



## PLANNING COMMITTEE

Tuesday 5 July 2016 at 6.00 pm

Council Chamber, Ryedale House, Malton

### Agenda

22 Late Observations

(Pages 2 - 46)

# Agenda Item 22

RYEDALE  
DISTRICT  
COUNCIL



Please Contact: Mrs Karen Hood  
Extension 386  
Email: karen.hood@ryedale.gov.uk

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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

1 July 2016

Dear Councillor

**Meeting of the Planning Committee - 5 July 2016**

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

Yours sincerely



Mrs Karen Hood  
Managing Development Team Leader

Enc

No objection

HBL

DATE  
29/06/16

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**Subject:** 16/00825/MFUL

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**From:** [sinningtonpc](#)

**Sent:** 29 June 2016 09:20

**To:** Karen Hood

**Subject:** Planning App 16/00825/MFUL

Hello Karen,

With regard to the above planning application the councillors have no objections to the application.

I am sorry that I missed confirming this at the time due to an oversight on my part.

Regards

Derek Waters

Sinnington Parish Clerk

**Cundalls**

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## FARM BUILDING JUSTIFICATION REPORT AND APPRAISAL

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To support a planning application for proposed agricultural building at East Heslerton Wold Farm, East Heslerton, Malton

Prepared for and on behalf of  
K.B & V Cornforth  
Of East Heslerton Wold Farm  
East Heslerton  
Malton  
North Yorkshire  
YO17 8RT

Prepared by:  
**Cundalls**  
15 Market Place  
Malton  
North Yorkshire  
YO17 7LP

Farm Building Justification Report – KB & V Cornforth

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Farm Building Justification Statement and Appraisal

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- Site plan of holding
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## EXECUTIVE SUMMARY

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*This supporting statement and report has been prepared to accompany a planning application for a new pig rearing building at East Heslerton Wold Farm.*

*The statement sets out the justification for the proposed building within the context of National and Local Planning Policy and the requirement for further pig housing within the holding.*

*The applicants business is a long established and forward thinking agricultural enterprise which has built its success on traditional farming methods and a high quality bed and breakfast pig production enterprise.*

*After inspecting East Heslerton Wold Farm with surrounding land and analysing the business as a whole it is adequately clear, there is a strong need and sufficient justification for further pig housing to not only add much needed additional housing for the expanding pig business but also to support the overall arable enterprise going forward.*

*In relation to demonstrating sufficient justification for a building of this size and scale in the proposed location, it is concluded that:*

- The applicants have demonstrated the necessary ability and intent to sustain and develop the business of this sort on the holding and have a clear desire to expand further.*
- The nature of the business and the plans for expansion clearly justify the need for further livestock housing at East Heslerton Wold Farm.*
- There is a clear lack of available housing on the holding at present to accommodate any further pigs and there are no other suitable buildings within the vicinity which could meet the functional requirement of the business and any further outside storage is not financially or physically viable.*
- The business is well established, profitable and capable of providing a good income at present and has the possibility of further expansion and growth subject to the proposal.*
- The proposed building is to be located on an established site, adjacent to other buildings with good access, screening and in an un-isolated position.*

*The development is therefore consistent with the approach identified within the Local and National Planning Policy and in the light of all of the above, it is hoped that the proposed buildings at East Heslerton Wold Farm will be determined for approval.*

## **JUSTIFICATION STATEMENT**

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### **1.0 INTRODUCTION**

Cundalls have been instructed by Messrs K.B & V Cornforth and in particular Mr Derek Cornforth (the applicants) of East Heslerton Wold Farm, East Heslerton, Malton, North Yorkshire to prepare this report for the justification and requirements for further agricultural livestock housing at East Heslerton Wold Farm, East Heslerton, Malton.

### **1.1 LOCATION**

The applicant's holding address known as East Heslerton Wold Farm is located off white gate lane between the villages of East Heslerton and West Lutton. The farmstead is situated to the South of East Heslerton village. East Heslerton village is located approximately 5 miles from the market town of Malton.

### **2.0 PURPOSE OF JUSTIFICATION REPORT**

This statement and report has been prepared to accompany a planning application for a new pig rearing building located within the farmstead at East Heslerton Wold Farm.

The statement sets out the justification for the purpose for the proposed building within the context of National and Local Planning Policy and the required amount of storage for the applicant's bed and breakfast pig rearing enterprise.

The report also aims to justify why the proposed building is required with a description of the use and design. The justification of the need for this building will be addressed by the following points:

- The National and Local Planning Policy relating to buildings in open countryside.
- Restrictions to the existing business and the need for additional storage.
- Analysis of the functional need for further pig housing.
- Details of the current farming enterprise and the viability of the business with future projections.
- A summary and conclusion of the findings.

For the reader's information, Cundalls visited the site owned by the applicants on the 2<sup>nd</sup> March 2016 to collect factual information about the existing enterprise and to inspect the land and buildings used for the business.

The information regarding the history of the business contained in this appraisal has been provided by Messrs KB & V Cornforth (the applicants) and verified by inspection on site and information sources.

### **3.0 THE FARM AND ITS HISTORY**

East Heslerton Wold Farm is a traditional mixed arable and livestock wold farm equating to approximately 473 acres of arable and grass land.

The family moved to East Heslerton Wold Farm in 1993 having been involved in agriculture all their lives. Derek Cornforth along with his wife and family with mother and father farm in partnership at East Heslerton Wold Farm with Derek and his family live in the main farmhouse at the farm.

The farmstead benefits from an excellent range of modern and traditional buildings including grain storage, straw buildings and livestock buildings.

The applicants manage East Heslerton Wold Farm in a traditional manner growing a range of cereals including winter wheat, winter barley and winter oil seed rape and regularly achieve good yielding crops ranging from 4 tonnes of wheat per acre, 3.5 tonnes of barley per acre and 1.75-2 tonnes of oil seed rape.

#### **3.1 LAND**

The agricultural land at East Heslerton Wold Farm is traditional wold land extending to approximately 473 acres (191 hectares) including 430 acres of primarily arable land with the remaining acreage being made up of woodland, yard and permanent grassland.

The land lies within one single ring fence which is located either side of white gate lane.

The agricultural land is predominantly Grade III belonging to soil series Andover I and Panholes both being argillaceous chalk soils suitable for all winter and spring cereals, short and long-term grassland and potatoes.

#### **3.2 FARM BUILDINGS**

Due to good business performance and efficient farming practises, the applicants have been able to re-invest in the farmstead over the years with East Heslerton Wold Farm now benefitting from a good range of modern and traditional farm buildings.

Further details of the farm buildings are as follows:

##### **Grain storage building**

135' x 55'

Grain storage building forming part of a collection of three adjoining buildings which are all steel portal frame with concrete flooring throughout.

##### **Grain storage building**

170' x 25'

Grain storage building forming part of a collection of three adjoining buildings which are all steel portal frame with concrete flooring throughout.

##### **Lean to building**

170' x 25'

Grain storage building forming part of a collection of three adjoining buildings which are all steel portal frame with concrete flooring throughout.

##### **Manure storage**

40' x 60'

Newly constructed manure storage building located in close proximity to livestock buildings for correct manure storage. Steel portal frame with Yorkshire boarding and fibre cement roof



**Pig rearing building**

165' x 60'

Bespoke pig rearing building being with block walls and clad sides with fibre cement roof

**Straw shed**

60' x 60'

Steel portal frame with clad side sheeting and fibre cement roof

**Traditional farm building 1**

115' x 20'

Traditional stone and pantile building used for agricultural storage

**Traditional farm building 2**

70' x 20'

Traditional stone and pantile building used for agricultural storage

**Traditional farm building 3**

70' x 20'

Traditional stone and pantile building used for agricultural storage and garaging

**Traditional farm building 4**

50' x 16'

Traditional stone and pantile building used for agricultural storage and garaging

**Large yard area**

Large stone, concrete and hard-core yard area surrounding the buildings

**4.0 BACKGROUND TO THE EXISTING FARMING ENTERPRISE**

**4.1 THE CURRENT PIG REARING ENTERPRISE**

The applicants currently rear and fatten approximately 3200 bed and breakfast pigs per annum for and on behalf of Pockmor Ltd based at Driffield. The current enterprise of rearing pigs on a bed and breakfast basis includes the management, feeding, bedding and overall supervision of approximately 800 fattening pigs on a day to day basis. The applicants usually aim to have between 3.5 and 4 batches of 800 pigs through the farm on an annual basis for which they are paid a management fee.

