Assessment

7.9 The application was accompanied by an Environmental Statement (ES) the objective of which is to identify any likely significant effects which may arise from the proposed development and to identify measures to prevent, reduce or offset any such adverse effects and to enhance any beneficial effects. During the EIA process for the proposed development, opportunities and management measures have been identified and incorporated within the development proposals to prevent or reduce any adverse effects and to enable sustainable design and construction principles to be embedded within the proposed development.

7.10 The likely environmental effects embodied within the ES chapters have been considered in the relevant sections of the original report and are summarised as follows:

Transport	Following agreed mitigation a safe site access can be achieved, cumulative impacts on the highway network are acceptable and M62 junction 34 impacts are mitigated through secured improvement works. There would be no residual transport effects.
Landscape and Visual	The scheme represents the development of a greenfield site for 1500 dwellings, a school and local centre. It was a draft allocation in the now-ceased Selby Local Plan. The development is an extension to Eggborough village. The Parameters Plan, Masterplan, Design Code and Landscape Framework Plan show recessive heights from the east to the west of the site with retention of large areas of open space in and around the site, especially to the north- western edge.
Ecology	The scheme can be delivered in a way that avoids significant ecological harm and incorporates appropriate mitigation and enhancement, which can be achieved through conditions. The application is not subject to mandatory BNG. An uplift in BNG can be achieved across the site and off-site habitats and can be secured by condition and S106.

Water Environment	The Environment Agency and other consultees have requested imposition of conditions to ensure that there should be no significant impact.
Noise and Vibration	These have been assessed and subject to the imposition of conditions there would be no impact.
Ground conditions	These have been assessed and subject to the imposition of conditions there would be no impact.
Below Ground Heritage	Underground heritage is present and subject to the imposition of conditions to secure recording there would be no impact.
Socio-economic effects -	The scheme will generate socio-economic benefits both at the construction and operational phase of the development.
Cumulative Effects and Effect Interactions	The cumulative assessment shows that there are unlikely to be any additional significant adverse impacts, on, or as a result of, cumulative schemes.

7.11 In conclusion, the further representations summarised in Section 3 of this report and the additional information received from the applicant set out in Section 4 do not alter the planning balance or the conclusions reached in the original Committee Report. In particular, they do not displace the earlier conclusion that, because the Local Planning Authority cannot demonstrate a five-year supply of housing land, paragraph 11d of the NPPF is engaged and the tilted balance applies.

7.12 Applying that tilted balance, it is considered that the proposed development will not result in significant environmental effects. The identified adverse impacts, including the conflict with the development plan, landscape and visual harm, and the loss of best and most versatile agricultural land, would not significantly and demonstrably outweigh the substantial benefits of the proposal when assessed against the policies in the Framework taken as a whole. The proposal therefore benefits from the presumption in favour of sustainable development.

7.13 Therefore, whilst the concerns raised by local residents are acknowledged and have been taken into account alongside the contributions from consultees, it is considered that, in light of the above assessment, the statutory development plan duty, material considerations and the application of the NPPF paragraph 11d tilted balance, planning permission should be granted subject to the conditions listed in the committee report from the 19th May 2026 Agenda and the prior completion of a S106 agreement.

8. RECOMMENDATION

8.1 That planning permission be GRANTED subject to prior completion of a Section 106 Agreement and subject to the conditions as set out in section 12 of the May 2026 committee report attached as Appendix A.

Target Determination Date: 31.07.2026

Case Officer: Linda Drake

Appendix A: 19th May 2026 Planning Committee report

North Yorkshire Council

Community Development Services

Strategic Planning Committee

19 MAY 2026

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outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

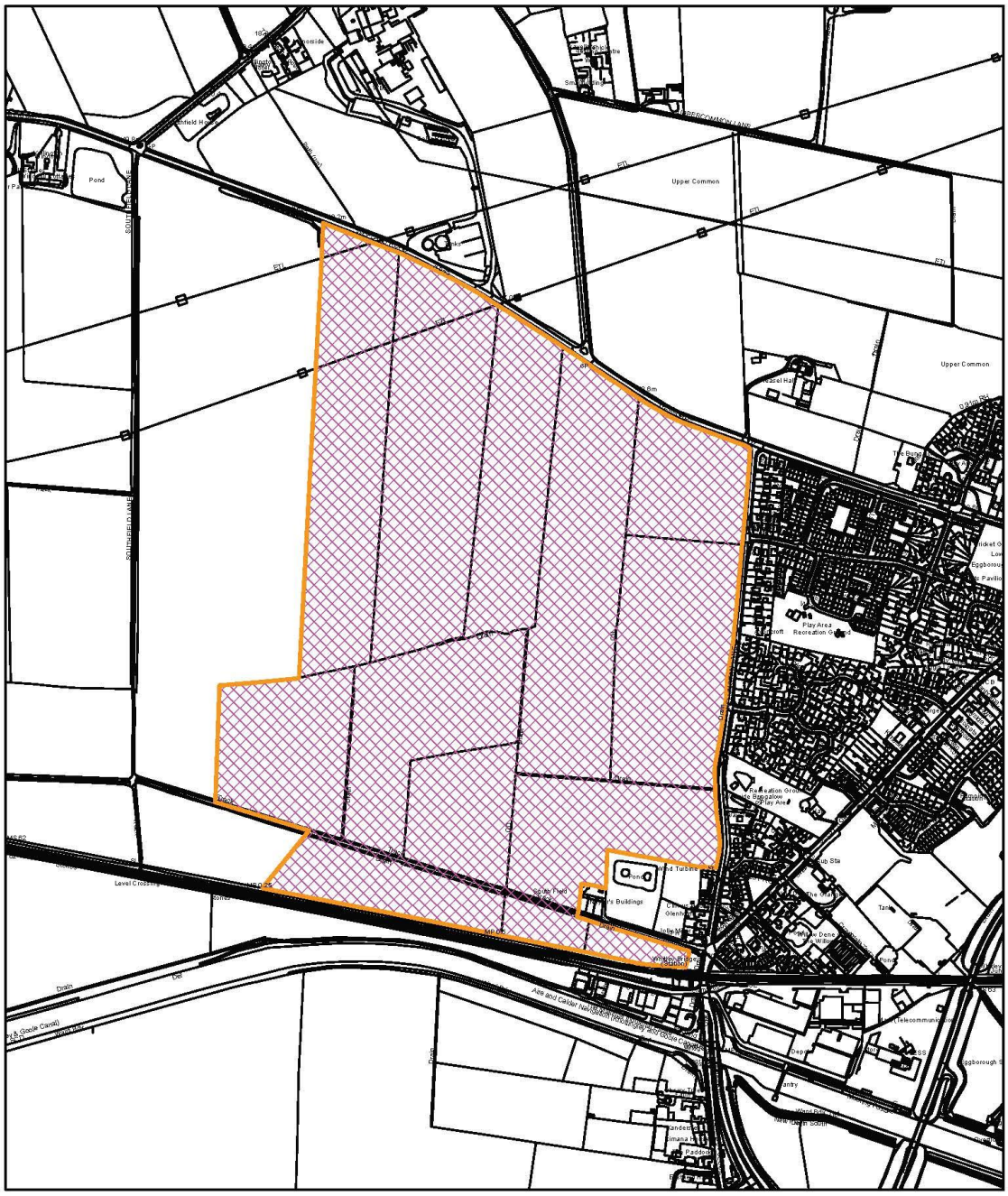
2.3. On this site the benefits include the site being in a sustainable location; the proposal makes a significant contribution to market and affordable housing (great weight is given to this consideration); the housing mix will deliver a mixed and balanced community; a local centre, primary school and extra-care facility will be provided; there will be contributions to recreational open space, biodiversity net gain and ecological enhancements; economic development both during construction phase and once the houses are occupied which are afforded moderate weight. There will be financial contributions made towards improved public transport services, healthcare and education provision.

2.4. Neutral matters include the lack of conflict with mineral policies; density of development; the site specific flood risk implications are acceptable and suitable drainage can be controlled by condition; there would be no harm arising from highway access; there would be no harm to protected species or any harm to designated sites; the site can be made safe from contamination and residential amenity would not be harmed.

2.5. The adverse impacts include visual and landscape character harm; the loss of best and most versatile agricultural land; and conflict with the development plan

2.6. It is concluded that the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits. The proposal benefits from the presumption in favour of sustainable development. Therefore, planning permission should be granted subject to conditions and the prior completion of a S106 agreement.

Land to Western boundary of Eggborough. Weeland Road
ZG2023/1037/EIA



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3.0 Preliminary Matters

3.1. Access to the case file on Public Access can be found here: Documents for reference ZG2023/1037/EIA: Public Access

3.2. The application was received and validated in 2023 and publicly advertised as a major EIA development.

3.3. The site was identified as a draft allocation for mixed-use development comprising residential (1500 dwellings), open space and education (site EGGB-Y) in the Selby Local Plan Revised Publication 2024. Site requirements were included in the draft pan to support the proposal. Work on the Selby Local Plan ceased in February 2025.

3.4. Relevant Planning History

- 2023/0331/SCP - EIA Scoping Request for a mixed use residential led development. Scoping Response issued 20.06.2023

Environmental Impact Assessment

3.5. The proposed development falls under Schedule 2, Part 10(b) 'Urban development projects' of the EIA Regulations 2017 (as amended) which states that EIA is likely to be required where the area of the development exceeds 5 hectares and the development includes more than 150 dwellinghouses.

3.6. The Council provided a scoping opinion to the applicant on 20.06.2023. As a result, an Environmental Statement has been submitted in support of the application.

4.0 Site and Surroundings

4.1 The application site is located to the west of Eggborough and lies outside the defined development limit of that settlement.

4.2 The application site comprises 70.2ha of arable land. It is bounded by Weeland Road (A645) to the north and Kellington Lane to the east. To the south lies the Leeds-Hull railway line and Whitley Bridge railway station, with the Knottingley and Goole Canal beyond. Further south is junction 34 of the M62. To the west and north lies more farmland.

4.3 A Public Right of Way (PRoW) 'Public Footpath 35.41/10/1' traverses the Site in a north south direction, with a section which runs east to west along its southern boundary connecting with Kellington Lane to the east. Adjacent to the Site are public footpaths that run along Kellington Lane and the northern side of Weeland Road (up to the junction with Broach Lane).

4.4 The site comprises fields mainly rectilinear in shape with existing field hedgerows primarily running north-south. The hedgerow to the northern (Weeland Road) boundary is sporadic. A more complete hedge runs along the eastern (Kellington Lane) boundary. There are a few hedgerow trees. The site slopes gently from north to south. Overhead powerlines cross the north-western edge of the site.

4.5 The existing western boundary to Eggborough is clearly defined by Kellington Lane, with the settlement extending eastwards. Dwellings on the eastern side of Kellington Lane directly face the site and there is a short terrace of dwellings to the north of Station Row at the south-east corner of the site. To the north-east of the site a new

development of 30 dwellings is under construction. To the north are fields and a large farming enterprise and further fields to the west.

4.6 Kellington lies to the north and is separated from the site by existing farming enterprises and fields. It is not visible from the site. Two designed heritage assets, St Edmunds Church (Grade 1) and Kellington Windmill (Grade II) lie to the north and west and are visible from the site.

4.7 The majority of the application site is located within Flood Zone 1, which has a low probability of flooding. Part of the southern site lies in Flood Zone 2, which has a medium probability of flooding.

4.8 The site does not lie within any statutory or non-statutory landscape designations for landscape value at the national, regional or local scale.

4.9 A mains water pipe crosses the site from northeast to southwest. There are also overhead high voltage power lines which pass across the north-west of the site in a north-east to south-west direction. Further wooden overhead poles are within the north-eastern portion of the site, running in an east to west direction.

5.0 Description of Proposal

5.1 This application seeks outline planning permission for up to 1500 dwellings, an extra-care facility (comprising 70 units), local centre, primary school and associated infrastructure and landscaping. The main access to the site is proposed from Weeland Road with secondary accesses from Weeland Road and Kellington Lane. All matters are reserved, which are access, scale, layout appearance and landscape, to be determined through future Reserved Matters applications.

5.2 The application is supported by parameters plans which sets land use, building heights and access (pedestrian, cycle and vehicular) There is also a high-level masterplan and an illustrative masterplan. A Design Code has also been submitted which sets out requirements for reserved matters.

5.3 The main access to the site will be via a 4-arm roundabout on Weeland Road. Secondary accesses are shown to Kellington Lane and Weeland Road. Internally a central distributor road would lead to development parcels to all sides. The local centre (pink), extra-care facility (purple) and school (orange) would be to the central-east of the site with access from Kellington Lane. To the south-east corner land is to be made available for future station improvements. Tree lined streets, hedgerow retention and areas of landscaping would be provided within the site. The Public Right of Way would be realigned but would maintain its north-south link.

5.4 Proposed building heights across the site are identified as predominately 2 storey (rising to a maximum of 2.5 storeys or 3 storeys around key nodes) for residential development and 3.5 storeys for the extra-care and retail development parcels.

5.5 The local centre is shown to the eastern side of the development accessed from Kellington Lane. It is indicated that it would comprise up to 8,000 square feet of retail uses (3-4 different units) clustered together. It is expected that the proposed uses would be within Use Class E (this use class includes shops, cafes and health centres).

5.6 The proposal also includes provision of 2.5 ha of land for a two-form entry primary school. The proposed site adjoins and forms part of the local centre

5.7 Areas of public open space and landscaping are shown on the parameters plans. This includes retention of existing hedges and features, landscape buffers to north, east and western boundaries and green infrastructure corridors across the site.

5.8 The application is accompanied by an Environmental Statement and supported by a suite of documents including Parameter Plans and a Design Code. The Design Code sets out illustrated rules and requirements on the appearance and character of the development that Reserved Matters applications will be required to follow.

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:
- Selby District Local Plan, adopted on 8 February 2005
- Selby District Core Strategy Local Plan, adopted on 22 October 2013
- Minerals and Waste Joint Plan, adopted 2022

Emerging Development Plan – Material Consideration

6.3. The Emerging Development Plan for this site was the Selby Local Plan revised publication 2024 (Reg 19). Following reports to committees and finally to North Yorkshire Council's Full Council on 26 February 2025, work on the ELP has ceased.

6.4. Having regard to the above, no weight is to be applied to the Selby District Council Local Plan publication version 2024 (Reg 19), but some weight may be able to be given to the evidence base. The site was included as a draft allocation under the former emerging Local Plan, reference EGGB-Y.

6.5. The North Yorkshire Local Plan is the emerging development plan for this site however no weight can be applied in respect of this document at the current time as it is at an early stage of preparation. As the emerging Local Plan progresses through the various stages, it can attract increasing weight in decision making. At the point of adoption, it is a statutory document to which Section 38(6) of the Planning and Compulsory Purchase Act 2004 can apply.

