



PLANNING COMMITTEE

Tuesday 10 May 2016 at 6.00 pm

Council Chamber, Ryedale House, Malton

Agenda

17 Late Observations

(Pages 2 - 17)

Agenda Item 17

RYEDALE
DISTRICT
COUNCIL



Please Contact: Mrs Karen Hood
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All Members of the Planning Committee
Council Solicitor
Head of Planning & Housing
Managing Development Team Leader

Ref: Agendas/Planning/2016/2017

6th May 2016

Dear Councillor

Meeting of the Planning Committee - 10 May 2016

With reference to the above meeting I enclose for your attention the late observations received since despatch of the agenda.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K Hood', is written over a faint, larger version of the same signature.

Mrs Karen Hood
Managing Development Team Leader

Enc

ITEM 6

APPLICATION NO: 14/01259/MFUL

PROPOSAL: **Erection of 12 no. four bedroom dwellings, 27 no. three bedroom dwellings, and 13 no. two bedroom dwellings with associated garaging, parking, amenity areas, public open space, landscaping and formation of vehicular accesses and site roads**

LOCATION: **Land to Rear of Firthland Road, Pickering**

UPDATES TO NO's. 6, 14 & 7 AND ADDITION OF NUMBERS 26 TO 38

01 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

02 Prior to the commencement of the development hereby permitted, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the buildings the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority. Such materials shall include details of the proposed walling, roofing, verge details and boundary treatment.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

03 Prior to the commencement of the development hereby permitted, the developer shall construct on site for the written approval of the Local Planning Authority, a one metre square free standing panel of the external walling to be used in the construction of dwellings hereby approved.. The panel so constructed shall be retained only until the development has been completed.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

04 Prior to the commencement of the development hereby permitted, details of all windows, doors and garage doors, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure an appropriate appearance and to comply with the requirements of Policies 16 and SP20 of the Ryedale Plan - Local Plan Strategy.

05 Unless otherwise agreed in writing by the Local Planning Authority, there shall be no rooflights on the rear of plots 11 to 16, as shown on drawing no. 687/001/Rev L.

Reason:- To protect the privacy of adjoining properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy

06 Prior to the commencement of any building work on site, details of proposed planting to provide additional screening to the development, and supplement existing landscape features, shall be submitted to the Local Planning Authority for approval in writing.

The submitted scheme shall consist of locally native species only, and specified in a planting schedule providing details of species, planting sizes and numbers of each species. The approved scheme shall be implemented in accordance with a landscaped phasing plan which shall first be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of any building work on site. All landscaping shall be completed within the first available planting season (Nov – March) following completion of the development. In the event of any plant dying, or become seriously diseased or damaged within a 5 year period following planting, it shall be replaced with similar species to a specification that shall be first agreed in writing with the Local Planning Authority unless the Local Planning authority give written consent to any variation.

Reason: To ensure that the development is properly integrated into its rural and to protect the amenities of neighbouring occupiers, in accordance with Policies SP13 and SP20 of the Ryedale Plan – Local Plan Strategy.

- 07 In relation to plots 11 - 16 only, and notwithstanding the provisions of Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, re-enacting or amending that Order) development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

Class A: Enlargement, improvement or other alteration of a dwellinghouse

Class B: Additions etc to the roof of a dwellinghouse

Class C: Other alterations to the roof of a dwellinghouse

Class D: Porches

Class E: Buildings etc incidental to the enjoyment of dwellinghouse

Class F: Hard surfaces incidental to the enjoyment of a dwellinghouse

Class G: Chimneys, flues etc on a dwellinghouse

Class H: Microwave antenna on a dwellinghouse

Reason:- To ensure that the appearance of the areas is not prejudiced by the introduction of unacceptable materials and/or structure(s) and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 08 Prior to the occupation of the first dwelling, or such longer period as may be agreed in writing by the Local Planning Authority, the landscaped bund shown on drawing 687/001 Rev L, shall be completed in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of maintaining the amenities of future occupiers of the dwellings hereby approved, and to satisfy the requirements of policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 09 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site, until the following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

(1) Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:

(a) the proposed highway layout including the highway boundary to a 20mph design speed