At present all pigs are reared in their bespoke pig rearing building which has been specifically designed to house pigs in a safe and high welfare environment.

All manure and waste produced from the pigs is cleaned out on a weekly basis and stored in the applicants manure storage building directly adjacent to the pig rearing building to ensure the pigs remain in a dry and clean environment which ultimately results in less fatalities and improved efficiencies for the pig finishing enterprise overall.

This element of the applicants business now forms a key part of the overall arable enterprise as all manure from the pig enterprise is spread on the applicants own land and used to boost arable yields and soil structures. This in turn has helped to increase arable yields and reduce arable input costs therefore increasing the performance of the business.

All bedding straw produced from the applicants arable enterprise is used as part of the pig rearing business.

This proven business model of rearing B&B pigs at East Heselton Wold Farm has brought about the need for further pig housing at the farm and thus this application for a second bespoke pig rearing shed on the holding.

## 4.2 MANAGEMENT

The applicant Mr Derek Cornforth and his family have lived at East Heselton Wold Farm for the last 23 years and within that time Derek along with the assistance of his family have farmed in partnership at the farm. All day to day responsibilities including feeding, bedding and sorting of the pigs and all arable operations are completed in hand by the applicant and his family and will continue to remain so going forward.

In addition to the family labour, the applicants also employ one full time farm worker within the farm to assist with arable operations and pig rearing due to the large acreage and number of pigs reared on the holding each year.

The day to day management of the pig rearing enterprise consists of daily feeding, welfare checks, sorting, bedding and general mucking out of which is completed by Derek and his one employee.

Mr Derek Cornforth lives in the main farmhouse at East Heselton Wold Farm which is located approximately 50m from the pig rearing building. This is not only convenient for the applicant but also is a crucial factor for the applicant's livestock business as he is within sight and sound of the livestock sheds in case of emergencies.

It is proposed that the second pig rearing building will be located directly adjacent to the existing building to the north, therefore also being within sight and sound of the applicant at all times.

## 4.3 MACHINERY AND ARABLE ENTERPRISE

Over the years the applicant has invested heavily in infrastructure and buildings at the farm but also in modern farm machinery in order for all arable operations to be completed in hand.

### **MACHINERY**

A list of some of the applicant's larger farm machinery is as follows:

- John Deere 4WD Tractor
- Deutz Fahr 4WD Tractor
- John Deere Combine Harvester
- John Deere Telehandler Forklift
- Large Grain Trailer
- Bespoke Muck Trailer
- Combination Power Harrow & Drill
- Set of Hydraulic folding Cambridge rollers
- Reversible Plough
- Cultivation Drag
- Cultivation Sub Soiler
- Hedge Cutter
- Pasture Topper
- Quad Bike
- Further cultivation equipment
- Range of gates and workshop tools
- Farm pickup
- Livestock Trailer

## **FARM PRODUCE**

At any one time the applicant has an extensive supply of farm produce, feed and bedding straw. A list of produce on the farm at any one time is as follows:

- Approximately 600 large quadrant bales of barley & wheat straw
- Approximately 80 Haylage bales
- Approximately 800 tonnes of feed wheat
- Approximately 400 tonnes of feed barley
- Approximately 175 tonnes of oil seed rape
- 15-20 tonnes of pig feed

## **4.4 OTHER LIVESTOCK**

In addition to the applicants pig rearing enterprises they also owns a flock of breeding ewes extending to approximately 70 in lamb ewes. The ewes are Mule cross Charollais which are used to graze the permanent grassland which is unsuitable for arable production.

The breeding flock is managed in a traditional manner with 2 pedigree Charollais rams used as terminal sires for the flock.

Rams are run with the breeding females throughout winter with lambing taking place in the spring of each year. All followers produced from the annual lambing are sold as store sheep in late autumn/early winter following summer grazing.

All lambing and day to day management of the sheep flock is completed in hand by the applicant and his family.

## **5.0 THE POLICY CONTEXT**

### **5.1 NATIONAL PLANNING POLICY**

The National Planning Policy Framework aims to help build a strong, competitive rural economy and support existing business sectors that are expanding. One of the main purposes of this reformed planning system is to contribute to the achievement of sustainable development in economies, society and the environment.

The main objective of the applicant's proposal is to secure their existing business and built on a niche market within their local area. The erection of the proposed building will not only provide the much needed pig housing for their on-going business but also ensure the business as a whole continues to grow and expand.

In the context of delivering a prosperous rural economy as stated in policy 3 chapter 28 of the National Planning Policy Framework the proposed building aims to support sustainable growth and expansion of enterprise in a rural area. The proposal has been well designed and is to aid the development of this land based business.

The building have been sympathetically designed to sit comfortably within its surrounding environment and will have a minimal effect on the surrounding landscape.

## **5.2 LOCAL PLANNING POLICY**

East Heslerton Wold Farm is situated within the Ryedale District Council Local Plan Area. The policies within the adopted plan of March 2002 did represent the current local plan policy guidance for development within Ryedale District Council until the newly published Ryedale Local Plan Strategy came into effect in September 2013.

Aspects such as access, parking, servicing, design, amenity, safety and character are all major aspects of the Ryedale Local Plan Strategy of which must be considered.

Policies SP9, SP13, SP16 and SP20 are all relevant to the proposal at East Heslerton Wold Farm and have been looked at in further detail as follows:

### **5.2.1 SP9 – The Land-Based and Rural Economy**

Ryedale's land-based economy will be sustained and diversified with support for:

- New buildings that are necessary to support land-based activity and a working countryside, including for farming, forestry and equine purposes

The proposed building is to be located on an existing agricultural area adjacent to an existing farm buildings. The proposed buildings will ensure the applicants business continues to grow and help support the local rural economy whilst enhancing the site further.

### **5.2.2 SP13 – Landscapes**

The quality, character and value of Ryedale's diverse landscapes will be protected and enhanced by encouraging developments which enhance elements of landscape character within Ryedale's districts.

Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of

- The distribution and form of settlements and buildings in their landscape setting
- The character of individual settlements, including building styles and materials
- The pattern and presence of distinctive landscape features and natural elements (including field boundaries, woodland, habitat types, landforms, topography and watercourses)
- Visually sensitive skylines, hill and valley sides
- The ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure

The Council will work with landowners and statutory agencies to encourage land management practises that will protect and reinforce landscape character across the District and proposals which seek to restore areas of degraded landscape or individual landscape elements will be supported.

Major development proposals within the AONB that would result in a significant adverse impact on the natural beauty and special qualities of the AONB will be considered within the context provided by national policy and only allowed in exceptional circumstances.

Outside of those landscapes protected by national landscapes designations, the Council will carefully consider the impact of development proposals on the following broad areas of landscape which are valued locally:

- The Wolds Area of High Landscape Value
- The Fringe of the Moors Area of High Landscape Value
- The Vale of Pickering

The Yorkshire Wolds and Fringe of the Moors are valued locally for their natural beauty and scenic qualities. As well as protecting the distinctive elements of landscape character in each of these areas, there are particular visual sensitivities given their topography and resulting long distance skyline views within Ryedale and further afield.

The Vale of Pickering, the Wolds and the Fringe of the Moors are of significant historic landscape value and loss or degradation of the elements that are integral to their historic landscape character makes these landscapes particularly sensitive to change.