Guidance - Material Considerations

6.6. Relevant guidance for this application is:
- The National Planning Policy Framework, December 2024 (as updated February 2025)
- National Planning Practice Guidance
- National Design Guide
- Affordable Housing Supplementary Planning Document (AHSPD) 2014
- Developer Contributions Supplementary Planning Document (DC SPD) 2007
- Selby Landscape Character Assessment

- The Selby District Landscape Sensitivity Study (October 2021)

6.7. The Government began a consultation exercise on a new draft of the NPPF in December 2025, which is currently underway. One of the proposed changes is to introduce a less restrictive approach to the development which is well-related to or is within the existing settlements. Policy S4 of the draft NPPF states that development within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects and policy S5 (j) states that development which would address an evidenced unmet need (including where LPA cannot demonstrate a five-year supply of deliverable housing sites) and where the development proposals would be well-related to an existing settlement and be of scale which can be accommodated taking into account the existing and proposed availability of infrastructure should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects.

6.8. Whilst draft proposed changes to national policy can be treated as a material consideration, officers are of the view that given that this is only subject to consultation, no more than negligible weight should be given to the suggested changes.

7.0 Consultation Responses

7.1. Three rounds of consultation have been undertaken. Consultation responses received are summarised below. Consultee full responses may be viewed on Public Access.

7.2. **National Grid** – No objection to the proposal provided that safe clearances are maintained at all times and the guidance provided as part of the consultation response is adhered to.

7.3. **NYC Affordable Housing** – No objection - The scheme does not propose a total of affordable units, but the applicant has agreed to a minimum of 10% of total dwellings across the site. Advice is given in terms of mix and tenure; location and appearance. Request made that the Section 106 includes a local connection clause (Eggborough, Hensall, Beal, Kellington, Little Heck and Great Heck).

7.4. **NHS Humber and North Yorkshire Integrated Care Board** – The application will impact on existing healthcare provision within the vicinity of the site and does not propose any site-specific mitigation for the healthcare impact of the proposal. The closest GP surgery to the site is Ash Grove Medical Centre, Selby Road Eggborough. A financial contribution of £1,768,114 is requested to fund works at the named practice and/or contribute towards a new development related to the primary Care network.

7.5. **NYC Public Rights of Way Officer** - Public Footpath 35.41/10/1 crosses the site and it is indicated that this will need to be diverted, this will need to be applied for under S.257 of the Town and Country Planning Act. Advice provided on footpath width for users and that the footpath should remain open throughout construction. It should not subject to length temporary closure orders and an alternative route should be provided if needed during construction. Informatives are provided.

7.6. **North Yorkshire Fire and Rescue Service** – No objection or observation to make. Further comment will be made in relation to the suitability of proposed fire safety measures at the time when the building control body submit a statutory Building Regulations consultation to the Fire Authority. It is assumed that the provision of water for firefighting will meet the requirements set out in National Guidance document on the provision of water for firefighting, Appendix 5.

7.7. **Waste and Recycling** – No objection - As it is an outline application general comments have been provided and more detailed comments will be provided at reserved matters.

7.8. **The Coal Authority** – No objection - Site lies within the Defined Low Risk Area and no Coal Mining Risk Assessment is required. Standard informative needs to be placed on any planning consent.

7.9. **National Gas** – There are no National Gas assets affected in this area.

7.10. **Northern Gas Networks** - No objection to the proposal. Advise the applicant to contact Northern Gas directly if application granted as there may be apparatus in the area that may be at risk during construction works.

7.11. **NYC Minerals and Waste** – No comments to make.

7.12. **Canal and River Trust** – No objection - Request condition to provide surface water drainage interceptors to prevent pollution of the canal. Request a contribution to the upgrade of the towpath between Whitley Bridge and former Kellingley Colliery to encourage improved use of the tow path to access wider green and blue network for recreation and relaxation. Lining the towpath improvements to the already agreed improvement east from Kellingley Colliery will encourage Active Travel to employment site.

7.13. **Historic England** – No comments to make, request the Council refers to the views of their specialist conservation and archaeological officers.

7.14. **North Yorkshire Police** – If the application is approved, recommend a “Designing out Crime” informative be applied.

7.15. **Contaminated Land** – No objection - No significant contamination expected on the site due to its greenfield nature however anecdotal information indicates the potential presence of an ash pipe which crosses the site from Eggborough power station to the gale Common ash disposal site. Ground investigations are anticipated to be undertaken at the site to confirm the ground conditions and assess the potential impacts of the existing land quality, ground conditions and the presence of potential contamination within the site upon future site users, controlled waters, and the wider environment. No significant contamination is anticipated to be located at the site due to its greenfield nature. However, if necessary, appropriate mitigation and remediation will be identified and undertaken following the results of the investigations. Conditions are recommended covering investigation of land contamination;

submission of a remediation strategy; verification of remediation works and reporting of unexpected contamination.

7.16. **Natural England** – No specific advice provided, refer the council to standing advice on protected sites.

7.17. **NYC Highways -** No objection. The Highway Authority has made a number of responses during the course of the application and has worked with the applicant to address the concerns raised. No objection subject to conditions and highway works/contributions secured through a S106 agreement and S278.

7.18. **NYC Ecology** – No objection - Following original consultation response updated ecological survey work has been submitted including updated Outline Landscape and Ecology Management Plan and revised BNG Assessment. The site is capable of achieving a positive net gain across hedgerow and watercourse habitats and a smaller on-site uplift for habitat units with remaining 7.40 habitat units to be secured off site. Offsite BNG will need to be secured through a S106 Agreement. The Outline Landscape and Ecology Management Plan provides the high-level structure and long term management framework necessary. Recommends a suite of ecology conditions and inclusion in S106 agreement.

7.19. **NYC Archaeology** – No objection - Consultation response on submission requested that archaeological field evaluation (comprising geophysical survey and trial trenching) takes place prior to determination. Further information has been provided including the results of an archaeological geophysical survey and trail trenching. Later prehistoric and Roman features have been found however these are of local or regional interest, not national. Recommend condition requiring scheme of archaeological mitigation recording is undertaken.

7.20. **NYC Environmental Health** – No objections however as this is an outline application there is currently insufficient detail to predict noise during construction phase or from noise-emitting sources associated with the development. The Air Quality Assessment and mitigation measures to control dust and dirt during construction are acceptable and can be included in a Construction Environmental Management Plan. Conditions recommended requiring further noise assessment; a scheme to minimise the impact of noise, vibration, dust and dirt on nearby residents; working hours.

7.21. **NYC Education Directorate** – Seek financial contribution towards primary school places (£5,233,436.25); secondary school places (£4,280,601.39); SEND provision (£948,533.04); Early Years provision (£1,015,560). The application also proposes land for a new primary school.

7.22. **Yorkshire and Humber Drainage Boards** – No objection to the application and notes that further details will be provided as part of reserved matters.

7.23. **Active Travel England** – Does not support the development but does not object - Response **20.11.2023** Comments and recommendations made, including improvements to proposed walking and cycling links, bus stop provision and improvement, cycle parking. Canal towpath improvements welcome. physical and

financial contributions will be made to off-site infrastructure, supported by detailed plans. A design code should be conditioned and a robust Travel Plan will also be required. **Response 27.01.2026** access points should be agreed and confirmed at this stage, additional commitment to design of access travel routes needs to be within Design Code, and active travel mode share targets should be more ambitious.

7.24. **Network Rail** – No objection - Welcome commitment by applicant to fund improvements to service provision along the line and to Whitley Bridge Station. Separate work is being undertaken to regarding service improvements. Contributions agreed for a package of station improvements station waiting shelter, double deck cycle shelter, Help Point, CCTV, extension to x2 platforms, fence replacement on southern side of development, refreshing road markings to distinguish pedestrian access over the crossing.

7.25. **Lead Local Flood Authority** – No objection - Have considered the submitted documents and advise that these demonstrate a reasonable approach to the management of surface water on site.

7.26. **Kellington and Eggborough Parish Councils** (joint response 12th December 2023; same response received 10th October 2025) –
Object to the proposal -
- Application submitted on assumption that site was draft allocation in draft Selby Local Plan (EGGB-Y)
- Premature
- Countryside location contrary to adopted local plan
- Selby DC has a 5 year HLS (note: the consultee response reflects the position in 2023 which has since changed)
- Quantum of development exceeds draft allocation numbers
- It will double size of Eggborough
- Concern over highway impacts

7.27. **Environment Agency** – Following submission of an updated Flood Risk Assessment (following original consultee response) there is no objection subject to condition ensuring development is carried out in compliance with the agreed FRA and that all development will be within Flood one 1 and that there will be no ground raising in Flood Zones 2 or 3.

7.28. **National Highways** – Originally objected to the proposal due to the impact of the proposal on M62 junction 34. Following further correspondence, negotiation and provision by the applicant of further information and modelling, a mitigation scheme at M62 J34 has been agreed in principle following successful completion of a Stage 1 Road Safety Audit. Conditions are recommended to ensure that junction improvement works are completed before first occupation of the development and that a Construction Traffic Management Plan be submitted for agreement.

7.29. **NYC Landscape** – No objection - There would be a significant adverse effect on the landscape character of the site due to the change from open arable landscape to residential development and initial response provided advice and recommendations. Landscape Officer and Urban Design Officer have jointly been advising on the

proposed site layout, Design Code and landscape masterplan. Combined responses have been provided.

7.30. **NYC Conservation** – Relevant listed buildings to the site are Church of St Edmund (Grade I); Churchyard Cross (Grade II); Gate Piers (Grade II) and Kellington Windmill (Grade II). The heritage statement submitted provides detailed analysis of how the heritage assets are experienced currently and how the proposed scheme would alter that experience. It has concluded that the Windmill would be affected the most because it is closest to the site. However, it is considered that all the aforementioned heritage assets should be considered as a collective as they are not too far from one another and the church is a Grade I Listed Building. Their relative closeness to one another further amplifies the way in which they should be experienced. Paragraph 200 of the NPPF has been met, however the mitigation measures are of concern. It is difficult to assess the true impact of heritage assets upon an outline consent as this only establishes the principle of development not the final design of a scheme.

It is suggested that further landscaping is increased on land which bounds the view of the heritage assets, but this requires careful consideration as any dense planting is not native to the area. In terms of dwellings these should not be more that 2 storey in height and not take on the common theme of mass produced typical housing development which could be seen as a bolt on site to the village of Eggborough.

7.31. **Yorkshire Water** - No objection and recommend conditions.

7.32. **NYC Public Health** – No objection - Acknowledge that as this an outline application detailed proposal will be submitted in due course. Advice provided on matters including housing, provision of digital connectivity, Local Retail centre design, transport and accessibility and details for the proposed extra care facility.

7.33. **Yorkshire Wildlife Trust** – Satisfied that the ecological walkover accurately reports site conditions. Himalayan balsam is present on site and as an invasive species requires a management plan (preferably within the Landscape and Ecological Management Plan); existing hedgerows must be maintained with buffers; serious concern about loss of habitat for ground nesting and farmland birds. BNG funding needs to be secured and funded for 30 years through a S106 agreement.

7.34. **NYC Planning Policy** - No response received to consultation request.

7.35. **Sherburn in Elmet Aeroclub** - No response received to consultation request.

7.36. **Burn Gliding Club** - No response received to consultation request.

7.37. **NYC Arboricultural officer** - No response received to consultation request.

7.38. **NYC Urban Design** – No objection - Urban Design and Landscape Officer have jointly been advising on the proposed site layout, Design Code and landscape masterplan. Combined responses have been provided.

7.39. **National Planning Casework Unit** - No response received to consultation request.

7.40. **NYC Academy Schools** - No response received to consultation request.

7.41. **Wakefield MDC** – No response received to consultation request.

Local Representations

7.42. The application was publicised by site and press notice on 08.11.2023, 23.09.2025 and 16.03.2026. Representations are summarised below and can be read in full on Public Access.

OBJECTIONS (365 received across all consultations)

1. Principle of Development & Strategic Issues
- Objection to the principle of development in this location.
- Development should be focused in towns rather than villages.
- Village has already expanded significantly and taken its fair share of growth.
- No demonstrated local need for the number or type of dwellings proposed; existing homes remain unsold.
- Brownfield land should be prioritised over greenfield sites.
- Proposal exceeds the scale of draft site allocation.
- Development should be physically and visually separate from the village.
- Risk of coalescence between Kellington and Eggborough.
- Unsustainable location with limited access to jobs, leading to increased commuting.
- Cumulative impacts with other developments in the area.

2. Impact on Character, Scale & Layout
- Development would be harmful to village character, scale and rural identity.
- Loss of village identity and community spirit; settlement risks becoming a small town.
- Development considered out of scale and overbearing.
- Three storey dwellings and building heights facing Kellington Lane considered unacceptable.
- Layout should be set further back from Kellington Lane.
- School location questioned; should be more centrally or differently located to reduce impacts.
- Noise impacts from school and local centre.
- Loss of public rights of way.
- Need for green spaces, dog walking routes and retention of hedgerows.
- Village does not require additional retail provision.

3. Infrastructure Capacity & Community Facilities
- Existing infrastructure unable to support development.
- Concerns about electricity and sewerage capacity.
- Lack of healthcare provision and wider community infrastructure.
- Insufficient public transport provision and uncertainty over rail use.
- No guarantee that the school, care home or local centre will be delivered.

- No certainty of sufficient school places, particularly for secondary education.
- Lack of youth facilities.
- Need for upgraded street lighting.

4. Highways, Traffic & Transport
- Increased traffic congestion, pollution and vehicle speeds.
- Reliance on car travel and increased commuting.
- Queuing traffic expected on Kellington Lane without upgrades.
- Traffic impacts arising from school location.
- Reliance on strategic highway infrastructure that may not be delivered.

5. Flood Risk, Drainage & Water Environment
- Site subject to flooding and inadequate drainage.
- Sewerage and pumping station capacity concerns.
- Increased surface water runoff and pollution of watercourses (River Aire and canal).
- Non permeable surfaces worsening flood risk.

6. Environment, Agriculture & Heritage
- Loss of best and most versatile agricultural land and impact on food security.
- Loss of prime farmland.
- Harm to habitats, wildlife and protected species.
- Significant and irreversible environmental impacts.
- Detrimental impact on archaeology and heritage assets.

7. Social, Health & Amenity Impacts
- Increased anti social behaviour and crime.
- Reduced property values and calls for financial compensation.
- Health impacts from loss of open land, traffic noise and air pollution.
- Particular impacts on elderly residents.
- Construction noise and disturbance.
- Requests that renewable energy benefits be extended to existing residents.

SUPPORT (21 received across all consultations)

1. Principle of Development
- Site identified as a draft allocation, establishing principle of development.
- Need for new housing, including affordable homes to meet local needs.

2. Benefits to the Village
-
- Economic benefits and job creation.
- Additional population supporting local services, youth and sports groups.
- New school, care home and local facilities welcomed.

3. Design, Transport & Sustainability
- Support for delivery of high-quality, energy-efficient homes.
- Support for walking and cycling routes.
- Environmental enhancements, including new habitats and landscaping.

8.0 Environment Impact Assessment (EIA)

8.1. The proposal constitutes development under Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as an urban development project that exceeds 5 hectares and includes more than 1 hectare of urban development which is not dwellinghouse development. A scoping opinion was sought from the Council and provided in December 2021 which confirmed that the development would be likely to have significant environmental effects and providing its formal opinion on those aspects of the environment to be considered. An Environmental Statement (ES) has been submitted in support of the application. The information submitted in the ES is sufficient for the Council to understand the likely environmental impact of the proposal and any mitigation required. The EIA Regulations require this environmental information as well as representations received about the environmental effects of the development to be taken into account in the determination of the application.