(b) dimensions of any carriageway, cycleway, footway, and verges

(c) visibility splays

(d) the proposed buildings and site layout, including levels

- (e) accesses and driveways
 - (f) drainage and sewerage system
 - (g) lining and signing
 - (h) traffic calming measures
 - (i) all types of surfacing (including tactiles), kerbing and edging.
 - (2) Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:
 - (a) the existing ground level
 - (b) the proposed road channel and centre line levels
 - (c) full details of surface water drainage proposals.
 - (3) Full highway construction details including:
 - (a) typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
 - (b) when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
 - (c) kerb and edging construction details
 - (d) typical drainage construction details.
 - (4) Details of the method and means of surface water disposal.
 - (5) Details of all proposed street lighting.
 - (6) Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.
 - (7) Full working drawings for any structures which affect or form part of the highway network.
 - (8) A programme for completing the works.
- The development shall only be carried out in full compliance with the approved drawings and details unless agreed otherwise in writing by the Local Planning Authority with the Local Planning Authority in consultation with the Highway Authority

Reason: In accordance with policy SP20 of the Ryedale Plan - Local Plan Strategy and to secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users.

- 10 No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation. The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.

Reason:- In accordance with policy SP20 of the Ryedale Plan - Local Plan Strategy and to ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.

- 11 There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.

Reason: In accordance with policy SP20 of the Ryedale Plan - Local Plan Strategy and in the interests of highway safety.

- 12 There shall be no movement by construction or other vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until that part of the

access(es) extending 20 metres into the site from the carriageway of the existing highway has been made up and surfaced in accordance with the approved details and/or Standard Detail number A1 (copy attached) and the published Specification of the Highway Authority.

All works shall accord with the approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority. Any damage during use of the access until the completion of all the permanent works shall be repaired immediately.

Reason: In accordance with policy SP20 of the Ryedale Plan - Local Plan Strategy and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

- 13 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until visibility splays providing clear visibility of 2 metres x 2 metres measured down each side of the access and the back edge of the footway of the major road have been provided. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In accordance with policy number SP20 of the Ryedale Plan - Local Plan Strategy and the interests of road safety to provide drivers of vehicles using the access and other users of the public highway with adequate inter-visibility commensurate with the traffic flows and road conditions.

- 14 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works until:

(i) The details of the required highway improvement works, listed below, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

(ii) An independent Stage 2 Safety Audit has been carried out in accordance with HD19/03- Road Safety Audit or any superseding regulations.

(iii) A programme for the completion of the proposed works has been submitted.

The required highway improvements shall include:

a. Provision of tactile paving

b. Re-alignment / widening of Firthland Road from its junction with Manor Drive, to include vehicle parking bays along the north side, new vehicular turning head at the western extremity, footway, drainage, street lighting and kerbing works as considered appropriate to enable the proposed estate spine road to be satisfactorily connected into the local highway network, also include enhancements to road markings at the Manor Drive / Firthland Road junction. Submitted Drawing Number 687 / 001 Rev. L gives a layout indication of most of the works required.

c. 2 no. SLOW road markings on red anti-skid patches within the centre of the Firthland Road carriageway at the approach to the bend / junction with Anchorite Lane.

Reason: In accordance with policy number SP20 of the Ryedale Plan - Local Plan Strategy and to ensure that the details are satisfactory in the interests of the safety and convenience of highway users.

- 15 Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority

under condition number 14 above: (Improvements to Firthland Road/ Manor Drive as described in the condition)

Reason: In accordance with policy SP20 of the Ryedale Plan - Local Plan Strategy and in the interests of the safety and convenience of highway users.

- 16 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing number 687/001 Rev. L or as amended. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In accordance with policy SP20 of the Ryedale Plan - Local Plan Strategy and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

- 17 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason: In accordance with policy SP20 of the Ryedale Plan - Local Plan Strategy and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity the development.

- 18 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Reason: In accordance with policy SP20 of the Ryedale Plan - Local Plan Strategy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety

- 19 During construction works there shall be no:

- (a) Medium Goods Vehicles up to 7.5 tonnes
- (b) Heavy Goods Vehicles exceeding 7.5 tonnes

permitted to arrive, depart, be loaded or unloaded on Sunday or a Bank Holiday nor at any time except between the hours of 09.15 and 15.30 on Mondays to Fridays and 07.30 and 13.00 on Saturdays.