The proposed building is to be sited adjacent to an existing building of similar size, layout and appearance. Furthermore the proposed building is to be of similar height to other surrounding buildings and considerably lower than nearby tree line therefore having minimal effect on the skyline and will not affect this Wolds area of High Landscape value.

The proposed building will mirror existing buildings within the holding and surrounding area and will not adversely affect any of the above. The building will be erected on an existing farmstead, adjacent to existing farm buildings that are not affected but any of the above criteria.

### **5.2.3 SPI6 – Design**

Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings

To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including:

- Topography and landform that shape the form and structure of settlements in the landscape
- The grain of the settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings
- The character and appearance of open space and green spaces including existing Visually Important Undeveloped Areas (VIUAs) or further VIUAs which may be designated in the Local Plan Sites Document or in a Neighbourhood Plan. Development proposals on land designated as a VIUA will only be permitted where the benefits of the development proposed significantly outweigh the loss or damage to the character of the settlement
- Views, vistas and skylines that are provided and framed by the above and/or influenced by the position of key historic or landmark buildings and structures
- The type, texture and colour of materials, quality and type of building techniques and elements of architectural detail

With regards to all of the above the proposed building will mirror existing livestock buildings within the farmstead and surrounding area in the form of design, scale, layout.

The buildings location and siting has been specifically chosen for not only the needs of this agricultural business but also to ensure the building fits conformably within the farmstead and does not detract from the surrounding landscape views or affect the skyline in anyway.

The character and appearance of the open space / green space within the area will not be affected in anyway given the well screen nature and siting of the proposed building.

#### **5.2.3.1 Other design considerations**

The design of new development will also be expected to:

- Incorporate appropriate hard and soft landscaping features to enhance the setting of the development and/or space
- Contribute to a safe and well connected public realm by respecting and incorporating routes, buildings and views which create local identity and assist orientation and wayfinding; creating public spaces which are safe and easy to use and move through by all members of the community; facilitating access by sustainable modes of travel including public transport, cycling and walking
- Reduce crime and the fear of crime through the careful design of buildings and spaces
- Provide, where appropriate, active and interesting public frontages, clearly defined public spaces and secure private spaces
- Make efficient use of land and to be built at a density which is appropriate to its surrounding context. In general new housing development should not be built below an indicative density of 30 dwellings to the hectare unless this can be justified in terms of the surrounding context
- Proposals for major development will be expected to include a statement identifying the waste implications of the development and measures taken to minimise and manage waste generated

Extensions and alterations to existing buildings will be appropriate and sympathetic to the character and appearance of the host building in terms of scale, form and use of materials and in considering proposals for the alteration, re-use or extension of individual historic buildings the Council will seek to ensure that:

- A building is capable of conversion to the use proposed without the need for extensions or alterations that would be detrimental to its character
- Proposed extensions and alterations, considered acceptable in principle, that are of an architectural style which complements the traditional character of the main building
- Appropriate materials and traditional construction methods and techniques are used

All of the above have been considered as part of the design process for the new building and it is confirmed that the proposed building will adhere to these design considerations in every way possible to ensure it sits conformably within the farmstead and doesn't detract from the local high landscape value in anyway.

## **5.2.4 SP20 – Generic Development Management Issues**

### **5.2.4.1 Character**

- New development will respect the character and context of the immediate locality and the wider landscape/townscape character in terms of physical features and the type and variety of existing uses
- Proposed uses and activity will be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation of existing neighbouring land uses
- The cumulative impact of new development on the character of an area will also be considered

With regards to the character of the proposed building in the context of the locality and wider landscape the proposed building will integrate with the well-established and existing livestock business with minimal effect on physical features and the overall surrounding area.

### **5.2.4.2 Design**

The design of this new development will follow the principles established in Policy SP16 and the proposed building will be appropriate and sympathetic to the character and appearance of the existing buildings in terms of scale, form, and use of materials

### **5.2.4.3 Amenity and Safety**

New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence

Developers will be expected to apply the highest standards outlined in the World Health Organisation, British Standards and wider international and national standards relating to noise

New development proposals which will result in an unacceptable risk to human life, health and safety or unacceptable risk to property will be resisted. Developers will be expected to address the risks/potential risks posed by contamination and/or unstable land in accordance with recognised national and international standards and guidance

All sensitive receptors will be protected from land and other contamination. Developers will be expected to assess the risks/ potential risks posed by contamination in accordance with recognised national and international standards and guidance

With reference to the above amenity and safety requirements all of the above have been considered. Having lived at East Heselton Wold Farm for many years the applicant and his family take the impact on amenity and health and safety very seriously and it is clearly evident from the high standards of animal welfare and a clear and tidy yard at the farm that this new proposed building will be constructed and managed to the same exacting, and high standard as previous ventures.

#### **5.2.4.4 Access, Parking and Servicing**

Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists. Information will be required in terms of the positioning and treatment of accesses and circulation routes, including how these relate to surrounding footpaths and roads.

The proposed building will be accessed via the existing, well maintained farm access and there will be a minimal increase in farm traffic as a result of the development. Furthermore, with increased livestock housing at the farm there will be reduced traffic movements in and out of the farmstead as pigs will be housed from weaning age through to fattening thus reducing the need for animals to be transported to and from the farm at different ages.

Development will be expected to comply with the relevant standards in place at the time a planning application is made to the Local Planning Authority. A Travel Plan may be required to set out how the use of the building can be made more sustainable by reducing the need to travel by private car. Where applicable, proposals will need to demonstrate the inclusion of safe and effective vehicular servicing arrangements.

These matters have been considered and will be adhered to as part of the proposed new building.

### **6.0 ASSESSMENT OF JUSTIFICATION FOR BUILDING**

The proposed building is a steel portal frame construction being:

- Approximately 160' long x 100' wide

The building will be used to house approximately 1600 fattening pigs on a batch by batch basis for and on behalf of Pockmor Ltd.

The newly proposed building will allow the applicants to take deliveries of weaning pigs at a young age and rear them from weaning to a fattening weight all within the one farmstead therefore reducing the need for pigs to be transported to another holding or vice versa.

This in turn has not only improved efficiencies for the applicant's farm business but also will result in less transportation and overall stress on the animals.

The new building will be a straw based system with pigs receiving fresh bedding straw on a frequent basis and mucked out once a week into the applicants bespoke manure storage building.

This not only allows the applicant to have a constant supply of good quality manure for his arable enterprise but also ensures the pigs remain in a clean and healthy environment throughout their time at the farm.

This system of frequent mucking out does involve a little more management and is more time consuming, however it allows the applicant to have improved efficiencies, less mortality and ensures the pig rearing services they provide to Messrs Pockmor Ltd are second to none and of the highest standard.



## **6.1 PROPOSED BUILDING LOCATION**

It is proposed that the new building will be located directly adjacent to other existing farm buildings within the main farmstead and will sit directly alongside the existing pig rearing building.

Not only will the proposed building be adjacent to the existing pig building but also directly opposite the manure storage shed for ease of mucking out and bedding.

The proposed building will be screened to the South and East by existing buildings and screened to the North and West by a large well established mixed species woodland thus overall having minimal effect on the surrounding landscape.

## **6.2 MANURE MANAGEMENT**

Given the applicants already well used and tried and tested mucking out procedures, manure management within the farmstead has been specifically designed for not only environmental and pig welfare benefit but also the benefit on the applicant's profitability.

At present and for the proposed building manure is removed from the livestock buildings on a weekly basis and transported just a few metres into their bespoke manure storage building.

The manure storage building has been specifically designed to be able to house a significant amount of manure with adequate storage for up to several months.

Manure is stored under cover with all clean water directed to naturally soak away and any dirty water collected in a separate tank which is then spread on the applicants own land throughout the calendar year as and when required.