9.0 Main Issues

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

- Principle of Development
- Loss of agricultural land
- Minerals
- Housing density and mix
- Character and appearance
- Landscape
- Residential amenity
- Flood risk and drainage
- Highways
- Public Rights of Way
- Bus and rail
- Knottingley and Goole Canal
- Ecology and Biodiversity
- Affordable housing
- Extra care facility
- Primary school
- Local centre
- Recreational open space
- Contaminated land
- Heritage assets
- Developer contributions

10.0 ASSESSMENT

Principle of Development

10.1 Policy SP1 of the Selby District Core Strategy Local Plan outlines that "when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework" and sets out how this will be undertaken. Policy SP1 is therefore consistent with the guidance in the NPPF. The Council does not

have the required five-year housing land supply and therefore Paragraph 11d of the NPPF is engaged and the "tilted balance" applies.

10.2 Policy SP2 of the CS sets out the long-term spatial hierarchy for the distribution of future development within the District, focusing development firstly in the Principal Town of Selby, Local Service Centres, Designated Service Villages and smaller villages.

10.3 The Core Strategy designates Eggborough as a Designated Service Village (DSV). Core Strategy paragraph 4.12 states "villages which are considered capable of accommodating additional limited growth have been identified as 'Designated Service Villages'". With regard to Designated Service Villages (DSVs), paragraph 4.27 states:

"The overriding strategy of concentrating growth in Selby and to a lesser extent in the Local Service Centres means that there is less scope for continued growth in villages on the scale previously experienced. However, there is insufficient capacity to absorb all future growth in the three towns without compromising environmental and sustainability objectives. Limited further growth in those villages which have a good range of local services (as identified above) is considered appropriate".

10.4. The site lies outside the Development Limits for the settlement of Eggborough as defined in the Selby District Local Plan (2005).

10.5 Policy SP2A(c) of the Core Strategy says: "*Development in the countryside (outside Development Limits) will be limited to the replacement or extension of existing buildings, the re-use of buildings preferably for employment purposes, and well-designed new buildings of an appropriate scale, which would contribute towards and improve the local economy and where it will enhance or maintain the vitality of rural communities, in accordance with Policy SP13; or meet rural affordable housing need (which meets the provisions of Policy SP10), or other special circumstances*."

10.6 The proposal does not constitute any of the forms of development set out under SP2A(c). In light of the above policy context the proposals for residential development are contrary to Policy SP2 of the Core Strategy. Substantial weight to the conflict with the development plan (and the related conflict with the intentions of the Framework) should be given in this case. The proposal should therefore be refused unless material considerations indicate otherwise.

Housing Supply Requirements

10.7 Currently there is a lack of a five-year housing land supply in the Selby legacy area, due to the increase in housing requirements arising from the NPPF (December 2024). Policy SP5 is out of date and therefore carries no weight because the housing need figure it contains is not calculated based on the required standard method. As such applications are required to make decisions in accordance with Paragraph 11d of the NPPF (December 2024).

10.8 Paragraph 11d states that in terms of decision-making and the presumption in favour of sustainable development:

"*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination"

10.9 The site does not have any "assets of particular importance" (Footnote 7), and it is considered that the scheme accords with the NPPF when taken as a whole. The development is in a sustainable location on the edge of a Designated Service Village and would provide housing, a local centre and school. Subject to reserved matters approvals the housing would make effective use of the land in terms of proposed density and would also deliver affordable housing across the site. In this context it is considered under Paragraph 11d of the NPPF that the principle of development on the site should be supported subject to satisfying Paragraph 11d ii.

10.10 The application site was included as a draft allocation EGGB-Y in the Revised Publication Selby Local Plan 2024, supported by list of site requirements. Work on the Local Plan ended on 26.02.2025 and there is no emerging local plan to consider but some weight may be able to be given to the evidence base.

Sustainability

10.11 Paragraph 11 of the NPPF (December 2024), sets out the presumption in favour of sustainable development in determining applications and that Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities as such development that does not accord with an up-to-date plan will not normally constitute sustainable development. However, Paragraph 12 of the NPPF (December 2024), makes clear that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. When a planning application conflicts with an up-to-date plan permission should not normally be granted.

10.12 Material circumstances in this case are the need for housing supply and the wider sustainability benefits of the proposal.

10.13 In terms of sustainability, the application site abuts the western edge of Eggborough, which is identified as a Designated Service Village in the Core Strategy. The settlement provides a range of services including a pub, butchers, bakery with café, takeaways, a pharmacy, two convenience stores, a hair/beauty salon and two places of worship and is identified as one of the key settlements in the Selby legacy area for growth. The settlement includes a school, butchers and post office/shop. It is noted that the proposal includes a local centre (Use Class E including retail).

10.14 There is no school in Eggborough. Children currently travel to Whitley and Eggborough or Hensall Community Primary Schools. It is notes that the application site partially lies within the catchment for Kellington Primary School and that as part of the proposals a new primary school will be provided serving the enlarged village.

10.15 There is a daytime hourly bus service (Service 476) running between 0900-1800 from Eggborough to Selby and Pontefract. The service runs school days only.

10.16 Whitley Bridge station lies to the south-east of the site and currently has a very limited service (3 trains a day).

10.17 Paragraph 8 of NPPF outlines that there are three overarching objectives which are interdependent and need to be considered in assessing whether a scheme is sustainable development, i.e. the economic objective, social objective, and an

environmental objective. Paragraph 9 notes that planning policies and decisions should play an active role in guiding development towards sustainable solutions but in doing so should take account of local circumstances to reflect the character needs and opportunities of each area. With Paragraph 10 stating that "*sustainable development should be pursued in a positive way, at the heart of the framework is the presumption in favour of sustainable development (Paragraph 11)".*

10.18 The following benefits would arise from the proposed development:

Economic

10.19 The proposal would generate employment opportunities in both construction and other sectors linked to the construction market. The proposal will bring additional residents to the area who in turn will contribute to local economy through supporting the existing local facilities and increasing the demand to sustain existing services. The proposals could enhance provision of local workforce for the businesses, although this will depend upon potential employee skill matches and vacancy requirements.

Social

10.20 As well as market housing the proposal will deliver 10% affordable housing units to meet a defined need in the area. It will also deliver an extra care facility, local centre and school. In addition, the scheme would include provision of on-site recreational open space and will make contributions to provision of ecology and highway mitigation. The applicant would look to submit the first reserved matters application by the end of 2026.

Environmental

10.21 The proposed development can consider environmental issues such as climate change, ecology and biodiversity and will deliver environmental benefits in the form of open space provision. The proposal would provide housing outside the boundaries of the Designated Service Village, but this is one of the more sustainable settlements in the Selby legacy area.

10.22 The site is on the edge of a Designated Service Village and is a sustainable location. Due to the housing supply position, the presumption in favour of sustainable development is engaged under paragraph 11d and relevant material factors need to be taken into consideration as part of the planning balance. The proposal would provide 1500 dwellings and would significantly boost the housing land supply as well as providing economic, social and environmental benefits. All these factors weigh in favour of the proposal.

Previous levels of growth

10.23 CS Policy SP5 designates levels of growth to each of the 3 main towns, the group of Designated Service Villages and the Secondary Villages based on their infrastructure capacity and sustainability. Eggborough has received recent housing growth however, in the context of the increase of housing land requirements arising from the NPPF there remains a need to release more sites for development, which are deemed to be a sustainable location. This is an opportunity that should be supported by in the context of Paragraph 11d, notwithstanding levels of growth the settlement has already incurred. The growth of the Designated Service Village is preferable to growth of lower ranking settlements and as such all opportunities should be considered in the context of the guidance in the NPPF.

Deliverability

10.24 In terms of deliverability, the application seeks outline planning permission, and the applicants have confirmed that they will be seeking to submit the first application for reserved matters by the end of 2026. Ultimately, the NPPF aims to boost and maintain the supply of housing, and this is a material consideration when evaluating planning applications.

Conclusion on the Principle of Residential Development

10.25 Policies SP2 and SP5 are the most important for determining the application and are of limited weight because the LPA cannot demonstrate a five-year supply of deliverable housing sites. Furthermore, Policy SP5 is out of date because the housing need figure it contains is not calculated based on the required standard method.

10.26 The proposal would release a greenfield site for development which is outside of development limits. It would therefore conflict with the fundamental aims of Policies SP1 and SP2 of the Core Strategy. However, significant weight is given to the Council's lack of a 5-year housing land supply and the engaged tilted balance of Paragraph 11d.

10.27 The hierarchy outlined within Policy SP2 itself remains soundly based on an understanding of the role and function of different settlements within the former District. However, continued strict application of Policy SP2A(c), which prevents market housing outside development limits in the countryside, would not allow the LPA to meet the identified local housing needs. Furthermore, the weight afforded to Policy SP2 is diminished as it does not include the more nuanced approach to the consideration of development that is found in the NPPF. Thus, although it serves as a useful guide for the sustainability of settlements enabling the Council to still resist development in the least sustainable locations, during this period where the Council does not have a 5-year land supply, the strict application and locational limitations of SP2 c) and SP4 should be given limited weight.

10.28 The development of the site would deliver a number of socio-economic benefits to Eggborough and the wider Selby/North Yorkshire area alongside making a significant contribution to the Council's ongoing 5-year housing land supply requirements. These are anticipated to be within 5 years of the approval of the planning application.

10.29 There remains a requirement to consider the impacts of the development and whether any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole, having regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes.

<u>Loss of agricultural land</u>

10.30 The site is currently in use for agriculture (arable). Policy SP18 of the Core Strategy seeks to sustain the natural environment by steering development to areas of least agricultural quality. NPPF paragraph 187 states that decisions should contribute to and enhance the natural and local environment by b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land. Policy SP18 is consistent with the NPPF and is given significant weight.

10.31 Agricultural land is classified using grades 1, 2, 3a, 3b, 4 and 5. Best and most versatile agricultural land is defined as land in grades 1, 2 and 3a of the Agricultural Land Classification. An Agricultural Land Classification has been submitted which identifies that the site consists of Grade 3a (circa 50 hectares of the northern part of the site) and Grade 3b (circa 26 hectares of southern part of the site).

10.32 At 70.11ha the site size is above the 20-hectare threshold within The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) above which Natural England is a statutory consultee for the loss of best and most versatile agricultural land. Natural England have not provided any comments on loss of BMV in their consultation.

10.33 The proposal would result in the permanent loss of best and most versatile agricultural land. Given the site's conflict with the spatial development strategy, this loss is considered unnecessary. The development would therefore result in minor harm to the local agricultural economy and wider food self-sufficiency. Harm (even minor harm) arising from the loss of agricultural land is in conflict with Core Strategy Policy SP18 and NPPF paragraph 187 b) needs to be weighed in the planning balance against the benefits of the development.

Minerals

10.34 The application site is located within a Sand and Gravel safeguarding area. Relevant policies in relation to the NYCC Minerals and Waste Plan 2022 (MWJP) are S01, and S02, which reflect the national policy in the Chapter 17 of the NPPF and seek to protect future mineral resource extraction by safeguarding land where the resource is found and avoiding such land being sterilised by other

10.35 The site does not fall within the exemption criteria stated in paragraph 8.55 of the MWJP. A minerals assessment has been submitted which confirms that as the mineral in this location is not required and can be extracted elsewhere in the County, with a significant proportion of the site unable to be utilised for extraction due to the proximity of residential properties. The Minerals and Waste officer confirms that the development is compliant with MWJP Policy S02 point iv.

Housing density and mix

Density

10.36 Saved Policy H2B of the Local Plan states "Proposals for residential development will be expected to achieve a minimum net density of 30 dwellings per hectare to ensure the efficient use of land. Higher densities will be required where appropriate particularly within the market towns and in locations with good access to services and facilities and/or good public transport. Lower densities will only be acceptable where there is an overriding need to safeguard the existing form and character of the area or other environmental or physical considerations apply."

10.37 Core Strategy paragraph 7.80 states "*The quality of design in its local context is more important than relying on a minimum housing density figure to benchmark development….Therefore, the Council does not propose to set a development density figure in this strategic plan*". Policy SP19 states residential development should "*Positively contribute to an area's identity and heritage in terms of scale, density and layout*".

10.38 NPPF paragraph 124 requires that decisions should support development that makes efficient use of land.

10.39 Delivery of 1500 dwellings across the site gives a site wide density of 35-38 dwellings per hectare. Density will vary across the site and is envisaged to be greater towards the east and the local centre, with lower densities to the west and site edges. As an Outline application the specific densities across the site are unknown until Reserved Matters applications are submitted.

10.40 The proposed density is in line with the supporting text to Policy H2B which encourages densities of between 30-40 dwellings per hectare in larger villages or locations with good public transport. The policy itself allows for lower densities where there is an overriding need to safeguard form and character and address other site circumstances. Policy S19 in the Core Strategy adopts a more design led approach by seeking densities that do not compromise local distinctiveness, character and form.

10.41 It is considered that the overall site density is appropriate and will respect Eggborough village.

Housing Mix

10.42 Core Strategy policy SP8 provides guidance with regards to housing mix and requires that proposals for housing must contribute to the creation of mixed communities, and that the type and size of proposed dwellings reflect the most recent strategic housing market assessments. The development proposes 1500 dwellings, including an extra care unit with up to 70 beds and 14 independent living units (for older people or those with learning disabilities). An indicative housing mix is shown below (extracted from the Planning Statement):

Table 3: Indicative Housing Mix

House Type	No. Units	% of Total Units
1 bed	30	2%
2 bed	270	18%
3 bed	600	40%
4 bed	450	30%
5 bed	150	10%
Total	1,500	100%

10.43 The indicative housing mix is broadly in accordance with the HEDNA. It is considered that the proposal would achieve an appropriate housing mix at reserved matters stage as identified in the HEDNA and in accordance with Policy SP8 and the NPPF.

<u>Character and appearance</u>

10.44 Policy ENV1 of the SDLP requires that the impact of new development on the character of the area and the standard of design, relative to the site and its context, is given due consideration when assessing planning proposals. Similarly, Core Strategy Policy SP18 seeks to sustain high-quality environments and local distinctiveness by protecting, and where possible enhancing, the historic and natural environment, including the landscape character and the setting of areas recognised for their importance.

10.45 Policy SP19 requires that residential developments should: *"Incorporate new and existing landscaping as an integral part of the design of schemes, including off-site landscaping for larger sites and those located on the edge of settlements where appropriate."*

10.46 Paragraph 135 of the Framework outlines a series of expectations for achieving high-quality design in new development, while Paragraph 187 of the Framework encourages planning decisions to contribute to, and enhance, the natural and local environment by recognising the intrinsic character and beauty of the countryside.

10.47 NPPF Footnote 9 requires consideration to Paragraph 135, which requires that planning decisions should ensure developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, provide effective landscaping, while not preventing or discouraging appropriate innovation or change (such as increased densities). Paragraph 139 resists bad design and supports good design.