Reason: In accordance with policy SP20 of the Ryedale Plan - Local Plan Strategy and to avoid conflict with vulnerable road users.

- 20 Unless otherwise approved in writing by the Local Planning Authority, there shall be no HCVs brought onto the site until a survey recording the condition of the existing highway (Firthland Road and Manor Drive) has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: In accordance with policy SP20 of the Ryedale Plan - Local Plan Strategy and in the interests of highway safety and the general amenity of the area.

- 21 Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

- (i) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
- (ii) on-site materials storage area capable of accommodating all materials required for the operation of the site.

The approved areas shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.

Reason: In accordance with policy SP20 of the Ryedale Plan - Local Plan Strategy and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

- 22 Unless otherwise approved in writing by the Local Planning Authority, there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until details of the routes to be used by HCV construction traffic, along with a traffic construction management safety plan, have been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The plan shall include temporary waiting restrictions along certain short sections of the immediate highway network where considered necessary during working hours to help permit the safe and satisfactory passage of construction traffic.

Thereafter the approved routes shall be used by all vehicles connected with construction on the site and in accordance with the traffic construction management safety plan.

Reason: In accordance with policy SP20 of the Ryedale Plan - Local Plan Strategy and in the interests of highway safety and the general amenity of the area.

- 23 Prior to the development being brought into use, a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include:

- (i) the appointment of a travel co-ordinator
- (ii) a partnership approach to influence travel behaviour
- (iii) measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site
- (iv) provision of up-to-date details of public transport services
- (v) continual appraisal of travel patterns and measures provided through the travel plan
- (vi) improved safety for vulnerable road users
- (vii) a reduction in all vehicle trips and mileage
- (viii) a programme for the implementation of such measures and any proposed physical works
- (ix) procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

The Travel Plan shall be implemented and the development shall thereafter be carried out and operated in accordance with the Travel Plan.

Reason: In accordance with policy SP20 of the Ryedale Plan - Local Plan Strategy and to establish measures to encourage more sustainable non-car modes of transport.

24 Condition (A) No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

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

Reason: This condition is imposed in accordance with SP12 of the Ryedale Plan – Local Plan Strategy and Section 12 of the NPPF as the site is of archaeological interest.

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

Reason: This condition is imposed in accordance with SP12 of the Ryedale Plan – Local Plan Strategy and Section 12 of the NPPF as the site is of archaeological interest.

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: This condition is imposed in accordance with SP12 of the Ryedale Plan – Local Plan Strategy and Section 12 of the NPPF as the site is of archaeological interest

25 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, (or any Order revoking re-enacting or amending that Order), no windows, other than those shown on the plans hereby approved, shall be formed in the walls or roof of the dwelling(s) hereby permitted without the prior written consent of the Local Planning Authority following a specific application in that respect.

Reason:- To ensure that the appearance of the area is not prejudiced by the introduction of unacceptable materials and/or structure(s).

26 No development shall take place until a method statement for the creation of new wildlife features had been submitted to and approved by the local planning authority. The content of the method statement shall include the following:-

- a) Purpose and objectives for proposed works
- b) Detailed designs/working methods necessary to achieve stated objectives
- c) Extent and location of proposed works
- d) Timetable for implementation
- e) Persons responsible for implementation
- f) Initial aftercare and long term maintenance

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner

Reason: In the interests of Biodiversity enhancement, and to satisfy the requirements of Policy SP 14 of the Ryedale Plan - Local Plan Strategy and the NPPF.