A key element of having manure storage such as this is that it allows the applicant to store manure in a dry and clean way so it can be spread on the applicants own land during dryer more suitable periods throughout the calendar year and not stored in field heaps across the farm. This therefore results in correct spreading methods and reduces any unnecessary poaching of the arable land.

The applicant is aware that no spreading must take place during wetter periods or colder times and no manure spreading takes place within close proximity of any water courses or ditches.

When the applicant wishes to spread manure on the land they hire modern manure spreading equipment to ensure manure is spread accurately across arable land.

Therefore, given the fact that the applicants farm almost 500 acres of free draining, wold land they have more than enough arable acreage to accommodate further manure produced from the additional number of livestock housed in the proposed building.

## **6.3 ALTERNATIVE HOUSING**

Although the applicant's farmstead now boasts an excellent range of modern and traditional buildings, none of the existing buildings are suitable for further pig production. At present all buildings are either utilised as grain storage, machinery storage, bedding straw storage or current pig housing therefore this has brought about the need for additional pig housing within the farmstead to ensure the business continues to remain profitable and economically viable.

With regards to further external pig housing within the area, there are no suitable buildings within sight and sound of the farmstead that would be suitable for the applicants pig production business. The nearest farmstead is over 1 mile away from East Heselton Wold Farm and therefore there are no other suitable buildings within the areas to meet the needs of this business.

## 7.0 CONCLUSIONS

The applicants business is a long established and forward thinking agricultural enterprise which has built its success on traditional farming methods and a high quality bed and breakfast pig production enterprise.

After inspecting East Heselton Wold Farm with surrounding land and analysing the business as a whole it is adequately clear, there is a strong need and sufficient justification for further pig housing to not just to add much needed additional housing for the ever growing pig business but to also support the overall arable farm business going forward.

In relation to demonstrating sufficient justification for a building of this size and scale in the proposed location, it is concluded that:

- The applicants have demonstrated the necessary ability and intent to sustain and develop the business of this sort on the holding and have a clear desire to expand further.
- The nature of the business and the plans for expansion clearly justify the need for further livestock housing at East Heselton Wold Farm.
- There is a clear lack of available housing on the holding at present to accommodate any further pigs and there are no other suitable buildings within the vicinity which could meet the functional requirement of the business and any further outside storage is not financially or physically viable.
- The business is well established, profitable and capable of providing a good income at present and has the possibility of further expansion and growth subject to the proposal.
- The proposed building is to be located on an established site, adjacent to other buildings with good access, screening and in an un-isolated position.

The development is therefore consistent with the approach identified within the Local and National Planning Policy and in the light of all of the above, it is hoped that the proposed buildings at East Heselton Wold Farm will be determined and considered for approval.

Approval will ensure the applicants continue to improve their business and build on a local family farm that has identified a viable aspect of agriculture which is proving profitable and with the potential for significant growth.

**8.0 STATEMENT OF CONFIDENTIALITY**

Neither the whole nor any part of this report, nor any reference thereto, may be included in any document, circular or statement without our prior approval of the form and context in which it will appear.

In accordance with our standard practice we must state that this report is confidential to you and restricted for the purpose to which it refers. It may be disclosed to professional advisors assisting in respect of those purposes but it should not be disclosed to any other parties without the express consent of this firm. No responsibility is accepted to any third party for the whole or any part of its content.

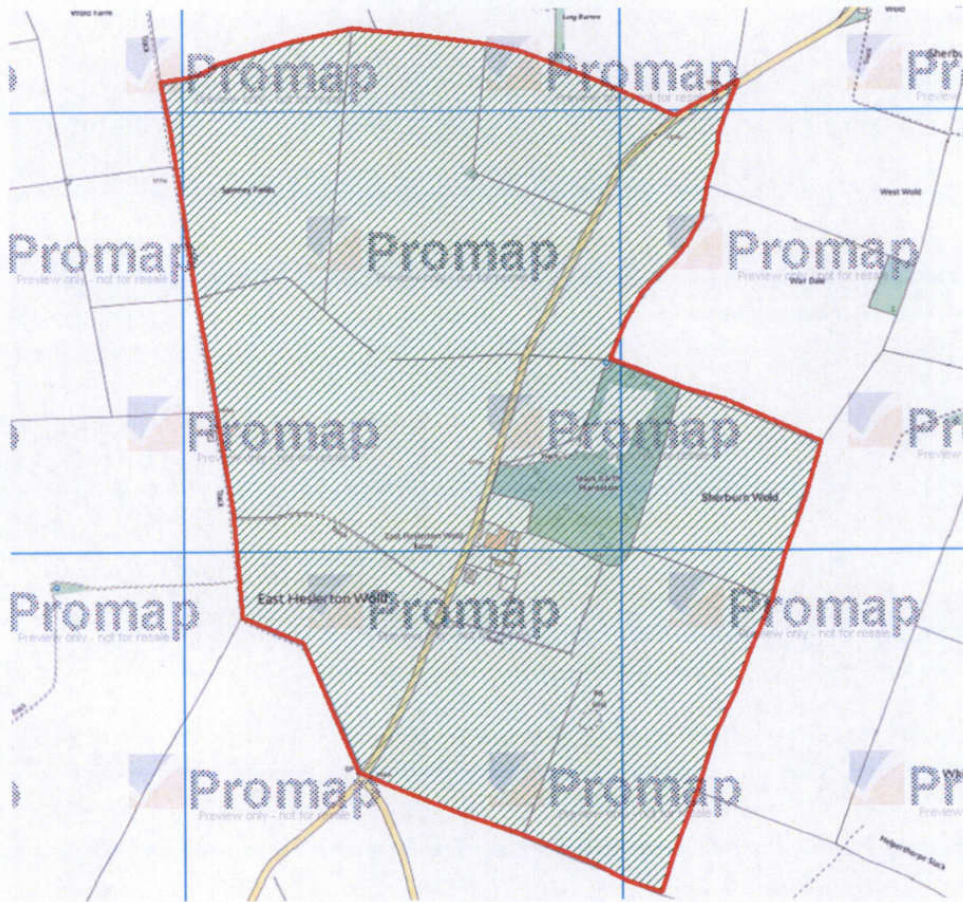
Signed by

**William F Tyson BSc (Hons) MRICS FAAV**  
**RICS Registered Valuer**  
CUNDALLS  
15, Market Place  
Malton  
North Yorkshire  
YO17 7LP

Date..... *12/4/16* .....

APPENDICES

**SITE PLAN OF HOLDING**



**SUPPORTING PHOTOGRAPHS**



**Proposed site of building**



**Existing pig building**



**Manure storage building**



**Grain storage**





**Straw and sheep housing building**



**Traditional building**



**Traditional building**



**Agricultural land**



**Entrance to yard**



**Agricultural land**

16/00834/MFUL INFORMATION

Cornforth East Heslerton Wold Farm

Old system 800 pigs peak time

30-100kg  
eat 2.4t food /day  
9 t bin  
last 3.75 days

New system 1600 pigs peak time

30-100 kg  
eat 4.8t food / day  
20 t bin that a full load  
lasts 4.5 days  
Old shed 1600 pigs peak time  
7-30 kg  
eat 1.6t food / day  
9 t bin  
lasts 5.6 days

RYEDALE DA

12 MAY 2011

RYEDALE DA  
12 MAY 2011

16/00834/MFUL

so for food we would have an extra wagon every 5 days

pigs to malton bacon factory  
usually only half loads

should be full loads

pigs in, 2 loads of 400 pigs at a time 30 kg

pigs in 2 loads 800 pigs at a time 7 kg

this is a 12wk cycle

New system should save on miles as the wagons are not having to ride round filling or emptying them.

this is a 22wk cycle

conclusion New shed should save on miles as the wagons are not having to ride round filling or emptying them.