10.48 The application is for outline planning permission, the detailed layout, design and overall character of the development will be established under subsequent reserved matters for each development phase. To ensure that the development has a coherent character and appearance Reserved Matters will be required to adhere to the Design Code and Parameters Plans. Between them these set out the development wide design principles.

10.49 The Design Code is a technical document which sets out mandatory design requirements for future Reserved Matters applications in order to ensure a coherent and high-quality development.

10.50 Key elements of the design approach include.
- **Landscape-led masterplan** – green and blue infrastructure, retention of hedgerows, ditches and trees, integration of Sustainable Urban Drainage Systems;
- **Integration with Eggborough** along the eastern site boundary (new footpath/cycle links; school and local centre);
- **Three defined character areas** – Village Centre, Site Central and Rural Edge to ensure variety of built form transitioning from a more urban frontage on Killington Lane to a softer rural edge to the west;
- **High quality public realm and open spaces** – connected open spaces and landscape buffers and a dedicated play and fitness route. Biodiversity enhancements and wayfinding;
- **Movement and active travel** – prioritised pedestrian and cycle routes and connections within and beyond the site and connection to Whitley Bridge Station;
- **Built-form principles** – use of perimeter blocks, active frontages, locally inspired materials, variation in building heights;
- **Community** – New school, local centre, allotments and orchards;
- **Heritage** – Protection of views to Kellington Windmill and Gale Common.

10.51 A development of this scale presents a significant urban extension to Eggborough village. The proposal seeks to complement and support the existing village in terms of character and appearance and through siting key services to the eastern boundary (school and local centre) seeks to integrate with the existing village. The eastern boundary to Kellington Lane is specifically addressed in the Design Code with the following requirements:

- Mirror the existing frontage on Kellington Lane

- Retention of the existing hedgerow and ditch
- Create a green buffer with a soft open landscape character
- New safe pedestrian and cycle connections
- Key services to be located to the east of the site

10.52 Subject to Reserved Matters applications meeting Design Code and parameter plan requirements it is considered that the proposed development will complement the character and appearance of Eggborough.

10.53 The proposed development would result in a reduction of open countryside between Eggborough and Kellington and a narrowing of the gap between the villages. As a planned urban extension to Eggborough, the incorporation of landscape buffers, green corridors and open space will help maintain the visual separation between the two villages and it is not considered that the proposal would result in coalescence or unacceptable harm.

10.54 The Council's Urban Design, Landscape and Highway officers have been involved in the development of the Design Code, and it is considered that the code and parameters plans are acceptable and will provide a robust template for future applications. Conditions are proposed to ensure compliance with these documents.

10.55 The proposal would accord with SDLP Policy ENV1, CS Policies SP18, SP19 and SP8, and paragraph 135 of the NPPF.

Landscape

10.56 CS Policy SP18 requires the high quality and local distinctiveness of the natural and man-made environment will be sustained by 1. Safeguarding and, where possible, enhancing the historic and natural environment including the landscape character and setting of areas of acknowledged importance.

10.57 The site lies within the Selby Landscape Character Assessment (November 2019) Character Area 16 Eggborough. Key characteristics include low-lying arable farmland with large rectilinear fields defined by hedgerows with rare hedgerow trees, strong human influence in the form of major transport and energy infrastructure, evenly distributed villages with few isolated dwellings.

10.58 The key sensitivities section notes the area may be sensitive to relatively small changes, due to its openness and slight elevation, with development potentially highly visible throughout the landscape; The main settlement, Eggborough, has a predominantly modern character with relatively open edges with the surrounding landscape; There is a limited network of public rights of way used generally for local recreation and the canal towpath provides a longer-distance route. The Principal Forces for Change section recognises there will be development pressure for housing at Eggborough as one of only 2 designated service villages in the area; potential for leisure development along the canal and loss of hedgerows through lack of maintenance. General Management Guidelines include seeking to increase woodland cover, continued maintenance and reinstatement of hedgerows, enhance recreational access and careful consideration of siting of new development. Location specific guidelines for this area state that housing development should be focused on

the larger settlements of Eggborough and Kellington which are likely to have higher capacity for new development. Development is unlikely to detract from the overall character in these areas due to their proximity to the Eggborough Power Station..

10.59 The Selby District Landscape Sensitivity Study (October 2021) identifies the application site as lying within assessment parcel EG1: Eggborough North Eastern Fringes where it is noted that "Although largely undeveloped, the Parcel is located at the settlement edge of Eggborough" and "The Parcel plays a role in the perception of a gap between the settlements of Eggborough and Kellington". The Overall Development Guidelines for Parcel HE2 states that "Development within the Parcel would likely impact on the sense of separation between the villages of Eggborough and Kellington, resulting in settlement coalescence."

10.60 The proposed Design Code establishes a clear landscape-led framework for the proposed development. The Design Code emphasises the retention of existing landscape features, the provision and reinforcement of green infrastructure corridors and the use of building layouts, scale and materials to response to local landscape character. Existing hedgerows, field boundaries and peripheral vegetation are identified to be retained and strengthened; this will ensure that the proposed development transitions sympathetically to the surrounding countryside. The Design Code also requires generous landscape buffers, particularly along sensitive edges (eg. Western and northern boundaries) and the use of native planting to reduce visual prominence and contribute to long-term landscape integration.

10.61 Consultation responses from the Council's Landscape Officer acknowledge by its nature there will be a significant adverse effect on the landscape character of the site overall due to the change from an open arable rural landscape to one of residential development. The development will result in a degree of localised landscape harm particularly during construction and to existing residents on the eastern side of Kellington Lane. It is noted that these impacts can be mitigated through careful layout, consideration of building heights and comprehensive planting, as accordance with the Design Code. Subject to appropriate conditions securing detailed landscape schemes, phasing, and long-term management, it is considered that residual landscape effects are likely to be reduced to an acceptable level in planning terms.

10.62 The Selby District Landscape Sensitivity Study (2021) identifies the wider area as having a low to moderate sensitivity to change, which reflects it flat landform, dominance of arable farming and field pattern. While the study recognises the importance of maintaining separation between settlements, in this case Eggborough and Kellington, and preserving the rural setting of village, it also identified capacity for sensitively designed development where strong landscape mitigation is provided. Land on settlement edges often plays an important role in maintaining settlement separation and rural setting, however in areas assessed as having low to moderate sensitivity (including Parcel EG1), the Study indicates that development may be accommodated where it is closely related to existing settlement form and where strong structural landscape mitigation is provided.

10.63 It is considered that the proposal aligns with this assessment by providing the built form within a clearly defined boundary and reinforcing landscape edges in order

maintain clear distinction between urban and rural character. Subject to conditions and adherence to the Design Code it is considered that the proposal would not result in significant long-term harm to overall landscape character.

10.64 The proposal would accord with SDLP Policy ENV1 and Core Strategy Policy SP18 and paragraph 135 of the NPPF in terms of landscape.

Residential Amenity

10.65 Policy in respect to impacts on neighbour amenity and securing a good standard of residential amenity are provided by Local Plan Policy ENV1 (1) and (4) and Core Strategy Policy SP19. In addition, paragraph 135(f) of the NPPF encourages the creation of places which are safe, inclusive and accessible, promoting well-being 'with a high standard of amenity.

10.66 The Design Code requires new dwellings to have an appropriate degree of visual and acoustic privacy and daylight. Layout is a reserved matter however it is considered that the site is of sufficient size to allow dwellings to be laid out to provide adequate separation distances between new and existing dwellings to avoid overlooking, a sense of enclosure and loss of privacy. It is also considered that there is sufficient space to ensure adequate separation distances and an acceptable level of residential amenity between proposed units within the site.

10.67 There are existing dwellings to the east of Kellington Lane which lie between 15-25m from the edge of the application site to the west. As set out in the Landscape Masterplan and Design Code a landscape buffer (at least 20m wide incorporating a multi-user path, trees and landscaping) is proposed to the eastern site boundary, to the west of Kellington Lane with proposed dwellings set back a minimum of 5m. Separation distances between existing and proposed dwellings either side of Kellington Lane will be in the region of 40m. This is considered sufficient to ensure privacy and prevent overlooking.

10.68 Existing dwellings on Kellington Lane overlook fields and benefit from being on the rural edge of the village. The proposed development will inevitably alter this outlook from rural to urban. The proposed landscape buffer will mitigate impact although it is acknowledged that outlook will inevitably change.

10.69 Development by its nature will cause an element of noise and disturbance during the construction phase. Due to the proximity of existing dwellings, Environmental Health has requested conditions to restrict working hours. It is also recommended that a scheme to control the impact of noise, vibration, dust and dirt be submitted prior to commencement. If piling is required, then a scheme detailing mitigation measures will be required.

10.70 It is considered that sufficient residential amenity can be achieved for existing and future residents in accordance with Core Strategy Policy SP19, SDLP Policy ENV 1 and the NPPF.

Flood risk and drainage

Flood Risk

10.71 Core Strategy Policy SP15A(d) seeks to ensure that development in areas of flood risk is avoided wherever possible through the application of the sequential test and exception test (if necessary). This approach is consistent with paragraph 175 of the NPPF which requires that development be steered to areas of lowest risk of flooding and that it does not increase flood risk elsewhere.

10.72 The application site lies within Flood Zone 1, where there a low probability of flooding (less than 1 in 1,000 annual probability of fluvial or tidal flooding). There are small areas of Flood Zone 2 along existing drains to the south of the site. A Flood Risk Assessment has been submitted.

10.73 Table 2 (Flood risk vulnerability and flood zone 'incompatibility') of the NPPF Flood Risk and Coastal Change PPG identifies different land use vulnerabilities that are appropriate within each of the Flood Zones. Notwithstanding the different uses proposed the highest vulnerability category for the development is More Vulnerable, and is appropriate development within Flood Zone 2. An Exemption Test is not required for the development however the Sequential Test still needs to be applied.

10.74 The site is not allocated however it was a draft allocation in the emerging Selby Local Plan. Selby District Council undertook a Sequential Test for the application site as part of the Local Plan evidence base which confirmed that the site was sequentially preferable. There have been no changes to the site since that test was carried out and therefore it is considered that some weight can be given to it as it forms part of the evidence base and it is therefore a material consideration.

10.75 In applying NPPF paragraph 175 a proportionate approach to the sequential test should be taken and where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.

10.76 The FRA proposes mitigations to ensure that the proposed development does not exacerbate flood risk to off-site areas and ensuring that the proposed development will remain safe throughout its lifetime. The Environment Agency has reviewed the FRA and has no objection to the development subject to conditions including the following:

- All development will be in Flood Zone 1
- There will be no ground raising in Flood Zones 2 or 3

10.77 Taking a proportionate approach, it is considered that the Sequential Test does need to be applied.

Drainage

10.78 The site is at very low risk of surface water flooding with isolated areas of low to high risk associated with existing land drains and depressions. These are limited in extent. A surface water drainage strategy is set out in the Flood Risk Assessment. Surface water storage will be provided on site and be designed for the 1 in 100-year event plus 40% climate change allowance and 10% urban creep, incorporation of SuDS and attenuation. Finished floor levels will be at least 150 mm above external ground levels, and site levels re-graded to prevent ponding and direct exceedance flows along road corridors.

10.79 The Knottingley and Goole Canal lies to the south of the site and although likelihood of a breach is very low this is also considered in the FRA. The FRA concludes that further assessment of canal breach residual risk will be undertaken at detailed design stage

10.80 Following submission of further information, the Lead Local Flood Authority do not object to the proposal.

10.81 Danvm Drainage Commissioners have also raised no objection to the proposal.

10.82 It is intended to pump foul water to the existing public sewer system. Yorkshire Water have provided comments and requested conditions relating to surface and foul drainage.

10.83 The proposal would accord with Policy ENV1 (1) of the SDLP and CS Policy SP15 in terms of flood risk and drainage.

Highways

10.84 Saved Policies ENV1(2), T1 and T2 of the Selby District Local Plan require development proposals to have a suitable access and no detrimental impact on the existing highway network. This accords with the NPPF, which requires development proposals to have a safe and suitable access and only supports refusal of development proposals on highway grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network, following mitigation, would be severe, considering all reasonable future scenarios (paragraph 116).

10.85 Core Strategy Policy SP15 requires the proposal should minimise traffic growth by providing a range of sustainable travel options (including walking, cycling and public transport) through Travel Plans and Transport Assessments and facilitate advances in travel technology such as Electric Vehicle charging points; and make provision for cycle lanes and cycling facilities, safe pedestrian routes and improved public transport facilities.

10.86 Core Strategy Policy SP19 requires the proposal to be accessible to all users and easy to get to and move through; and create rights of way or improve them to make them more attractive to users, and facilitate sustainable access modes, including public transport, cycling and walking which minimise conflicts.

10.87 Policy CS6 states “The District Council will expect developers to provide for or contribute to the provision of infrastructure and community facility needs that are directly related to a development, and to ensure that measures are incorporated to mitigate or minimise the consequences of that development”. The foreword to the policy states “It is equally important to ensure that, where appropriate, proposals for development incorporate measures to compensate for the consequences of development including off-site works. These may include the provision of traffic calming, footpath and cycleway links”.

10.88 The application is for outline planning permission with all matters reserved. Access points to the site have been included for consideration from Weeland Road and Kellington Lane. However, access will remain a reserved matter, as this also encompasses all internal road layouts.

10.89 Two vehicular accesses are proposed to the site. The main access will be from Weeland Road via a 4-arm roundabout with the other being a priority junction onto Kellington Lane. There are several active travel routes proposed connecting the site to Weeland Road and Kellington Lane. Swept paths analysis have been carried out on the accessed and they have been subject to Stage 1 Road Safety Audits. All problems identified have been satisfactorily addressed. The detail design related to the accesses can be addressed through the submission of Reserved Matters and/or Discharge of Conditions application and by entering into a section 278 Agreement with the Local Highway Authority.

10.90 Several highway improvements have been agreed including the following: -

- Extension of the 30mph speed limit on Weeland Road and Broach Lane.
- Pedestrian and cyclist facilities including shared surfaces and uncontrolled crossings.
- Amendments to traffic signs and lining.
- A raised table Zebra crossing approximately 40m to the south of the site access.
- Proposed shared cycle/footway along the south side of Weeland Road including speed table priority crossings.
- Toucan crossing to replace the existing puffin crossing.
- Localised widening around the northwest radius of the Hut Green Roundabout outside the Horse & Jockey pub to accommodate a 3m footway/cycleway to the shops.
- Additional Bus Stop on Kellington Lane, and bus stop furniture proposed on existing stops.
- Removal of the Chicanes and construction of speed tables/humps.
- Pedestrian Crossing Points on Kellington Lane.

The designs for the above improvements have been through a stage 1 Road Safety Audit and all identified problems have been satisfactorily addressed.

10.91 A package of developer contributions has also been agreed with the applicant.

10.92 The Design Code and conditions will ensure that active travel routes within the site and connections to outside the site are achieved as part of any subsequent reserved matters applications.

10.93 The proposed development will impact on the junction 34 of the M62 motorway. A mitigation scheme for junction improvements has been agreed with National Highways following successful completion of a Stage 1 Safety Audit. The delivery of the junction improvements will be secured via condition.