- 27 No removal of hedgerows, trees or shrubs shall take place between 1st of March and 31st of August inclusive, unless a competent ecologists has undertaken a careful, detailed check of vegetation for active birds nests immediately before the vegetation is cleared, and provided written confirmation that no birds will be harmed and that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.
Reason: In the interests of satisfying the requirements of the Wildlife and Countryside Act 1981, as amended, Policy SP 14 of the Ryedale Plan - Local Plan Strategy.
- 28 No building or construction work shall be commenced unless evidence has been provided to the Local Planning Authority that no birds are nesting (at the development site to which this consent applies) immediately prior to work commencing.
Reason: to ensure that nesting Barn Owls are not disturbed by development works and to enable the Local Authority to fulfil its obligation under Section 25 (1) of the Wildlife & Countryside Act (1981), as amended, and Policy SP 14 of the Ryedale Plan - Local Plan Strategy.
- 29 Unless otherwise agreed in writing by the Local Planning Authority, a permanent accessible nesting space for Barn Owls shall be provided within one or more of the developed buildings to which this consent applies, and thereafter maintained, in accordance with details that shall have first been submitted to, and approved in writing by, the Local Planning Authority, and in line with natural England guidance.
Reason: to secure the long-term protection of the species, and to Wildlife & Countryside Act (1981), as amended, and Policy SP 14 of the Ryedale Plan - Local Plan Strategy.
- 30 Before the development commences, details of the arrangements for the long term maintenance and management of all open space, including the landscaped buffer to the new access road, and the footpath/emergency access links, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
Reason; To ensure the delivery and future maintenance of all public open space, and to satisfy the requirements of Policy SP11 and SP 13 of the Ryedale Plan - Local Plan Strategy.
- 31 Prior to the occupation of the dwellings hereby approved, and unless otherwise agreed in writing by the Local Planning Authority, the following refuse collection bins/bags shall be provided for each dwelling:
- 180 litre green refuse bin
 - 55 litre plastic bottle and can recycling box
 - 55 litre paper and cardboard recycling bag/box
 - 40 litre glass recycling box.
- Reason: In the interests of satisfying the requirements of the Ryedale Plan - Local Plan Strategy.
- 32 No development shall be carried out until detailed proposals for the disposal of surface water drainage have been submitted to, and approved in writing by the Local Planning Authority in consultation with the Internal Drainage Board, Yorkshire Water Services and The Environment Agency.
Reason: In the interests of the satisfactory drainage of the site, and to satisfy the requirements of Policy SP 17 of the Ryedale Plan - Local Plan Strategy.
- 33 Unless otherwise agreed in writing by the Local Planning Authority, development shall not commence until information on the use of the site and any adjacent sites since 2011 is submitted,

to supplement the original preliminary geo-environmental investigation (Lithos Ref 1355/1; Sept 2011) and approved in writing by the Local Planning Authority. If necessary, this supplementary information should include an assessment of the risks of any potential land contamination. Should further intrusive investigation be recommended or be required by the Local Planning Authority, development shall not commence until this is incorporated into the Phase 2 site investigation report required by the following condition.

Reason: To ensure that the development hereby approved complies with the requirements of section 121 of the NPPF.

- 34 Unless otherwise agreed in writing by the LPA, development shall not commence until actual or potential land contamination at the site has been investigated and a Phase 2 Site Investigation Report (to follow the Preliminary Geo-environmental Investigation; Lithos Ref 1355/1; Sept 2011) has been submitted to and approved in writing by the Local Planning Authority. Should remedial work be required, or requested by the Local Planning Authority, development shall not commence until a Remediation Statement has been submitted to and approved in writing by the Local Planning Authority. Reports shall be prepared in accordance with Contaminated Land Report 11 and BS 10175 Code of Practice for the Investigation of Potential Contaminated Sites. Following remediation, submission of a verification to be approved in writing by the Local Planning Authority will be required prior to the occupation of any dwellings.

Reason: To ensure that the development hereby approved complies with the requirements of section 121 of the NPPF.

- 35 Prior to the commencement of any building works on site, precise details of the play equipment for the LAP shown on the approved plans, shall be submitted to and approved in writing by the local planning authority. Such details shall include the type of equipment, the time scale for its delivery on site, and a maintenance plan for its retention over a 20 year period.

Reason: To ensure delivery of the equipped play area, and to satisfy the requirements of policy SP 11 of the Ryedale Plan - Local Plan Strategy.

- 36 Unless otherwise agreed in writing by the Local Planning Authority, precise details of the all ground surfacing shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, and to satisfy the requirements of policy SP 16 of the Ryedale Plan - Local Plan Strategy.

- 37 Unless otherwise agreed in writing by the Local Planning Authority, the design and materials for all means of enclosure shall be submitted to, and approved in writing by the Local Authority prior to the commencement of any building work on site.