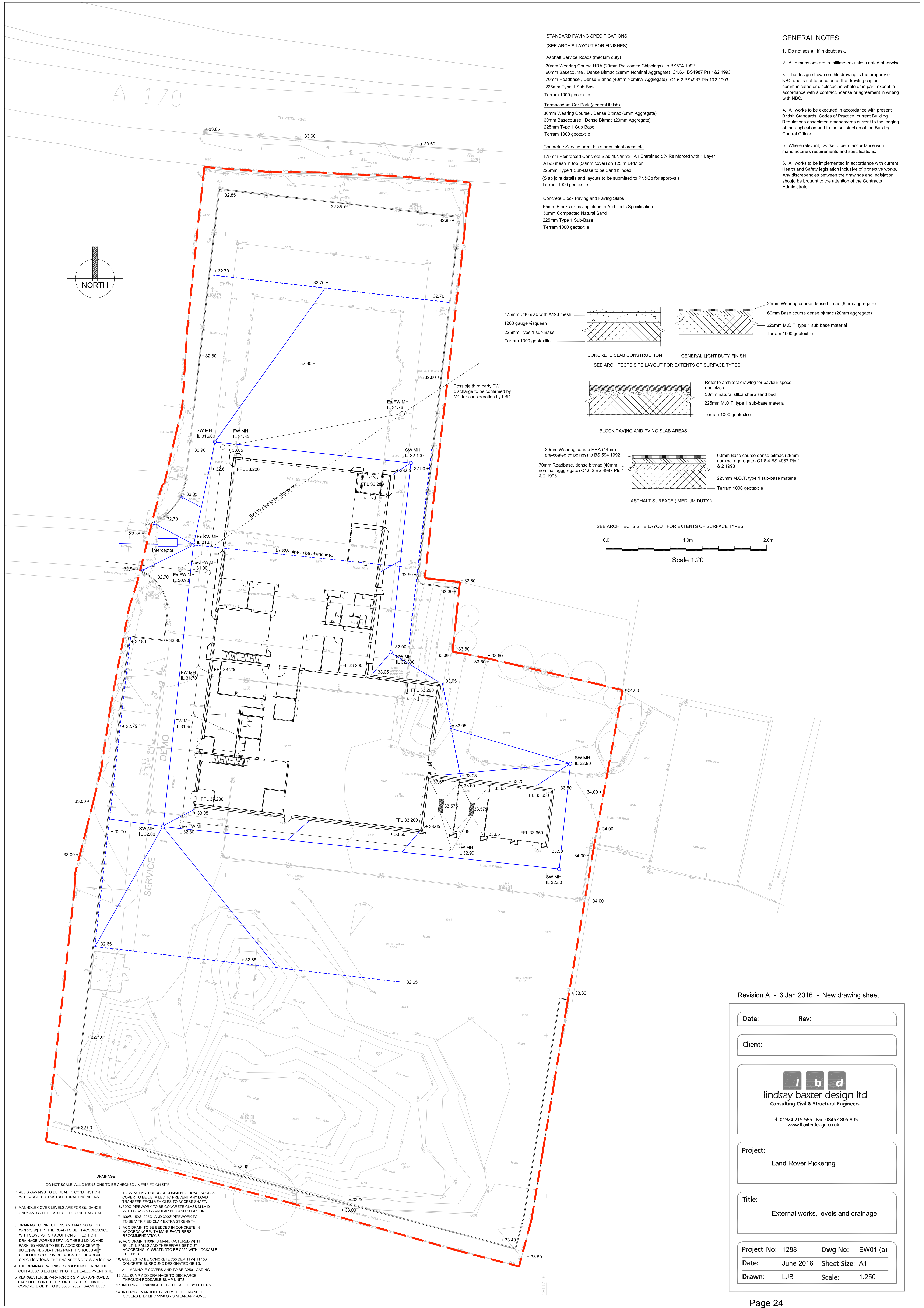
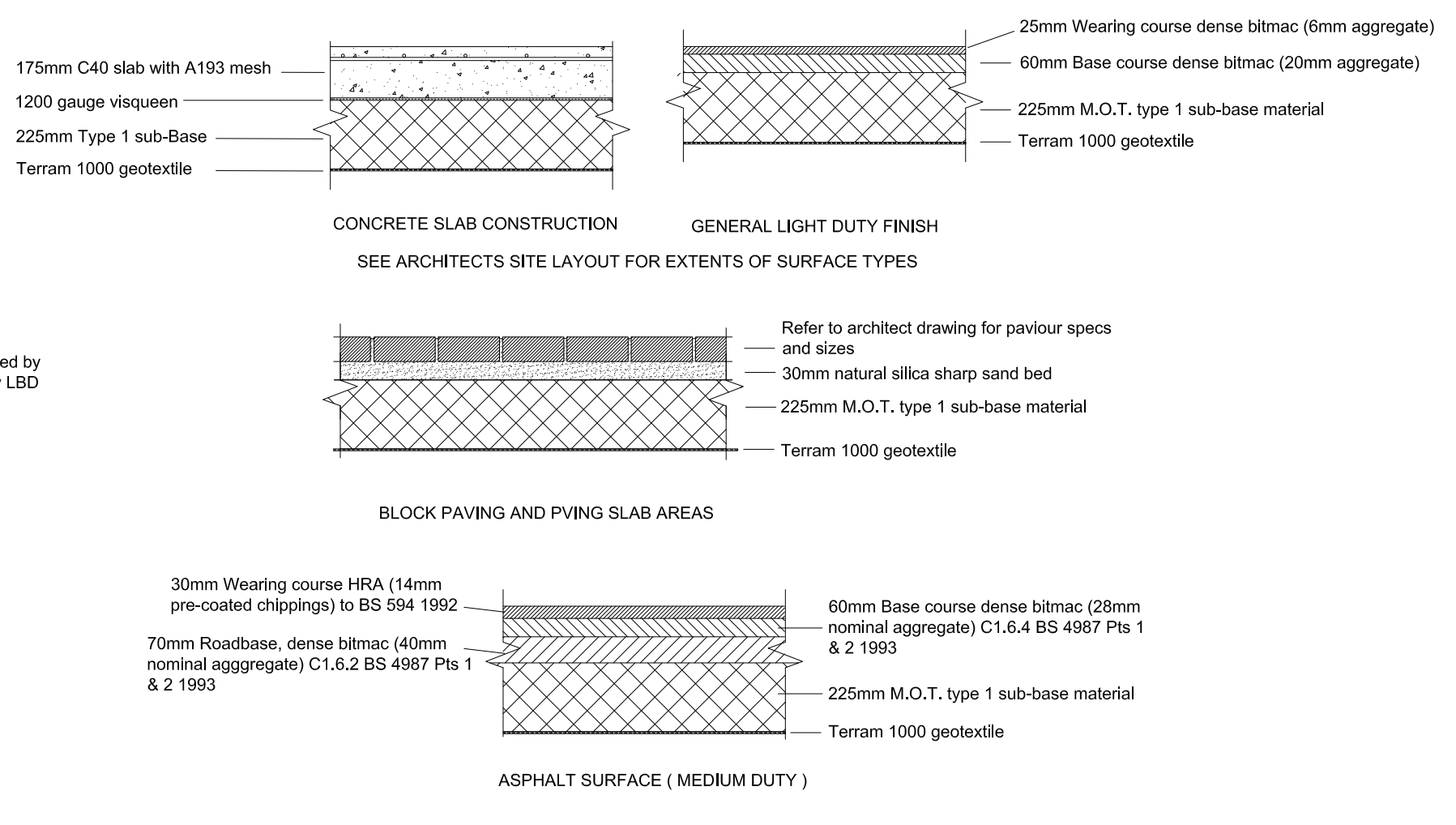
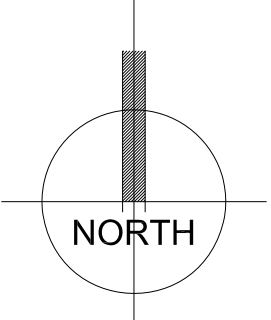
A 170