10.94 It is considered that the proposed development is acceptable in terms of highway safety and accords with SDLP Policies ENV1(2), T1 and T2 and NPPF paragraph 116.

Public Rights of Way

10.95 Development which would have a significant adverse effect on any route in the district's public rights of way network needs to meet the criteria set out in SDLP Policy T8.

10.96 Public Footpath 35.41/10/1 runs through the site from Weeland Road in the north-west to Station Row/Kellington Lane in the south-east. The proposed development retains the footpath and will keep it open during construction. Ultimately it is to be diverted through proposed landscape and open space and new footpaths will allow connection into the route, encourage pedestrian movement through the site. The Public Rights of Way Officer raises no objection to the proposals, subject to the appropriate diversion orders being secured and the provision of a usable footpath width and ongoing maintenance.

Bus and Rail

Bus

10.97 Provision of effective bus and rail services is supported through SDLP Policy T6.

10.98 Eggborough is served by Arriva service 476 which runs from Selby to Pontefract. The service runs through the village with bus stops on Kellington Lane near the junction with Westfield Avenue; Weeland Road near the cricket field and at the north and southern ends of Selby Road.

10.99 As part of the proposal a developer contribution of £1,350,000 will support an enhanced bus service for the 476, which will provide a hourly Monday to Saturday service between 0700-1800 hours and a two-hourly Sunday operation. The developer contribution will cover funding for five years and will be secured through S106 agreement. It is intended that the service will be routed through the site.

Rail

10.100 Whitley Bridge station lies to the south-east of the site and serves Eggborough and Whitley Bridge. The line has a very low level of passenger service although freight traffic is healthy. The location of the station in close proximity to the development site

offers an excellent opportunity for rail passenger service enhancements which will not only benefit the future development but existing communities.

10.101 In agreement with Network Rail a development contribution will allow provision of improved station facilities including additional waiting shelters, secure cycle parking storage and an improved passenger information system. Both platforms are to be extended to allow passengers from three carriages (instead of two) to be accommodated on the platform rather than have to rely on selective door opening, fence replacement on southern side of development and refreshing road markings to distinguish yellow box junction/pedestrian access over the level crossing.

10.102 An area to the south-east of the development has been identified for "station gateway" improvements, these are not specified but could include car parking, cycle and pedestrian links to the northern platform. The station gateway would be future phase of the development.

10.103 There are 3 services a day to/from Whitley Bridge station, however proposed and current development along the Leeds-Goole line has potential to support an enhanced passenger service east/west and investigation into how this can be supported is being led by York and North Yorkshire Combined Authority. This work is still in the development phase, and once completed could be a project supported by CIL monies. The CIL monies expected would be £898,133.43.

10.104 The proposal would accord with SDLP T6 in terms of enhancing bus and rail provision as part of the development.

Knottingley and Goole Canal

10.105 The Knottingley and Goole Canal lies to the south of the development site, separated from the site by the railway line and fields. To the west of the site new employment is being created at former Kellingley Colliery. The canal towpath, accessed south of the station, would be a logical route between Eggborough and new employment opportunities and would be expected to be used for recreation. This would link up with a contribution already secured from the colliery redevelopment towards towpath improvements eastwards from the former colliery.

10.106 A developer contribution has been agreed to fund improvements. This will help increase pedestrian and cycle connectivity.

Ecology and Biodiversity

Ecology

10.107 Local Plan Policy ENV1 requires account is taken of the potential loss, or adverse effect upon, significant wildlife habitats. The foreword to Core Strategy Policy SP2 states the protection and enhancement of biodiversity and natural resources is a basic principle of national planning guidance, which can also influence the location of development. Policy SP18 seeks to protect and enhance the natural environment and NPPF paragraph 187 requires decisions should contribute to and enhance the natural

and local environment by protecting and enhancing sites of biodiversity value in a manner commensurate with their statutory status or identified quality in the development plan; minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

10.108 The Conservation of Habitats and Species Regulations 2017 (as amended) requires the LPA to determine if the proposal may affect the protected features of a habitats site before deciding whether to permit development. This requires consideration of whether the proposal is likely to have significant effects on that site

10.109 The development plan policies are consistent with the NPPF and are given significant weight.

10.110 An Ecology report was submitted as Appendix 6 of the Environmental Statement. Additional and updated ecological information in the form of updated Ecological surveys, offsite compensation for ground nesting/farmland birds and an outline Landscape and Ecological Management Plan have subsequently been submitted following initial comments from the Council's Ecologist. The Ecologist is satisfied with that the proposed scheme can be delivered in a way that avoids significant ecological harm and incorporates appropriate mitigation and enhancement. Further refinement of habitat creation, detailed lighting plans and the full construction ecological management plan will be required at Reserved Matters and can be conditioned. A suite of ecological conditions is recommended.

BNG

10.111 The application was submitted prior to mandatory Biodiversity Net Gain, however the applicant is committing to providing BNG on site. The updated Biodiversity Net Gain report confirms that the development can achieve a positive net gain across hedgerow and watercourse units, and a smaller on-site uplift for habitat units, with a remaining requirement of 7.40 habitat units to be secured off site. This shortfall has been acknowledged within the report, which identifies adjacent land under the applicant's control as a feasible source of off-site habitat creation. The updated survey information, including changes in grassland structure, the presence of Himalayan balsam and the reassessment of the ash tree with bat roost potential, has been appropriately reflected in the revised baseline and BNG calculations. The report therefore meets the requirement for an updated and reliable BNG submission at outline stage, and it confirms that a 10 per cent net gain is achievable through a combination of on-site and off-site delivery. BNG can be secured through a combination of condition and Section 106 agreement.

10.112 The proposal demonstrates ecological and protected sites impacts are acceptable in accordance with Policy ENV1 of the Selby District Local Plan, Policies SP2 and SP18 of the Core Strategy, the NPPF and the standing advice of Natural England.

<u>Affordable housing</u>

10.113 Policy SP9 Affordable Housing seeks to achieve a 40/60% affordable/general market housing ratio within overall housing delivery; in pursuit of this aim, the Council will

negotiate for on-site provision of affordable housing up to a maximum of 40% of the total new dwellings on all market housing sites at or above the threshold of 10 dwellings (or sites of 0.3 ha) or more; the tenure split and the type of housing being sought will be based on the Council's latest evidence on local need; and an appropriate agreement will be secured at the time of granting planning permission to secure the long-term future of affordable housing. The actual amount of affordable housing, or commuted sum payment to be provided is a matter for negotiation at the time of a planning application, having regard to any abnormal costs, economic viability and other requirements associated with the development.

10.114 The Developer Contributions SPD (2007) contains a section called "affordable housing for local needs" which is considered to have been superseded by the Affordable Housing Supplementary Planning Document (2014). The Affordable Housing SPD states "1.4 The latest Strategic Housing Market Assessment (2009) ("SHMA") identifies the scale of need for affordable housing in the District over the Local Plan period. The SHMA establishes an overall target of 30-50% intermediate housing and 50-70% social rented housing. To meet identified need, affordable housing needs to be the right kind of housing in the right locations. Following the introduction of the Government's Affordable Rent category, the Council will be gathering evidence to establish the identified need and tenure split of rented housing. This will be set out through a combination of this SPD, future Strategic Housing Market Assessments (SHMAs) and future development plan documents (as appropriate).…….6.3 Negotiations on affordable housing provision on specific sites will also be informed by any further up to date evidence, which will include the latest Strategic Housing Market Assessment (SHMA), current information from the Selby District / North Yorkshire Housing Register, and evidence of existing affordable housing provision in the locality, including the Census 2011."

10.115 There is a Strategic Housing Market Assessment Update dated February 2019 but this has been overtaken by the more recent Housing and Economic Development Needs Assessment October 2020. Pages 13-15 and 125 of the HEDNA state:

- "When looking at the need for affordable homes to rent, we suggest a need for 141 affordable homes per annum."
- "The majority of the rented need is for social rented housing, although there is also a role for affordable rent."
- "It is not recommended that the Council have a rigid policy for the split between social and affordable rented housing."
- "There are some households likely to be able to afford to rent privately but who cannot afford to buy a suitable home. However, there is also a potential supply of homes within the existing stock that can contribute to meeting this need. It is thus difficult to robustly identify an overall need for affordable home ownership products."
- "If the Council does seek to provide 10% of housing as affordable home ownership (the default figure suggested in the NPPF), then it is suggested that shared ownership is the most appropriate option. This is due to the lower deposit
- requirements and lower overall costs (given that the rent would also be subsidised)."

- "There is no basis to increase the provision of affordable home ownership above the 10% figure currently suggested in the NPPF and indeed does provide evidence that the 10% figure could be challenged if the Council wished to do so."
- "However, it does seem that many households in Selby are being excluded from the owner-occupied sector. The analysis would, therefore, suggest that a key issue in the District is about access to capital (e.g. for deposits, stamp duty, legal costs) as well as potentially mortgage restrictions (e.g. where employment is temporary) rather than simply the cost of housing to buy." (page 125).

10.116 NPPF paragraph 65 permits affordable housing to be sought on major developments such as this. NPPF footnote 9 requires consideration of Paragraph 66 which expects that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures. Footnote 31 states "The requirement to deliver a minimum of 25% of affordable housing as First Homes, as set out in 'Affordable Homes Update' Written Ministerial Statement dated 24 May 2021, no longer applies. Delivery of First Homes can, however, continue where local planning authorities judge that they meet local need."

10.117 Policy SP9 provides a broad basis for securing affordable housing and is consistent with the NPPF. The Selby Local Plan and CIL Viability Assessment (August 2022) indicates 10% affordable housing should be sought for this area.

10.118 Affordable housing and viability matters were explored in an appeal decision dated 30th January 2025 for a site in Hambleton reference APP/U2750/W/24/3347885 The inspector set out:

- The maximum 40% affordable housing in Policy SP9 is derived from an assessment in around 2009.
- However, in 2022 evidence was prepared on behalf of the Council by Aspinall Verdi consultants (Selby Local Plan & CIL Viability Assessment (2022) to inform Policy HG7 in the emerging Selby Local Plan, and this says it considers a greenfield delivery of 20% affordable housing to be viable in that area of Thorpe Willoughby.
- Core Strategy Policy SP9 could be read as requiring developers to provide 40% affordable housing unless they can show a lesser amount is justified. However, given the recentness of the evidence in the Aspinall Verdi report when compared to that informing the Core Strategy, the Inspector considered this report constitutes a material consideration to which was given significant weight in his assessment of affordable housing delivery, as it better reflects the current situation. Having said that, Core Strategy Policy SP9 seeks 'up to a maximum' of 40% affordable housing, so acknowledging a lesser amount could be acceptable. As such, if viability evidence was forthcoming to show accord with the Aspinall Verdi report, the resultant level of delivery would not be contrary to Core Strategy Policy SP9.
- The appellants viability appraisal showed with an 18% profit, 10% affordable housing was viable. The Council considered 30% affordable housing was

viable due mainly to differing opinions regarding gross development value and abnormal costs.

- Such appraisals involve subjective judgements. Neither is necessarily wrong. The appellants proposal of 10% would be in line with the Aspinall Verdi report. That report did not say 10% is the starting point for negotiations for a higher percentage. Such an approach would remove any certainty or confidence from the process.
- The Inspector favoured the appellants use of historic sales values from the specific settlement, adjusted by index linking, rather than those from nearby villages.
- The Inspector found in favour of the appellants approach to viability.
- The Inspector dismissed the Council suggestion that affordable housing levels be revisited at reserved matters stage because there would be no need to have undertaken such work at outline stage and in his opinion delivery rates are matters better resolved when outline permission is sought, to bring a degree of certainty to the developer as they move forward.

10.119 The same matter was considered in an appeal decision dated 20th February 2025 at land east of Broadacres, Mill Lane, Carlton reference APP/U2750/W/24/3347833. The Inspector considered "*11. Overall, though I note that the appellant and the Council have commissioned viability assessments which both suggest more than 10% is achievable, I consider that only a 10% contribution is necessary to meet policy SP9 in this regard. This would accord with the conclusions of the recent appeal where the Inspector Ref: APPU2750/W/24/3347885 considered that there is nothing in the Aspinall Verdi report to suggest 10% should be the starting point from which negotiations for a higher figure should begin. In addition, an appeal decision relating to a development in Hemingbrough noted that although SP9 required a maximum of 40%, the 20% provided by the development would be acceptable as it would reflect the ELP informed by the Viability Report. There is no suggestion in that decision that it was necessary to demonstrate if a greater proportion could be achieved.*"

10.120 Eggborough lies in a low value area where viability evidence indicates that 10% affordable housing should be provided. The application proposes 10% affordable housing which would equate to 143 dwellings. Affordable Housing would seek the following mix to be provided through Reserved Matters:

Bedspaces	% of units to be delivered	Total	Mechanism
1	20%	28	Social Rent – 28 units Shared-ownership – 0 units
2	40%	58	Social Rent – 30 units Shared-ownership – 28 units
3	35%	50	Social Rent – 26 units Shared-ownership – 24 units
4	5%	7	Social Rent – 4 units Shared-ownership – 3 units

		143	

10.121 In light of the recent appeal decisions, it is considered appropriate to accept the proposed 10% affordable housing because it aligns with the most up to date viability evidence that supported the now withdrawn emerging local plan. The proposed affordable housing is agreed with the Affordable Housing team. This is in accordance with Policy SP9. Affordable housing can be secured through a S106 agreement.

Extra Care facility

10.122 There is no policy specific to extra-care provision however extra-care is supported in principle by Core Strategy Policy SP2, which seeks to meet identified local needs, and Policy SP5 which promotes housing provision for all sections of the community, including older people and those with specialist housing requirements. The proposed extra-care facility would help to meet an identified need for specialist housing for older people and by doing so will help to release existing dwellings within the local area to the housing supply. The facility is shown to be located within the site and adjacent to the proposed local centre and school and this is considered to be an appropriate location and accessible for staff and visitors. The design and layout of the proposed facility would be considered under a reserved matters application.

Primary School

10.123 Saved SDLP Policy CS2 supports the development of schools provided they are, amongst other things, situated within or adjacent to defined development limits. The proposed primary school is shown to be located to the east of the site and adjacent to the development limit, which runs north/south along Kellington Lane. A land allocation has been agreed with NYC Education and forms part of the S106 with the school being brought forward by NYC Education. The principle of the school is acceptable and the design and layout would be subject to a reserved matters application.

Local Centre

10.124 A local centre is proposed to support the new development and to complement existing village facilities, comprising of a maximum of 8,000 square feet (Gross External Area) of retail (Use Class E). While the site lies outside of a defined local or town centre, Selby District Local Plan Policy ST3 permits local shops, commercial premises and cafes subject to meeting all the criteria of the policy. The proposal is small scale and intended to meet the day-to-day needs of the proposed development and it is not considered that its size would undermine existing services in the village. It is proposed to bring forward the local centre once the infrastructure to serve it is complete, and this is included in the S106 Agreement. The design and layout of the local centre would be subject to a reserved matters application.