Reason: In the interests of visual amenity, and to satisfy the requirements of policy SP 16 of the Ryedale Plan - Local Plan Strategy.

- 38 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

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

- 39 The access to the site shown on drawing no. 687/001 Rev L between 43 and 49 Firthland Road shall only be used for:-

- Emergency vehicles
- Access for the three garages shown to the rear of 43 Firthland Road
- Pedestrian access

Reason: in the interests of highway safety , and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

INFORMATIVE(S)

- 01 In imposing condition 09 above it is recommended that before a detailed planning submission is made a draft layout is produced for discussion between the applicant, the Local Planning Authority and the Highway Authority in order to avoid abortive work. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition.
- 02 You are advised that a separate licence will be required from the Local Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition

ITEM 9

APPLICATION NO: 15/00917/73A

PROPOSAL: Variation of Condition 13 of approval 99/00123/FUL dated 17.02.2000 to state: "All deliveries to the store shall be limited to between 05.00 hours and 23.00 hours Monday to Saturday with the number of delivery vehicles limited to one Morrisons company vehicle between the hours of 21.00 and 23.00. All deliveries to the store shall be limited to between 06.00 hours and 22.00 hours on a Sunday with the number of delivery vehicles limited to one Morrisons company vehicle between the hours of 06.00 and 07.00 and one Morrisons company vehicle between the hours of 20.00 and 22.00. The company vehicles delivering to the site shall switch off any refrigeration units prior to accessing the site, reversing beepers shall be switched off during manoeuvring and the engine shall be switched off as soon as manoeuvring is completed. Other vehicle deliveries to the store during the permitted hours shall switch off refrigeration units prior to accessing the site and switch off engines after manoeuvring." - alteration to delivery hours and restrictions.

LOCATION: Wm Morrisons, Castlegate, Malton

01 The variation to condition 13 of application 99/00123/FUL and numbered 09 on this decision notice shall be discontinued at or before 9th May 2017 unless an extension of time has first been agreed in writing by the Local Planning Authority. Thereafter deliveries to the store shall be limited as follows.

All deliveries to the store shall be limited to between 0600 hrs and 2200 hrs. The number of delivery vehicles shall be limited to one Morrisons company vehicle between the hours of 0600 and 0700 and one Morrisons company vehicle between the hours of 2000 and 2200. The Morrisons company vehicles delivering to the site shall switch off any refrigeration units prior to accessing the site, reversing beepers shall be switched off during manoeuvring and the engine shall be switched off as soon as manoeuvring is completed. Other vehicle deliveries to the store during the permitted hours shall switch off refrigeration units prior to accessing the site and switch off engines after manoeuvring.

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

02 All deliveries to the store currently operating as Morrisons (supermarket company) within the revised permitted delivery must comply with all the measures set out in the submitted quiet delivery system, dated *****

03 Notwithstanding the provision of Schedule 2, Part 4, Class A of the Town & Country Planning General Development Order 1995 (or any Order revoking or enacting that Order) no temporary buildings or storage containers shall be erected within that part of the site liable to flood as delineated on the attached plan.

Reason:- To ensure that there will be no increased risk of flooding to other land/properties due to the impedance of flood flows and/or reduction of flood storage capacity.

04 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason:- To prevent pollution of the water environment.

05 Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 3.0 metres of the line of the sewer which crosses the site.

Reason:- In order to allow sufficient access for maintenance and repair work at all times.

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

Reason:- In the interest of satisfactory drainage.

07 There shall be no additional external lighting on the building or within the site curtilage unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason:- In the interests of amenity and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

08 All deliveries to the store shall be limited to between 05.00 hours and 23.00 hours Monday to Saturday with the number of delivery vehicles limited to one Morrisons company vehicle between the hours of 21.00 and 23.00. All deliveries to the store shall be limited to between 06.00 hours and 22.00 hours on a Sunday with the number of delivery vehicles limited to one Morrisons company vehicle between the hours of 06.00 and 07.00 and one Morrisons company vehicle between the hours of 20.00 and 22.00. The company vehicles delivering to the site shall switch off any refrigeration units prior to accessing the site, reversing beepers shall be switched off during manoeuvring and the engine shall be switched off as soon as manoeuvring is completed. Other vehicle deliveries to the store during the permitted hours shall switch off refrigeration units prior to accessing the site and switch off engines after manoeuvring.