**STANDARD PAVING SPECIFICATIONS.**  
(SEE ARCHS LAYOUT FOR FINISHES)

- Asphalt Service Roads (medium duty)**  
30mm Wearing Course HRA (20mm Pre-coated Chippings) to BS594 1992  
60mm Basecourse , Dense Bitmac (28mm Nominal Aggregate) C1.6.4 BS4987 Pts 1&2 1993  
70mm Roadbase , Dense Bitmac (40mm Nominal Aggregate) C1.6.2 BS4987 Pts 1&2 1993  
225mm Type 1 Sub-Base  
Terram 1000 geotextile
- Tarmacadam Car Park (general finish)**  
30mm Wearing Course , Dense Bitmac (6mm Aggregate)  
60mm Basecourse , Dense Bitmac (20mm Aggregate)  
225mm Type 1 Sub-Base  
Terram 1000 geotextile
- Concrete : Service area, bin stores, plant areas etc**  
175mm Reinforced Concrete Slab 40N/mm<sup>2</sup> Air Entrained 5% Reinforced with 1 Layer  
A193 mesh in top (50mm cover) on 125 m DPM on  
225mm Type 1 Sub-Base to be Sand blinded  
(Slab joint details and layouts to be submitted to PN&Co for approval)  
Terram 1000 geotextile
- Concrete Block Paving and Paving Slabs**  
65mm Blocks or paving slabs to Architects Specification  
50mm Compacted Natural Sand  
225mm Type 1 Sub-Base  
Terram 1000 geotextile

**GENERAL NOTES**

1. Do not scale. If in doubt ask.
2. All dimensions are in millimeters unless noted otherwise.
3. The design shown on this drawing is the property of NBC and is not to be used or the drawing copied, communicated or disclosed, in whole or in part, except in accordance with a contract, license or agreement in writing with NBC.
4. All works to be executed in accordance with present British Standards, Codes of Practice, current Building Regulations associated amendments current to the lodging of the application and to the satisfaction of the Building Control Officer.
5. Where relevant, works to be in accordance with manufacturers requirements and specifications.
6. All works to be implemented in accordance with current Health and Safety legislation inclusive of protective works. Any discrepancies between the drawings and legislation should be brought to the attention of the Contracts Administrator.



- DO NOT SCALE. ALL DIMENSIONS TO BE CHECKED / VERIFIED ON SITE
1. ALL DRAWINGS TO BE READ IN CONJUNCTION WITH ARCHITECTS/STRUCTURAL ENGINEERS
  2. MANHOLE COVER LEVELS ARE FOR GUIDANCE ONLY AND WILL BE ADJUSTED TO SUIT ACTUAL
  3. DRAINAGE CONNECTIONS AND MAKING GOOD WORKS WITHIN THE ROAD TO BE IN ACCORDANCE WITH SEWERS FOR ADOPTION 5TH EDITION. DRAINAGE WORKS SERVING THE BUILDING AND PARKING AREAS TO BE IN ACCORDANCE WITH BUILDING REGULATIONS PART H. SHOULD ANY CONFLICT OCCUR IN RELATION TO THE ABOVE SPECIFICATIONS, THE ENGINEERS DECISION IS FINAL.
  4. THE DRAINAGE WORKS TO COMMENCE FROM THE OUTFALL AND EXTEND INTO THE DEVELOPMENT SITE.
  5. KILGISTER SEPARATOR OR SIMILAR APPROVED BACKFILL TO INTERCEPTOR TO BE DESIGNATED CONCRETE GEN1 TO BS 8500 : 2002 , BACKFILLED TO MANUFACTURERS RECOMMENDATIONS. ACCESS COVER TO BE DETAIL TO PREVENT ANY LOAD TRANSFER FROM VEHICLES TO ACCESS SHAFT.
  6. 3000 PIPEWORK TO BE CONCRETE CLASS M LAID WITH CLASS 8 GRANULAR BED AND SURROUND.
  7. 1000, 1500, 2250 AND 3000 PIPEWORK TO TO BE VITRIFIED CLAY EXTRA STRENGTH.
  8. ACCO DRAIN TO BE BEDDED IN CONCRETE IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS.
  9. ACCO DRAIN 11000 IS MANUFACTURED WITH BUILT IN FALLS AND THEREFORE SET OUT ACCORDINGLY. GRATING TO BE C250 WITH LOCKABLE FITTINGS.
  10. GULLIES TO BE CONCRETE 750 DEPTH WITH 150 CONCRETE SURROUND DESIGNATED GEN 3.
  11. ALL MANHOLE COVERS AND TO BE C250 LOADING.
  12. ALL SUMP ACCO DRAINAGE TO DISCHARGE THROUGH ROADABLE SUMP UNITS.
  13. INTERNAL DRAINAGE TO BE DETAIL BY OTHERS
  14. INTERNAL MANHOLE COVERS TO BE 'MANHOLE COVERS LTD' MHC 1150 OR SIMILAR APPROVED

Revision A - 6 Jan 2016 - New drawing sheet

Date:	Rev:
Client:	
 <b>lindsay baxter design ltd</b> Consulting Civil & Structural Engineers Tel: 01924 215 585 Fax: 08452 805 805 www.lbxdesign.co.uk	
Project:	
Land Rover Pickering	
Title:	
External works, levels and drainage	
Project No: 1288	Dwg No: EW01 (a)
Date: June 2016	Sheet Size: A1
Drawn: LJB	Scale: 1:250



2016 06 28 brown jmf A1D0025-06-01

Mr & Mrs Brown  
Butt Dyke Farm  
Thornton Road  
PICKERING  
North Yorkshire  
YO18 7JX

Dear Mr and Mrs Brown

**HATFIELDS LAND ROVER, THORNTON ROAD INDUSTRIAL ESTATE,  
PICKERING, NORTH YORKSHIRE, YO18 7JX  
PLANNING APPLICATION NO: 16/00848/MFUL**

I write on behalf of my client Hatfields Land Rover and we have seen your letter of objection on the grounds that your right of way had not been protected. I can hasten to assure you that we were aware of your right of way and there is no question of this being blocked off by our plans.

Please find attached a proposed plan demonstrating the continuing routes of access which is shown as an easement strip coloured grey which will continue to benefit Butt Dyke Close Farm and will be available for use by you as it is at present. The route is hatched blue on the plan.

We trust that this plan will reassure you that you will continue to benefit from the right of way between your property and the public highway. I would hope that you now fully understand what is happening and in the circumstances that you will be prepared to withdraw your objection to the proposed planning application.

Please advise if you require any further information.