Recreational open space

10.125 Policy RT2 requires the proposal to provide recreational open space at a rate of 60sqm per dwelling on the following basis “provision within the site will normally be

required unless deficiencies elsewhere in the settlement merit a combination of on-site and off-site provision. Depending on the needs of residents and the total amount of space provided, a combination of different types of open space would be appropriate in accordance with NPFA standards." The Developer Contributions Supplementary Planning Document 2007 provides further guidance on the provision of open space.

10.126 NPPF at paragraphs 96 and 98 advises that decisions should aim to achieve healthy places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs for example through the provision of safe and accessible green infrastructure and the provision and use of shared spaces such as open spaces. Paragraph 103 reinforces the importance of access to open space, sport and physical activity for health and wellbeing. Policies should be based on robust and up to date assessment of needs and opportunities for new provision.

10.127 Policy RT2 is considered consistent with the NPPF and is given significant weight.

10.128 Under Policy RT2 the required level of open space for 1500 dwellings is 9ha. The applicant states that 21ha of open space will be provided across the development, which is more than the policy requirement. The Planning Statement states that a mix of formal and informal recreational space is to be provided, including Neighbourhood Equipped Areas for Play, areas for informal play, fitness trail and "Play along the Way". Policy compliant ROS will need to be provided for each phase of the development with a phasing plan, management and maintenance set out in the S106 agreement.

10.129 The proposal meets the requirements of Policy RT2 and the Selby District Local Development Framework Adopted Developer Contributions Supplementary Planning Document.

Contaminated land

10.130 Policy ENV2 of the Local Plan states "Proposals for development which would give rise to, or would be affected by, unacceptable levels of noise, nuisance, contamination or other environmental pollution including groundwater pollution will not be permitted unless satisfactory remedial or preventative measures are incorporated as an integral element in the scheme." Part B of the policy allows contaminated land conditions to be attached to permissions.

10.131 CS Policies SP18 and SP19 (k) seek to prevent development from contributing to or being put an unacceptable risk from unacceptable levels of soil or water pollution or land instability. These policies reflect and are consistent with national advice in paragraphs 187 and 198 of the NPPF and are given significant weight.

10.132 The site has been in agricultural use since 1852, and no significant contamination is anticipated to be located at the site due to its greenfield nature. However anecdotal information indicates the potential presence of an ash pipe, which crosses the site from Eggborough power station to the Gale Common ash disposal site. There has

been ground investigation undertaken however this has been related to gas monitoring with no contaminant screening of soil samples. As vulnerable receptors are being introduced to the site the applicant needs to demonstrate that the site is suitable for residential use with gardens. Conditions are recommended regarding submission of a remediation strategy; verification of remediation works; and reporting of unexpected contamination.

10.133 Subject to conditions the proposal would meet the requirements of Selby District Local Plan Policy ENV2 and Core Strategy Policies SP18 and SP19.

Heritage Assets

Archaeology

10.134 Policy ENV28 requires that where development proposals affect sites of known or possible archaeological interest, the Council will require an archaeological assessment/evaluation to be submitted as part of the planning application; where development affecting archaeological remains is acceptable in principle, the Council will require that archaeological remains are preserved in situ through careful design and layout of new development; where preservation in situ is not justified, the Council will require that arrangements are made by the developer to ensure that adequate time and resources are available to allow archaeological investigation and recording by a competent archaeological organisation prior to or during development.

10.135 NPPF paragraph 207 requires that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. The development plan policy is consistent with the NPPF and is given significant weight.

10.136 An archaeological geophysical survey and trial trenching has been undertaken for site which has confirmed the presence of a range of later prehistoric and Roman features consisting of at least three enclosures linked by boundary ditches across the centre of the site, with a fourth, undated and more poorly preserved, enclosure to the north. The central enclosures contains internal features and finds indicative of settlement relates activity. Although these features are of archaeological interest the remains identified are of local or regional interest rather than being of national significance.

10.137 The Council's Archaeologist recommends conditions to secure archaeological recording of the site requiring a Written Scheme of Investigation (WSI) to be submitted, approved and implemented. A condition is recommended to secure the implantation of the WSI and its recommendations.

Designated Heritage Assets

10.138 Core Strategy Policy SP18 seeks to ensure that development proposal preserve or enhance the significance, character and appearance of designated and non-designated heritage assets. NPPF paragraphs 199-208 requires heritage assets to be conserved in a manner appropriate to their significance, including the contribution made to their setting. There are no known no designated or non-designated heritage

assets on this site. However, near the site circa 500m in a northwest direction there are four listed buildings: Kellington Windmill (Grade II); and the Church of St Edmund (Grade I), its Churchyard Cross (Grade II) and Gate piers (Grade II).

10.139 A Heritage Statement supports the application and has been assessed by the Conservation Officer. The Heritage Statement concludes that Kellington Windmill would be most affected as it is closest to the site. However, it is considered that all the aforementioned heritage assets should be considered as a collective due to their relationship to each other and as the church is a Grade I listed building. Their relative closeness to one another further amplifies the way in which they should be experienced. NPPF paragraph 200 of the NPPF has been met however as this is an outline application the true impact on heritage assets cannot fully be assessed until submission of Reserved Matters.

10.140 The proposed open space and landscape buffer in the north-western corner of the site will help mitigate the development's impact on the setting of the windmill and other designated heritage assets. This will be achieved through the orientation of development cells and the creation of strategic gaps within the landscaping. The Design Guide specifies that development cells should be arranged to retain views of the windmill from public spaces, with breaks in planting along the western boundary. Subject to detailed design, the setting and significance of Kellington Windmill would be preserved.

10.141 There is no conflict with Policy SP18 or the NPPF. As such, the proposal is in accordance with the duties placed upon the Authority by the Planning (Listed Buildings and Conservation Areas) Act 1990, sections 66 and 72 as they relate to planning applications affecting listed buildings and conservation areas respectively.

Developer Contributions

S106 Agreement

10.142 Local Plan Policy ENV1 requires account is taken of the capacity of local services and infrastructure to serve the proposal, or the arrangements to be made for upgrading, or providing services and infrastructure.

10.143 Policy CS6 states "The District Council will expect developers to provide for or contribute to the provision of infrastructure and community facility needs that are directly related to a development, and to ensure that measures are incorporated to mitigate or minimise the consequences of that development".

10.144 Policy SP12 requires where infrastructure and community facilities are to be implemented in connection with new development, it should be in place or provided in phase with development and scheme viability. They should be provided on site, or if justifiable they can be provided off site or a financial contribution sought. Opportunities to protect, enhance and better join up existing Green Infrastructure, as well as creating new Green Infrastructure will be strongly encouraged, in addition to the incorporation of other measures to mitigate or minimise the consequences of development. This will be secured through conditions or planning obligations.

10.145 The Developer Contributions SPD provides further guidance regarding contributions towards waste and recycling facilities; education facilities; and primary health care facilities amongst others.

10.146 NPPF paragraph 35 requires plans to set out the contributions expected from development. Paragraph 100 confirms "It is important that a sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities." Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 requires planning obligations must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.

10.147 These development plan policies are consistent with the NPPF and are given significant weight.

10.148 Developer contributions have been requested for highways, rail, canal towpath, education healthcare and affordable housing. Previously a contribution has been requested for waste and recycling provision. Developers are now charged for bins for new build dwellings via the street numbering and naming process, therefore this is no longer included in a S106 Agreement.

10.149 The following Heads of Terms have been agreed with the applicant:

Category/type	Contribution	Triggers
Highways – Bus Services Increasing frequency of service from 2 hourly to hourly and provision Sunday service and diverting service through the site. Based on 2023 price (figure to be indexed)	£1,350,000	1st payment prior to occupation of 45th dwelling. Four equal payments every 12 months from the payment of the first instalment.
Highways - Improved footpath link from Kellington Lane to Eggborough Village Hall	£66,727.90	Prior to occupation of 500th dwelling
Travel Plan and Travel Plan Monitoring Fee	£10,000 towards monitoring of residential travel plan.	Prior to first occupation of each phase
Highways – Traffic Regulation Order Contribution towards legal and advertising costs associated with the implementation of a Traffic	£2,500	Prior to commencement

Regulation Order to extend the 30mph speed limit on Weeland Road.		
Highways – provision of dropped kerbs at: - A645 Weeland Road / Selby Road Roundabout (northern arm) - Kellington Lane / Westfield Avenue - Selby Road / Stuart Grove and; - Access to the Maltings Industrial Estate.	£20,000	Prior to occupation of the 1st dwelling
Canal and River Trust – Tow Path improvements (Whitley Bridge to Sudforth Lane)	£966,000	Half to be paid prior to occupation of 1st dwelling Half to be paid prior to occupation of 100th dwelling
Network Rail - Delivery of infrastructure within station gateway area (station waiting shelter, double deck cycle shelter, Help Point, CCTV, extension to x2 platforms, fence replacement on southern side of development, refreshing road markings to distinguish pedestrian access over the crossing)	£450,000	£200,000 to be paid prior to occupation of 1st dwelling £250,000 to be paid prior to occupation of 400th dwelling
Education – Primary School Contribution	Primary: £6,483,657.50 To be used by NYC towards provision of a new primary school to serve the development and/or education facilities at other primary school within the locality serving the development	To be paid over a 10 year period based on phased development of the site with payments to commence upon commencement of development. Triggers to be agreed as part of Section 106 Agreement. All payments are to be index linked and subject to 10 years spend period.
Education – SEND contribution	£1,078,025.84 To be used by NYC for the provision of SEND provision at the new Selby Special School for children and	To be paid over a 10 year period based on phased development of the site with payments to commence upon commencement of

	young people with complex special educational needs in the areas of communication and interaction needs, including autism and speech language and communication needs; and/or cognition and learning needs (moderate/severe learning difficulties); or another school with SEND provision serving the locality of the development.	development. Triggers to be agreed as part of Section 106 Agreement. All payments are to be index linked and subject to 10 years spend period
Education – Early Years	£1,347,532.30 To be used by NYC for early years provision serving the locality of the development.	To be paid over a 10 year period based on phased development of the site with payments to commence upon commencement of development. Triggers to be agreed as part of Section 106 Agreement. All payments are to be index linked and subject to 10 years spend period
Healthcare	£1,768,114	Each residential reserved matters application to pay a phased contribution. Triggers to be agreed as part of Section 106 Agreement.
Affordable Housing	No less than 10% for each Phase to comprise 60/40 social rent/shared ownership (88 dwellings social rent and 55 dwellings shared ownership)	Triggers to be agreed as part of Section 106 Agreement.
Provision of Land for Education Purposes	The transfer of land, fully serviced, for a 420 place primary school on a site of 2.5ha (use class classification F1(a))	The applicant will transfer the fully serviced site to NYC on the following key terms: Trigger – point of offer to be agreed. Price - £1. Access - Construction of the road adjacent to the school land. The applicant to provide servicing requirements for the school in accordance with the council's checklist for new school sites. The land will need to be safeguarded under the

		terms of the s106 Agreement.
Whitley Bridge Railway Station	The transfer of 0.72ha of land for improvements to Whitley Bridge Station	The applicant will transfer the site to North Yorkshire Council for sum of £1 on either - The completion of the adjacent phase and delivery of pedestrian, cycle and road connections to the land, or; - At the request of NYC (in the event delivery of Rail Service and Station improvements are accelerated).
Provision of Mixed-Use Local Centre	Provision of mixed-use local centre including) retail (Class E - 8,000 square feet Gross External Area) Provision of car parking and associated public realm	Provision of retail element of local centre to be delivered within 4 years of the primary road between Weeland Road and Kellington Lane opening to general traffic, cyclists and pedestrians.
Provision of Mixed-Use Local Centre - Extra Care	Extra-care facility (up to 70 units, C2)	Provision of extra care element of local centre to be delivered within 4 years of the primary road between Weeland Road and Kellington Lane opening to general traffic, cyclists and pedestrians.
Biodiversity Enhancements and long-term monitoring and management	Habitat and Monitoring Plan for the delivery of Biodiversity Net Gain for each phase/reserved matters application showing a minimum of 30 years monitoring. Ecological Monitoring Fees	Overall BNG plan with first Reserved Matters and then phased plans for each phase

On-Site Open Space Provision and Management	Management plan to be provided for each type of open space. Open space maintenance and management in accordance with SPD requirements.	Overall open space plan with first Reserved Matters and then phased plans for each phase
S106 Monitoring	£2,690	Each reserved matters application will require a monitoring fee

CIL

10.150 The infrastructure requirements deemed necessary to make the development acceptable are set out in the S106 Heads of Terms. There is also a CIL liability, estimated at the outline stage as being £6,843,528.29. Part of the Education contributions requested is to secure additional secondary provision. In the Council's recently published Infrastructure Business Plan it is noted that CIL monies will be provided towards secondary provision within the Selby Area. It has therefore been agreed that CIL monies will be put towards this.

10.151 Rail service enhancement for the Leeds-Goole line is still in project development stage and once completed could be a project supported by CIL monies.

10.152 In looking at the assignment of CIL monies from the development, account has been taken of the need to make provision for administration and the Parish proportion (20%). This leaves a balance of £5,474,822.64. This sum would cover both the secondary requirement and provision towards the Leeds-Goole rail line.

10.153 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.

Section 149 of The Equality Act 2010

10.154 Under Section 149 of The Equality Act 2010 Local Planning Authorities must have due regard to the following when making decisions: (i) eliminating discrimination, harassment and victimisation; (ii) advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (iii) fostering good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age (normally young or older people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

10.155 The proposed development of the site would not result in a negative effect on any persons or on persons with The Equality Act 2010 protected characteristics.

Human Rights Act 1998

10.156 It is considered that the proposal would not contravene Convention rights contained in the Human Rights Act 1998 in particular the right to health and the right to private and family life.

11.0 PLANNING BALANCE AND CONCLUSION

11.1. The spatial development hierarchy outlined in Policy SP2 seeks to deliver sustainable development across the former District, directing new development towards the most sustainable settlements. Eggborough is a Designated Service Village with scope for additional growth. This proposal is for significant development outside of the village development limits in the countryside, and as such is contrary to Development Plan Policy SP2A(c) of the Core Strategy.

11.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers to a balance, stating development should be in accordance with the development plan unless material considerations indicate otherwise. Therefore, whilst the primacy of the development plan remains and its status is unaffected, there are circumstances where a scheme can be supported despite development plan conflict. To assess that requires a judgement based on the relative weights afforded to material considerations.

11.3. In favour of the scheme the applicants present that the proposal is in a sustainable location and would contribute to the housing land supply. Other benefits cited are affordable housing and care home provision, provision of a school and local centre, provision of on-site recreational open space and biodiversity net gain, although this is not mandatory for this application.

11.4. In terms of the Council wide policies on housing delivery, the report above highlights that the Core Strategy in relation to housing is out of date because the housing needs figure it contains is not calculated based on the required standard method. Core Strategy Policy SP2 is inconsistent with NPPF paragraph 61 which seeks to significantly boost the supply of housing and aims to meet an area's identified housing need. A continued strict application of Policy SP2, which prevents market housing outside development limits in the countryside such as this, would not allow the LPA to meet the identified local housing needs. Furthermore, the weight afforded to conflict with Core Strategy Policy SP2 is diminished as it does not include the more detailed approach to the consideration of development that is found in the NPPF. Thus, the policy is inconsistent with the NPPF and should be given limited weight.