Reason: In the interests of residential amenity and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

09 Unless otherwise agreed in writing by the Local Planning Authority and prior to the commencement of the variation hereby approved, details of the pallet trucks to be used in association with the unloading of produce at the store shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the only approved pallet trucks shall be used for unloading purposes.

Reason:- In the interests of residential amenity and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

10 Unless otherwise agreed in writing by the Local Planning Authority details of any ventilation and refrigeration shall be submitted to and agreed in writing by the Local Planning Authority prior its installation on site.

Reason:- In the interests of residential amenity and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

11 The existing public right of way shall be protected and kept clear of any obstruction at all times.

Reason:- To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience

- 12 Details of any gates, barriers or other means of enclosure at the boundary of the service yard and the public highway shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter the access gates shall remain open to vehicular traffic between the hours of 0600 and 2200.

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

- 14 Provision shall be made to prevent surface water from the site discharging onto the public highway.

Reason:- To ensure a satisfactory arrangement of highway drainage in the interests of the amenity of the area.

INFORMATIVE:

- 1 The applicant is advised that the permission should be read in conjunction with the Section 106.

DRAFT**Morrisons, Malton
Quiet Delivery System**

INTRODUCTION

In order to minimise the noise associated with deliveries from disturbing neighbouring residents it is proposed that all of the measures set out hereunder are implemented in connection with any delivery made to the store during the permitted delivery hours.

PROPOSED QDS MEASURES

1. Minimise the noise from vehicles travelling to and from and manoeuvring within the site by making sure the access road and delivery yard are kept clear from obstruction at all times.
2. Remind the driver to avoid unnecessary / excessive engine revving when entering and manoeuvring within the service yard.
3. Ensure that any drivers waiting outside the service yard switch off their engine and that the cab door is closed carefully to minimise noise. Ensure that the vehicle departs smoothly from the service yard, avoiding unnecessary stopping or delay waiting on the access road.
4. Unless otherwise instructed when leaving the distribution centre, the driver should make sure that reversing alarms are switched off before arriving at the site and if specified, ensure that trailer refrigeration units are switched off before arriving at the site. This should also be verified by the foreman before admitting the vehicle to the service yard.
5. Avoid any unnecessary activity in the yard before the permitted hours and taking care to avoid unnecessary noise at all times (for example putting pallets down rather than dropping them).
6. Ensure that latches and bolts on the entrance gates to the service yard are properly maintained to avoid unnecessary noise production.
7. Make sure that all personnel are aware of the need to avoid noise. Appropriate signage to this effect is to be displayed in the service yard and enforced by management.
8. Ensure that the dock levellers are used correctly and that PIEK compliant or Pedestrian Operated Electrically Powered pallet truck is used correctly by properly trained personnel for unloading all deliveries before 7am
9. Move pallets slowly across the dock leveller / plate and the bed of the trailer and slowly enter / leave pallets to avoid noise being radiated from the bed of the trailer. Once inside the building, pallets may be moved at the normal speed.
10. Keep the delivery bay doors closed, in order to prevent noise being transmitted from the store.
11. Establish and maintain good communication with neighbouring residents, ensuring they realise that their concerns are taken seriously and they know how to raise any issues that they may have with the store.. Neighbouring residents will be provided with the store contact details including an out of hours contact number should they need to contact the store.

12. In the event that there is a major failure that will prevent the above system being adhered to, such as unavailability of any PIEK compliant trucks, postpone the early morning (i.e before 7am) delivery until after 7am, or until the problem has been resolved.
13. In order to ensure that delivery vehicles can drive straight into the delivery yard on arrival, delivery vehicles to wait at a site more than 1km from the store before being called to the store to confirm that the yard is clear to receive deliveries . This ensures the warehouse is ready and avoids unnecessary noise and traffic.
14. Rubber strips will be fitted to the 3 pallet trucks and the edge of the docking plate to reduce any clattering.
15. Delivery vehicles are always turned off once on the dock and keys handed into the store.