Yours sincerely

MARTYN FRYER  
DIRECTOR

Enc

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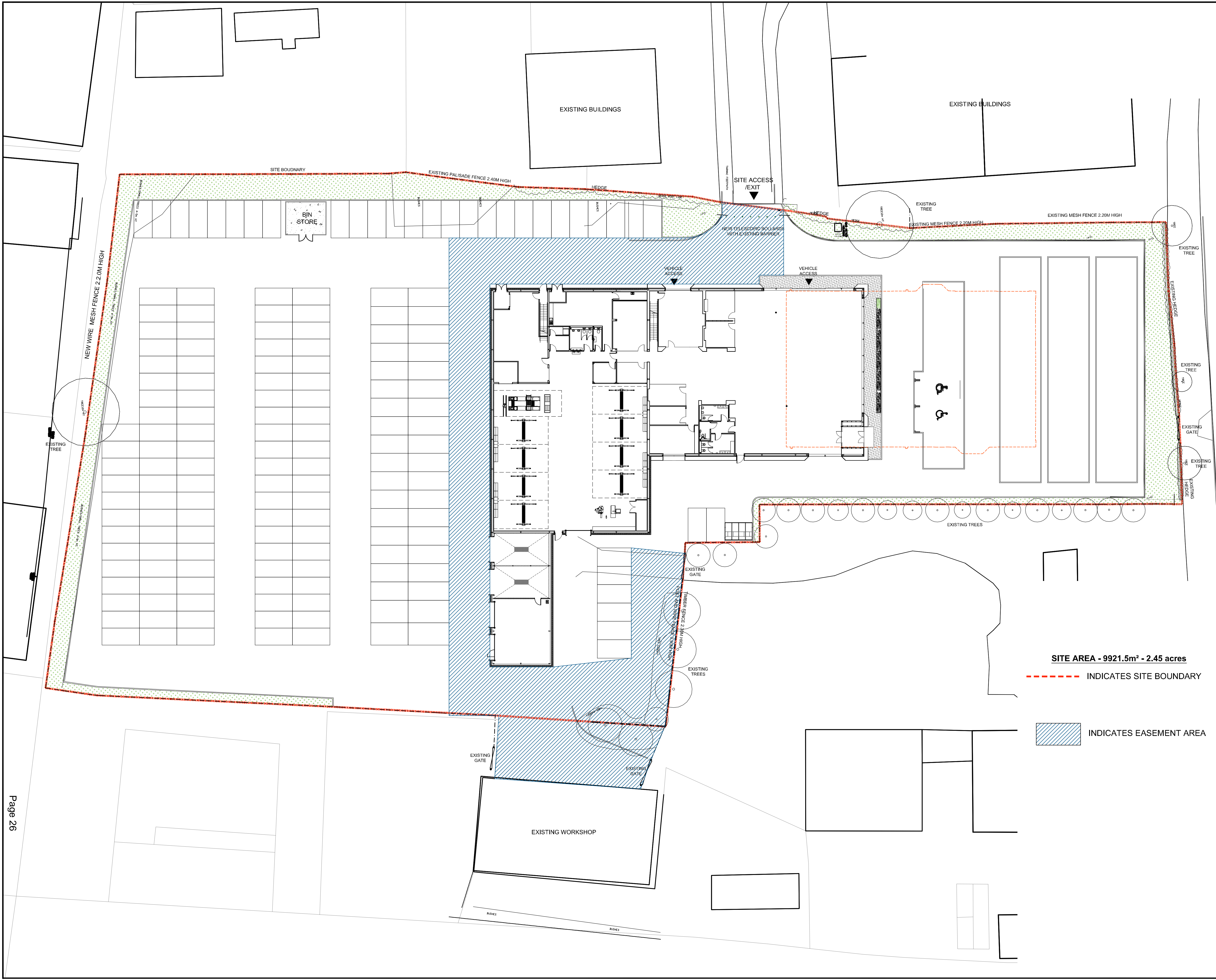
REGISTERED IN ENGLAND  
NO. 3463762

LONDON OFFICE  
31-35 KIRBY STREET  
LONDON, EC1N 8TE  
+44 (0)20 7100 0402

RIBA   
Chartered Practice



- Notes**
1. Do not scale drawing. If in doubt contact SDA
  2. All dimensions are in millimeters unless noted otherwise
  3. Not for construction unless otherwise shown
  4. When appropriate, this drawing to be read in conjunction with project specific Designers Risk Assessments, produced in accordance with requirements of the Construction (Design and Management) Regulations 2015 (and prior)
  5. The design shown on this drawing is the property of SDA and is not to be used or the drawing copied, communicated or disclosed, in whole or in part, except in accordance with a contract, licence or agreement in writing with SDA



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THORNTON ROAD

**SITE AREA - 9921.5m<sup>2</sup> - 2.45 acres**

--- INDICATES SITE BOUNDARY

▨ INDICATES EASEMENT AREA

REV.	DATE	DESCRIPTION	DRN.	CKD.

**SDA**  
ARCHITECTS

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 mail@sdapartnership.com www.sdapartnership.com  
 LEEDS LONDON CALIFORNIA

PROJECT  
**HATFIELDS LAND ROVER**  
 THORNTON ROAD  
 PICKERING YO18 7JX

TITLE  
**PROPOSED SITE PLAN**  
 INDICATING EASMENT

STAGE		
INFORMATION		
JOB No. A1D0025	DWG No. A(PL)01-101	REV. -
SCALE 1:250 @ A1	DATE JUNE 2016	
DRAWN KAK	CHECKED JMF	
BSI REGISTERED FS 56715		UKAS QUALITY MANAGEMENT

**Item Number:** 14  
**Application No:** 16/00013/MOUT  
**Parish:** Malton Town Council  
**Appn. Type:** Outline Application Major  
**Applicant:** Commercial Development Projects/Fitzwilliam Trust Corp.  
**Proposal:** Residential development (Use Class C3) for 87no. dwellings  
**Location:** The Showfield Pasture Lane Malton North Yorkshire

**Registration Date:**  
**8/13 Wk Expiry Date:** 7 April 2016  
**Overall Expiry Date:** 27 June 2016  
**Case Officer:** Gary Housden **Ext:** 307

**CONSULTATIONS:**

**North Yorkshire Police Architectural Liaison Officer** Comments and recommendations made and request for conditions to be added  
**NY Highways & Transportation** Conditions recommended  
**Environmental Health Officer** Conditions support  
**Countryside Officer** Recommend condition  
**Sustainable Places Team (Yorkshire Area)** No comments to make on this development  
**Land Use Planning** Conditions recommended  
**Highways England** No objection  
**Archaeology Section** A further scheme of archaeological evaluation should be undertaken  
**Vale Of Pickering Internal Drainage Boards** No objection  
**Parish Council** Recommend refusal

**Neighbour responses:** Mr Ian Conlan, Paula Riley, Simon Thackray,

**SITE:**

The Showfield site at Pasture Lane, Malton is comprised of two parcels of farmland, together with a small group of disused farm buildings. Pasture Lane abuts the southern site boundary with the A64 trunk road, forming the northern site boundary. To the east at lower level, is the established Showfield Lane industrial estate and to the west is Outgang Road, an un-surfaced lane which runs from Showfield Lane and which crosses the A64.

Further to the west is a substantial housing estate under construction by Taylor Wimpey Ltd. Three separate residential properties are located adjacent to the south-western corner of the site. The site generally falls from west to east and it is also elevated above the ground levels on Showfield Lane industrial estate. The land also rises from south to north across the parcel of land denoted as ‘show ground’.

The first phase of development on the site has commenced and is being built by Linden Homes. A further Phase 2 is expected under a further approval of reserved matters that will utilise the extent of the earlier planning permission.

Plans showing this site location are attached for Members information.

**PROPOSAL:**

This application is a further outline application which seeks planning permission for an increase of up to 87 dwellings on the northern extent of the Showfield site. The effect of this application would be to increase the permitted numbers of dwellings from 227 to 314.

The application is accompanied by a covering letter from the agents setting out the rationale and justification for the application. (see copy of letter appended to this report).

The application is accompanied by the following documents:-

Design and Access Statement  
Transport Assessment  
Air Quality Assessment  
Flood Risk and Drainage Statement  
And a Masterplan

In addition, the earlier technical reports relating to Noise; Geo Environmental Report, Archaeological Report, Ecological Report, Arboricultural Report and Landscape & Visual Assessment remain relevant to the current application.

The technical documents can be viewed on the Councils' website.

A copy of the approved plan for 14/00427, the approved layout for 15/00616 Phase 1 and the Masterplan for this application is appended for Members information.