11.5. The Local Planning Authority acknowledges that it cannot demonstrate a five-year supply of housing land as required by the NPPF. Therefore, the policies most important for determining the application, SP2 and SP5, are out of date as set out in NPPF paragraph 11. Permission should be granted unless the proposal fails to satisfy the tests in NPPF paragraph 11d). The proposal complies with paragraph 11d)i because no NPPF policy that protects areas or assets of particular importance

provides a strong reason for refusing the development proposed. The requirements of paragraph 11d)ii are more detailed as set out below. It requires consideration of whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

11.6. The site can be made safe from contamination; residential amenity would not be harmed; there is no harm to heritage; noise and air pollution matters can be mitigated by condition; education and healthcare contributions can be secured to ensure no detriment to existing services are caused.

11.7. Benefits include the site being in a sustainable location and well related to the village; the proposal makes a significant contribution to needed market and affordable housing (great weight is given to this consideration); a suitable housing mix can be secured; there would be biodiversity net gain and ecological enhancements; there would be sustainable transport benefits; economic benefits both during the construction phase and once the development is occupied are afforded moderate weight.

11.8. In terms of neutral matters, suitable drainage can be controlled by condition; there; there would be no harm to protected species or designated sites; landscape harm can be mitigated.

11.9. Weighing in balance against the scheme is the lack of a sequential test however a previous sequential test was undertaken which confirmed that the site was sequentially preferable. There have been no changes to the site since that test was carried out and therefore it is considered that some weight can be given to it as it forms part of the evidence base and is therefore a material consideration. The proposed mitigation measures set out in the Flood Risk Assessment are considered proportionate to the proposed development.

Environmental Impact Assessment

11.10. The application was accompanied by an Environmental Statement (ES) the objective of which is to identify any likely significant effects which may arise from the proposed development and to identify measures to prevent, reduce or offset any such adverse effects and to enhance any beneficial effects. During the EIA process for the proposed development, opportunities and management measures have been identified and incorporated within the development proposals to prevent or reduce any adverse effects and to enable sustainable design and construction principles to be embedded within the proposed development.

The likely environmental effects embodied within the ES chapters have been considered in the relevant sections of this report and are summarised as follows

Transport	Following agreed mitigation a safe site access can be achieved, cumulative impacts on the highway network are acceptable and M62 junction 34 impacts are mitigated through

	secured improvement works. There would be no residual transport effects.
Landscape and Visual	The scheme represents the development of a greenfield site for 1500 dwellings, a school and local centre. It was a draft allocation in the now-ceased Selby Local Plan. The development is an extension to Eggborough village. The Parameters Plan, Masterplan, Design Code and Landscape Framework Plan show recessive heights from the east to the west of the site with retention of large areas of open space in and around the site, especially to the north- western edge.
Ecology	The scheme can be delivered in a way that avoids significant ecological harm and incorporates appropriate mitigation and enhancement, which can be achieved through conditions. The application is not subject to mandatory BNG. An uplift in BNG can be achieved across the site and off-site habitats and can be secured by condition and S106.
Water Environment	The Environment Agency and other consultees have requested imposition of conditions to ensure that there should be no significant impact.
Noise and Vibration	These have been assessed and subject to the imposition of conditions there would be no impact.
Ground conditions	These have been assessed and subject to the imposition of conditions there would be no impact.
Below Ground Heritage	Underground heritage is present and subject to the imposition of conditions to secure recording there would be no impact.
Socio-economic effects -	The scheme will generate socio-economic benefits both at the construction and operational phase of the development.
Cumulative Effects and Effect Interactions	The cumulative assessment shows that there are unlikely to be any additional significant adverse impacts, on, or as a result of, cumulative schemes.

11.11. It is not considered that the proposed development will result in significant environmental effects. The adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits. The proposal benefits from the presumption in favour of sustainable development. Therefore, planning permission should be granted subject to conditions and prior completion of a S106 agreement.

12.0 RECOMMENDATION

12.1 That planning permission be GRANTED subject to the following conditions and the prior completion of a S106 agreement.

1 Prior to the commencement of development for each phase or sub-phase, as defined on the Phasing Plan approved under Condition 6, the details of the following reserved matters should be submitted to and approved by Local Planning Authority:

(a) appearance;

(b) landscaping;
(c) layout, including internal roads;
(d) scale and
(e) access.

Thereafter the development shall not be carried out otherwise than in strict accordance with the approved details.

Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

2 The first application for the approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission. The development hereby permitted shall be begun on or before the expiration of two years from the final approval of reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved

Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

3 The commencement of each development parcel pursuant to this outline consent shall begin before the expiration of two years from the date of the last reserved matter of that parcel to be approved.

Reason: To prevent the accumulation of unimplemented planning permissions and in accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

4 Application(s) for approval of all the reserved matters shall be made to the local planning authority before the expiration of 15 years from the date of this decision.

Reason: To prevent the accumulation of unimplemented planning permissions and in accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004 and provide a consistent approach to the development of the site alongside adjoining developments

5 The development hereby permitted shall be carried out in broad accordance with the following approved plans:

PA02 - Site Boundary Plan (HJB/4124/81)
PA05b - Parameters Plan - Maximum Building Heights (HJB/4124/75b)
PA06b - Parameters Plan - Land Use (HJB/4124/76b)
PA07b - Parameters Plan - Access Plan (HJB/4124/77b)
PA08b - High Level Masterplan (HJB/4124/78bOverview Plan - Proposed Site Accesses and off-site Improvements, ITY16146-GA-042
Design Code, April 2026

Reason: For the avoidance of doubt and in the interests of proper planning.

6. The development herby shall be carried out in strict accordance with the following approved plans:

Proposed Detailed Site Access, A645 Weeland Road, ITY16146-GA-041 rev C

Proposed Detailed Site Access, Kellington Lane, ITY16146-GA-012, rev G

Reason: For the avoidance of doubt and in the interests of proper planning.

7 Prior to the submission of any applications for approval of details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters"), a Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority. Reserved matters applications for each of the phases or sub phases identified in the approved Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority before any development in that particular phase or sub phase begins, and the development shall be carried out as approved unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the proper planning of the site and the timely provision of infrastructure.

Drainage

8 Development shall not commence on any phase or sub phase of the development until a site wide a scheme to ensure that on-site and off-site foul water sewerage, designed to serve the whole development has been submitted to and approved by the Local Planning Authority. The system must be of adequate capacity to ensure proper disposal to the receiving public sewer network and waste water treatment works. The approved scheme shall be fully implemented and subsequently maintained, in accordance with the timing and phasing arrangements embodied within the scheme and the number of properties to be constructed within that phase, or within any other period or number of properties as may subsequently be agreed in writing, by the Local Planning Authority. Furthermore, occupation of the development shall not commence until the approved drainage works have been constructed in accordance with the approved plans.

Reason: To ensure the site can be properly drained without risk of flooding/pollution to the local aquatic environment, public health and public amenity in accordance with Policies SP15 and SP18 of the Core Strategy.

9 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 secure appropriate drainage details in pursuance of Policy SP15 of the Core Strategy.

10 The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: To secure appropriate drainage details in accordance with Policy SP15 of the Core Strategy.

11 A detailed phasing plan for the entire scheme must be submitted and subsequently delivered in accordance with the phasing plan to allow necessary improvements to the water and wastewater infrastructure.

Reason: To ensure the development can be properly served by water and wastewater infrastructure in accordance with Core Strategy Policy SP15

12 Each phase or sub phase of the development shall be carried out in accordance with the submitted flood risk assessment by WSP referenced 70090376-WSP-FRM-XX-RP-CO-001, dated July 2025, and the following mitigation measures it details:

- All development will be in Flood Zone 1
- There will be no ground raising in Flood Zones 2 or 3

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing / phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere in accordance with Policy SP15 of the Core Strategy.

Environmental Health

13 No development shall commence within any phase until a comprehensive Noise Mitigation Scheme for that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be prepared by a suitably competent acoustic consultant and shall include:

a) An assessment of existing and predicted noise sources affecting the relevant phase of the site;
b) Full details of mitigation measures, including the design of the building envelope and any external noise attenuation, demonstrating how the following criteria will be achieved:

- External amenity areas (gardens):
  The 16-hour LAeq noise level shall not exceed 50 dB between 0700 and 2300 hours.
- Internal daytime noise levels:
  The 16-hour LAeq noise level shall not exceed 35 dB between 0700 and 2300 hours when measured within any noise-sensitive habitable room.
- Internal night-time noise levels:
  The 8-hour LAeq noise level shall not exceed 30 dB, and the LAmax shall not exceed 45 dB, between 2300 and 0700 hours when measured within any bedroom.

c) Details of how the required sound insulation performance will be achieved with adequate means of ventilation, so that the noise criteria are met without reliance on occupants keeping windows closed.

All mitigation measures forming part of the approved scheme for a phase shall be fully implemented prior to the first occupation of any dwelling within that phase.

All noise mitigation measures approved pursuant to this condition shall thereafter be permanently retained and maintained, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect residential amenity of existing/prospective residents and to comply with the National Planning Policy Framework (NPPF), the Noise Policy Statement for England (NPSE) and Selby District Council's Policy's SP19 and ENV2.

14 The development of each approved phase shall not be commenced until, a detailed noise and vibration management and monitoring plan to cover the demolition, groundworks and construction phases has been submitted to and approved in writing by the Local Planning Authority. The agreed plan shall then be implemented in full before the proposed development is started,
including demolition, ground works and site clearance.

No activity hereby permitted shall cause noise or vibration to be emitted so as to adversely affect residential properties and/or other sensitive uses and/or the local environment. Should such occur, the Local Planning Authority shall be notified and the noise generating activity shall be immediately suspended and not recommenced until a revised noise and vibration management and monitoring plan is submitted in writing to and approved in writing by the Local Planning Authority.

Reason: To protect the residential amenity of the locality during construction and to comply with the National Planning Policy Framework (NPPF), the Noise Policy Statement for England (NPSE) and Selby District Council's Policy's SP19 and ENV2.

15 No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 hours and 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect the residential amenity of the locality during construction and to comply with the National Planning Policy Framework (NPPF), the Noise Policy Statement for England (NPSE) and Selby District Council's Policy's SP19 and ENV2.

16 Where piling is proposed for any phase of the development, no development shall commence within that phase until a schedule of works to identify those plots affected, and setting out mitigation measures to protect residents from noise, dust and vibration has been submitted to and approved in writing by the local planning authority. The proposals shall thereafter be carried out in accordance with the approved schedule.

Reason: To protect the residential amenity of the locality during construction and to comply with the National Planning Policy Framework (NPPF), the Noise Policy Statement for England (NPSE) and Selby District Council's Policy's SP19 and ENV2.

<u>Contaminated Land</u>

17 Groundworks for each phase or sub phase of development except for investigative works, demolition, remediation, disconnection and diversion of services shall not commence until a land contamination Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination in accordance with Policy ENV2 of the Selby District Local Plan.

18 Where remediation works are shown to be necessary, development (excluding demolition) for each phase or sub phase of development shall not commence until a detailed remediation strategy has been submitted to and approved by the Local Planning Authority. The remediation strategy must demonstrate how the site will be made suitable for its intended use and must include proposals for the verification of

the remediation works. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination in accordance with Policy ENV2 of the Selby District Local Plan.

19 Prior to first occupation or use or each phase or sub phase, remediation works should be carried out in accordance with the approved remediation strategy. On completion of those works, a verification report (which demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority. It is strongly recommended that the report is prepared by a suitably qualified and competent person.

Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination in accordance with Policy ENV2 of the Selby District Local Plan. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.

20 In the event that unexpected land contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, if remediation is necessary, a remediation strategy must be prepared, which is subject to approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation strategy, a verification report must be submitted to and approved by the Local Planning Authority. It is strongly recommended that all reports are prepared by a suitably qualified and competent person.

Reason: Reason: To ensure that the site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination in accordance with Policy ENV2 of the Selby District Local Plan.

<u>Ecology</u>

21 Prior to the submission of the first reserved matters application, a Site Wide Overall Biodiversity Gain Plan shall be submitted to and agreed in writing by the Local Planning Authority. The Site Wide OBGP must be based on the results of an updated Biodiversity Net Gain Assessment, using the latest version of the Statutory Biodiversity Metric and include a phasing plan for the development of the whole site.

The Site Wide OBGP shall provide for a minimum 10% biodiversity net gain, which may include an element of offsite, subject to the written agreement of the Local Planning Authority.

Reason: To ensure ecological impacts are mitigated in accordance with Policies SP18 and SP19 of the Core Strategy

22 Submitted with the submission of each reserved matters application, a Phase Biodiversity Gain Plan shall be submitted to and agreed in writing by the Local Planning Authority. The Phase BGP must be based on the results of an updated Post Development Biodiversity Net Gain Assessment, using the latest version of the Statutory Biodiversity Metric. Each reserved matters submission must allocate an

appropriate proportion of Biodiversity Net Gain, which shall be determined in accordance with the Site Wide OBGP. The Biodiversity Net Gain, including both onsite and offsite elements, must be implemented in full accordance with the approved Site Wide OBGP and each Phase BGP.

The BNG must be implemented under the supervision of a qualified Ecological Clerk of Works, or suitably qualified professional and secured through the provision of a S106 agreement, to ensure future monitoring and maintenance for a minimum of 30 years for both on-site and off-site BNG provision.

Reason: To ensure ecological impacts are mitigated in accordance with Policies SP18 and SP19 of the Core Strategy

23 A Construction Ecological Mitigation Plan (CEcMP) for each phase or sub phase must be agreed in writing with the Local Planning Authority prior to the commencement of works on that phase, including site preparation and clearance. The CEcMP must include measures for the protection of retained habitats during the course of works, and for the avoidance of harm to protected and priority species and to prevent the spread of invasive species. It must incorporate provision for species of wildlife within the development, such as integrated swift and bat bricks and opportunities for movement of hedgehogs and a suitably sensitive lighting scheme. A copy of the CEcMP must be retained on site and made available to site managers and operatives, throughout the construction process for that phase.

Reason: To ensure ecological impacts are mitigated in accordance with Policies SP18 and SP19 of the Core Strategy.

24 Development shall not commence on any phase or sub phase of the development until a Species Enhancement Management Plan (or equivalent) has been submitted for the written approval of the Local Planning Authority to secure measures for species enhancements as set out in the submitted Ecological Impact Assessment Report (Baker Consultants, June 2023 and August 2025). This should include but not be limited to bat boxes, bird boxes/bricks, fence gaps for hedgehogs and include details of ongoing maintenance of these features. The scheme shall be carried out in accordance with the agreed Species Enhancement Plan (or equivalent).

Reason: To ensure ecological impacts are mitigated in accordance with Policies SP18 and SP19 of the Core Strategy.

25 For each phase or sub phase of the development a lighting strategy for that phase or sub phase shall be submitted for the written approval of the Local Planning Authority to demonstrate how external lighting will avoid light spill onto boundary habitats, thus minimising impacts on bat foraging and commuting routes. The approved scheme shall be carried out in accordance with the agreed strategy and mitigation measures.

Reason: In the interests of conserving protected species in accordance with Policies SP18 and SP19 of the Core Strategy.

26 Development shall not commence on any phase or sub phase of the development until a Habitat Management and Monitoring Plan for that phase has been submitted to and agreed in writing by the Local Planning Authority. The Habitat Management and Monitoring Plan must provide for the retention, enhancement and creation of habitats according to the targets for their condition and extent and timings set out in the approved Site Wide Overall Biodiversity Gain Plan and relevant Phase Biodiversity Gain Plan. The development shall be carried out in accordance with the approved Habitat Management and Monitoring Plan.

Reason: To ensure measurable net gains to biodiversity and in accordance with the Environment Act 2021.

Archaeology

27 A) No demolition/development shall commence for any phase or sub phase of development until a Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
1. The programme and methodology of site investigation and recording
2. Community involvement and/or outreach proposals
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

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

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure any archaeological remains on site can be preserved and recorded where necessary in accordance with paragraph 141 of the NPPF, Core Strategy Policies CS15 and UC14 and saved UDP policies C4.2, C4.3.

Highways

28 Prior to first occupation of the development hereby permitted, the highway improvement works associated with M62 Junction 34 shall be fully completed and open to traffic in general accordance with the following approved drawings:

- ITY16146-GA-048 – Proposed Improvement Works at M62 Junction 34
- ITY16146-GA-045 Rev C – Existing and Proposed Signage and Road Markings
- ITY16146-GA-046 Rev C – Visibility Splays to Proposed Signage

The works shall thereafter be retained and maintained for their approved purpose unless otherwise agreed in writing by the Local Planning Authority in consultation with National Highways.

Reason: To ensure that adequate and safe highway infrastructure is in place prior to occupation of the development, in the interests of highway safety and the free flow of traffic on the strategic road network, in accordance with adopted development plan policies and the National Planning Policy Framework.

29 No development for any phase or sub phase, as set out in the approved Phasing Plan must commence, including site clearance or enabling works, until a Construction Traffic Management Plan (CTMP) for that phase or sub phase has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority (including National Highways in respect of the M62 motorway).

The approved CTMP shall thereafter be implemented in full for the duration of the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that construction traffic is appropriately managed so as to safeguard highway safety, protect the operation of the strategic road network, and minimise disruption to the local highway network and nearby residential amenity, in accordance with adopted development plan policies and the National Planning Policy Framework.

Informative

The applicant is advised that the Construction Traffic Management Plan should include, but not be limited to, the following components:

- Construction vehicle routing arrangements, including routes to and from the strategic road network
- Hours of arrival and departure for construction traffic, which should be timed to avoid peak hours on the Strategic Road Network
- Measures for the sheeting of HGVs to prevent dust and debris
- Details of wheel-washing facilities and measures to prevent the deposit of mud on the highway

Early engagement with the Highway Authority for the M62 motorway is recommended to ensure the CTMP is acceptable and to avoid unnecessary delays to commencement of development.

30 Prior to the occupation of any phase or sub-phase of the development, details of a wayfinding scheme for that phase (including the location, type and design of wayfinding features and a timetable for their implementation) shall be submitted to and approved in writing by the Local Planning Authority. The approved wayfinding scheme shall be implemented in full in accordance with the approved timetable and retained thereafter.

Reason: In the interests of Sustainable Development

31 Prior to occupation of any phase or sub-phase the development, details of the landscaping adjacent to the site's highway boundaries (within 2 metres) and a timetable for the implementation of any works, shall be submitted to and agreed in writing by the Local Planning Authority. Any works identified in the approved scheme shall be undertaken in full in accordance with the agreed timetable.

Reason: In the interest of Highway Safety

32 Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority.

The development must only be carried out in compliance with the approved engineering drawings.

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.

33 No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation.

The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

Reason: To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.

34 The development to which this permission relates shall be carried out in accordance with the approved plans as referenced below:

- Overview Plan – Proposed Site Accesses and Off-site Improvements, Drawing no. ITY16146-GA-042, Rev C Dated 28/7/25
- Main Site Access - 4 Arm roundabout at Broach Lane and works to Weeland Road/ Kellington Lane, ITY16146 - GA – 041 Rev D C, Dated 27.01.26
- Proposed Detailed Site Access, Kellington Lane, ITY16146-GA-012, rev G, Dated 08.12.25
- Proposed Highway Works on Kellington Lane, ITY16146-GA-031 Rev F, Dated 27.01.26
- Proposed Shared Footway/Cycleway on A645 Weeland Road, ITY16146-GA-037, Dated 11.03.25

Reason: For the avoidance of doubt and in the interests of proper planning, and in order to achieve a satisfactory form of development in accordance with the National Planning Policy Framework and Policies ENV1, T1 and T2 of the Selby District Local Plan and Core Strategy Policy SP15 and SP19.

35 Development shall not commence until details of the proposed highway works including programme of implementation and Stage 2 Road Safety Audits for the offsite proposed highway works have been submitted to and approved in writing by the Local Planning Authority. The completion of all highway works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policies ENV1, T1 and T2 of the Selby District Local Plan and Core Strategy Policy SP15.

36 The school shall not be occupied until details of a Framework School Travel Plan in respect of each of the occupiers of any building on the school site have been

submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Framework School Travel Plan shall be implemented in accordance with the approved details. This Framework Travel Plan must include;

- Proposed targets to promote sustainable travel and reduce vehicle trips and emissions within specified timescales and a programme for delivery;
- proposed programme for the delivery of any proposed physical works;
- effective measures for the on-going monitoring and review of the travel plan;
- a commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development, and;
- effective mechanisms to achieve the objectives of the Travel Plan by both present and future occupiers of the development.

Reason for Condition
To establish measures to encourage more sustainable non-car modes of transport.

37 Prior to the first occupation of the development, a Travel Plan must be submitted to and approved in writing by the Local Planning Authority. The Trael Plan will include:

- Agreed targets to promote sustainable travel and reduce vehicle trips and emissions within specified timescales and a programme for delivery;
- a programme for the delivery of any proposed physical works;
- effective measures for the on-going monitoring and review of the travel plan;
- a commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development, and;
- effective mechanisms to achieve the objectives of the Travel Plan by both present and future occupiers of the development.

Reason: To establish measures to encourage more sustainable non-car modes of transport.

38 Twelve months after the occupation of the school, details of a Full School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Full School Travel Plan shall be implemented in accordance with the approved details. This Full Travel Plan must include:

- Agreed targets to promote sustainable travel and reduce vehicle trips and emissions within specified timescales and a programme for delivery;
- a programme for the delivery of any proposed physical works;
- effective measures for the on-going monitoring and review of the travel plan;
- a commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development, and;
- effective mechanisms to achieve the objectives of the Travel Plan by both present and future occupiers of the development.

Reason: To establish measures to encourage more sustainable non-car modes of transport.

39 The development shall not be occupied until details of a Full Residential Travel Plan have been submitted to and approved in writing by the Local Planning Authority. The

plan should be submitted in accordance with document ITY16146-006D R / 04 July 2024.

The approved Travel Plan shall be implemented in accordance with the approved details. This Travel Plan must include:

i the contact details of a suitably qualified Travel Plan Co-ordinator;
ii an implementation programme;
iii an on-site assessment including details of transport links to the site, on-site facilities and any transport issues and problems;
iv clearly defined aims and objectives in relation to travel modes; and
v clearly defined senior management and staff responsibilities and roles in the implementation of the Travel Plan.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policy ENV1 of the Selby Local Plan and Policy SP19 of the Selby Core Strategy Local Plan of the Local Plan.

40 No development for any phase of the development must commence until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development in the phase must be undertaken in accordance with the approved Construction Management Plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. details of any temporary construction access to the site including measures for removal and reinstatement following completion of construction works;
2. restriction on the use of accesses for construction purposes;
3. wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
4. the parking of contractors' site operatives and visitor's vehicles;
5. areas for storage of plant and materials used in constructing the development clear of the highway;
6. measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;
7. details of the routes to be used by HGV construction traffic and highway condition surveys on these routes;
8. protection of carriageway and footway users at all times during demolition and construction;
9. protection of contractors working adjacent to the highway;
10. details of site working hours;
11. erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate;
12. means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
13. measures to control and monitor construction noise;

14. an undertaking that there must be no burning of materials on site at any time during construction;
15. removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;
16. details of the measures to be taken for the protection of trees;
17. details of external lighting equipment;
18. details of ditches to be piped during the construction phases;
19. a detailed method statement and programme for the building works; and
20. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity.

41 No development on any phase of the development shall commence until details of proposed arrangements for future management and maintenance of the proposed streets within the site have been submitted to and approved in writing by the Local Planning Authority. The plan shall identify the location of potential future connections on the western boundary and the connection to Westfield Avenue. Following occupation of the first dwelling on the respective phase, the streets shall be maintained in accordance with the approved management and maintenance details.

Reason: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy ENV1 and ENV2 of the Selby Local Plan and Policy SP19 of the Selby Core Strategy Local Plan

Railway

42 Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Planning Authority. Sections of the approved construction methodology pertinent to land between Station Row and the operational railway line will be submitted to Network Rail for approval, prior to the commencement of any works between Station Row and the railway line. The development shall be carried out in accordance with the approved scheme.

Reason: In the interest of public safety and amenity.

43 Details of vehicle incursion measures adjacent to the operational railway line shall be submitted to and agreed with the Local Planning Authority, approved in conjunction with Network Rail prior to the commencement of any work between Station Row and the railway line. The development shall be carried out in accordance with the approved details.

Reason: In the interest of public safety and amenity.

44 Details of landscaping and planting within 30 metres of the railway line shall be submitted to and agreed with the Local Planning Authority, approved in conjunction with Network Rail, prior to the commencement of any work between Station Row and the railway line. The development shall be carried out in accordance with the approved details.

Reason: In the interest of public safety and amenity.

45 Details of external lighting within 30 metres of the railway line shall be submitted to and agreed with the Local Planning Authority, approved in conjunction with Network Rail, prior to the commencement of any work between Station Row and the railway line. The development shall be carried out in accordance with the approved details.

Reason: In the interest of public safety and amenity.

Landscape

46 No development, including site clearance, demolition, soil stripping, or delivery of materials, shall commence until a Tree and Hedgerow Protection Plan has been submitted to and approved in writing by the Local Planning Authority.

The approved protection measures shall be implemented in full prior to the commencement of any works and shall be retained for the duration of construction.

No excavation, level changes, storage of materials, burning, or passage of vehicles shall take place within the approved root protection areas or hedgerow buffer zones unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard existing trees and hedgerows in the interests of landscape character, visual amenity, biodiversity, and climate resilience, in accordance with Policy SP18 of the Core Strategy and the National Planning Policy Framework

47 Any Reserved Matters application submitted pursuant to this permission shall include a detailed hard and soft landscaping scheme, which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of development.

The landscaping scheme shall be fully in accordance with the approved Design Code (or any successor Design Code approved by the Local Planning Authority) and shall demonstrate clear compliance with its landscape, green infrastructure, public realm, and character area requirements.

The scheme shall include (but not be limited to):

- Existing landscape features to be retained and integrated
- Planting schedules (species, sizes, densities, provenance)
- Tree pit design, soil volumes, and surface treatments
- Boundary treatments and interface with public realm
- Sustainable Drainage and biodiversity enhancement measures
- Detailed implementation and establishment arrangements

Development shall be carried out strictly in accordance with the approved landscaping scheme.

Reason: To ensure a high-quality and coherent landscape framework that integrates development with its surroundings and accords with the Design Code, local plan policies and NPPF

48 No development above slab level within any approved phase shall take place until a Landscape Phasing Plan for that phase has been submitted to and approved in writing by the Local Planning Authority.
The plan shall demonstrate:

- Landscape infrastructure to be delivered in advance of or alongside built development
- Early establishment of strategic planting, buffers, and habitat areas
- Timing of implementation relative to occupation

The approved landscape works shall thereafter be carried out in accordance with the approved phasing.

Reason: To ensure landscape infrastructure is delivered early and not deferred, in accordance with local plan policy and NPPF.

49 The development hereby approved shall be carried out in accordance with the approved Illustrative Landscape Framework Masterplan. All Reserved Matters applications shall demonstrate clear and full compliance with the principles, parameters, and requirements set out within the Illustrative Landscape Framework Masterplan, including (but not limited to):

- The location, extent, and hierarchy of green infrastructure
- Strategic planting, landscape buffers, and green corridors
- Open space typologies, functions, and minimum dimensions
- Habitat areas, biodiversity enhancements, and ecological connections
- Integration with Sustainable Drainage Systems

No Reserved Matters submission shall materially depart from the approved Landscape Infrastructure Masterplan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the delivery of a comprehensive, coordinated, and high-quality landscape and green infrastructure framework across the site, in accordance with the approved Landscape Infrastructure Masterplan, the Environmental Statement, and adopted planning policies.

50 No development shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall be based on the approved landscape proposals and shall include:

- Management objectives and prescriptions
- Habitat creation and enhancement measures
- Maintenance schedules
- Responsibilities for management and funding arrangements
- Monitoring, review, and remedial measures

The approved LEMP shall be implemented upon first occupation of the development (or relevant phase) and shall thereafter be maintained for the lifetime of the development unless otherwise agreed in writing.

Reason: To ensure the long-term establishment, retention, and enhancement of landscape and ecological features in accordance with the Environmental Statement and biodiversity commitments.

Open Space

51 All Reserved Matters applications submitted pursuant to this permission shall accord with the design principles, typologies, distribution, and minimum overall quantum of public open space as set out in the approved Design Code (April 2026) and shall demonstrate full compliance with the requirements of Policy RT2.

No Reserved Matters application shall be approved that would result in a reduction in the quantity of public open space or a material departure from the approved Design Code or Policy RT2 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of functional public open space as part of each phase of development in accordance with the approved Design Code, Policy RT2 of the Selby District Local Plan and National Planning Policy Framework.

52 Prior to commencement of development within each phase, details of the public open space to be provided within that phase shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- The location, extent, typology, and function of public open space
- Access arrangements and relationship to surrounding development
- Phasing and timing of delivery in relation to occupation
- Arrangements for laying out, seeding/planting, and initial maintenance

The approved public open space shall be laid out and made available for use in accordance with the approved details and retained thereafter for its intended purpose.

Reason: To ensure the provision of functional public open space as part of each phase of development in accordance with the approved Design Code, Policy RT2 of the Selby District Local Plan and National Planning Policy Framework.

Housing

53 The reserved matters application(s) shall provide details of the housing mix which is to be agreed in writing by the Local Planning Authority. The details shall demonstrate that, as a minimum, the dwellings meet the Nationally Described Space Standards (2015) or any successor standards or policy. Development shall proceed in accordance with the approved details.

Reason: To ensure a mixed and balanced community is created in pursuance of Policy SP8 of the Core Strategy.

Target Determination Date: 22.05.2026

Case Officer: Linda Drake

Appendix A – Illustrative masterplan

AMENDED DRAWING
Key
Planning Application Resubmission
March 2026 Drawing PA06
EGGBOROUGH
Illustrative Masterplan
BANKSProperty