**RELEVANT DEVELOPMENT PLAN POLICY:**

Ryedale Plan - Local Plan Strategy  
Policy SP1 - General Location of Development and Settlement Hierarchy  
Policy SP2 - Delivery and Distribution of New Housing  
Policy SP3 - Affordable Housing  
Policy SP4 - Type and Mix of New Housing  
Policy SP10 - Physical Infrastructure  
Policy SP11 - Community Facilities and Services  
Policy SP12 - Heritage  
Policy SP13 - Landscapes  
Policy SP14 - Biodiversity  
Policy SP15 - Green Infrastructure Networks  
Policy SP16 - Design  
Policy SP17 - Managing Air Quality, Land and Water Resources  
Policy SP19 - Presumption in Favour of Sustainable Development  
Policy SP20 - Generic Development Management Issues  
Policy SP22 - Planning Obligations, Developer Contributions and the Community Infrastructure Levy

**National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)**

The NPPF provides national planning policy and it is also accompanied by practice guidance. Both are significant material planning considerations.

The NPPF makes it clear that it is the purpose of the planning system to contribute to the achievement of sustainable development. The framework makes it clear that there are three dimensions to sustainable development which give rise to the need for the planning system to perform an economic role, a social role and an environmental role. Para 6 of The Framework states:

*6. The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.*

The Framework establishes a set of core land-use principles to underpin the planning system within its overarching purpose of contributing to the achievement of sustainable development which include that planning should:

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings
- Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it
- Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources
- Contribute to conserving and enhancing the natural environment and reducing pollution
- Promote mixed use developments
- Conserve heritage assets in a manner appropriate to their significance
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
- Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

The National Planning Policy Framework include policies which promote a presumption in favour of sustainable development to be applied in the decision making process alongside the legislative requirement that decisions are made in accordance with the development plan unless material considerations indicate otherwise.

Paragraphs 11-16 of the National Planning Policy Framework details how the presumption in favour of sustainable development is to be applied. Paragraph 12 of the NPPF makes it clear that;

*“ Proposed development that accords with an up to date Development Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise”.*

Paragraph 14 specifically confirms that a presumption in favour of sustainable development is at the heart of the NPPF and should be seen as a golden thread running through plan-making and decision taking. It states that for decision- taking this means (unless material considerations indicate otherwise)

- *“ approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless: 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; or specific policies in the framework indicate that development should be restricted.”*



Achieving high quality development

The NPPF gives weight to quality homes, choice and the importance of good design.

Paragraph 50 states:-

“To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.”

Paragraph 56 states:-

“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”.

Whilst no details are been formally submitted for approval at this outline stage, the proposal has been accompanied by an indicative layout that demonstrates the proposed form of development that can be developed on the site with further details agreed at reserved matters stage.

**HISTORY:**

14/00427/MOUTE	Outline planning permission of circa 227 dwellings and associated works	March 2015
15/00616/REM	Reserved matters approval for Phase 1 (174 units) (Approx 28 units / ha)	September 2015

**APPRAISAL**

Principle of Development

Members will appreciate that outline planning permission for residential development has previously been granted for this site under planning reference 14/00427/MOUT referred to earlier in the History section of this report. The development proposes to utilise the same access into the site off Showfield Lane, which was approved in detail under reserved matters application 15/00616/MREM. The proposal for this part of the site indicates the same landscaped acoustic barriers to the northern boundary of the site adjacent to the A64 and along the eastern side of the site where it abuts the rear of commercial premises on Showfield Lane Industrial Estate.

In the light of the abovementioned considerations the principle of the development of the site for residential purposes has clearly been established and therefore there is no objection to the development proposed in principle.

### Housing Supply Considerations

Policy SP2 (Delivery and Distribution of New Housing) of the Local Plan Strategy commits the authority to the identification and maintenance of a supply of deliverable housing sites sufficient to provide five years worth of housing against the planned annual requirement of 200 homes per annum. The policy also commits to the provision of an additional 20% supply of housing land over the life of the plan (the equivalent of 200 homes over a five year period).

The policy is framed to reflect the requirements of national policy (paragraph 47 of the NPPF) which requires Local Planning Authorities to identify and maintain a five year supply of deliverable housing land with an additional supply buffer to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.

The NPPF states (paragraph 49) that housing applications should be considered in the context of the presumption in favour of sustainable development. It makes it clear that if a local planning authority cannot demonstrate a five year supply of deliverable housing sites, relevant policies for the supply of housing should not be considered up-to-date. Paragraph 14 of the NPPF confirms that for decision making, the presumption in favour of sustainable development means:

- *“approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
- *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; or*
- *Specific policies in this Framework indicate development should be restricted”*

Currently, Ryedale can demonstrate that it has a five year supply of deliverable housing sites. At 31/3/16 a total net supply of 1442 plots with planning permission existed which together with land allocations at Helmsley equates to 7.69 years of housing land supply (based on the planned housing requirement of 200 units per annum). The recent SHLAA Part 1 update (May 2016) illustrates that from this ‘raw’ supply 1173 new homes will be delivered over the next five years. This equates to 5.8 years worth of deliverable housing supply.

Members should be aware that this supply position does not include applications which are approved in principle and which are currently awaiting the completion of Section 106 agreements. Members should note however that the ability to demonstrate a five year deliverable supply of housing land is not in itself a reason for the refusal of a planning application. Indeed, development helps to deliver a continuity of supply, promotes growth and ensures that a 5 year supply can be maintained into the futures as existing sites under construction continue to be 'developed out'.

It is however considered that the ability to demonstrate a five year deliverable supply has the effect of meaning the immediate need to release a site on the basis of housing land supply is not, in itself, a significant benefit of the application when considering the overall planning balance. In addition it means that the presumption in favour of sustainable development referred to in Paragraph 49 of the National Planning Policy Framework is not engaged. In view of this position, it is considered appropriate to consider the site in relation to other policies in the Ryedale Plan - Local Plan Strategy.

### Location of Development

Malton and Norton is identified as the Principle Focus for Growth with a level of provision of approximately 1500 dwellings during the plan period (50%) of the district total provided for by a combination of sites within development limits and small, medium and large sites around the town and within the A64 boundary at Malton.

The existing 'larger' site benefits from a permission for circa 227 dwellings in outline and constitutes a large site as described in the Local Plan Strategy. The site is well located to the town centre and is within walking distance of both the bus station and railway station. The site is considered to be in a sustainable location and its development accords with the thrust of Policies SP1 and SP2 of the Ryedale Plan - Local Plan Strategy.

### Affordable Housing

Members will recall that the earlier application submitted reference 14/00426/MOUTE was one of the 'Malton Cluster' sites approved by Planning Committee on 21 August 2014. The planning permissions were subsequently approved on 24 March 2015 after the completion of a S106 Legal Agreement relating to developer contributions once completed.

At that time a viability report indicated that this site could not on its own support the provision of on site affordable housing. The current scheme was also accompanied by a viability report indicating that the site is unable to provide policy compliant levels of affordable housing as set out in Policy SP3. This situation has been the subject of further update arising from the introduction of Councils Community Infrastructure Levy on 1st March 2016.

The applicants have submitted a further viability appraisal to their viability report which indicates that again, arising from the impact of C.I.L. (at the higher rate of £85/sqm) for residential development that the scheme cannot provide affordable housing on-site. Notwithstanding this position, the applicants have offered 10% of the permitted dwellings for discount market sale either on-site or off-site at Peasey Hill. This information is currently being appraised by an independent valuer and Members will be updated at the meeting.

### Type and Mix of Housing

The scheme is in outline so at this stage no details of the type and mix of housing have been submitted. This would be dealt with under the consideration of the reserved matters if outline permission is granted. However, it is of note that the Phase 1 approval referred to earlier in this report has provided for a mix of 2, 3 and 4 four bedroomed properties of various types (detached, semi detached and terraces) at a density of approximately 28 dwellings hectares (31 dwellings/ha net). Whilst density standards are no longer applied the Local Plan Strategy does make reference to densities of development (Para 4.18) and indicates that developments below 30/ha are considered to be low and that schemes between 30 - 50/ha are medium density. Because of the size of the application (over 50 units) Policy SP4 Requires 5% of the units to be single storey only. Again Phase 1 of this larger site provides for provision of bungalows to meet this requirement. The proposed density of the development is considered to be acceptable. On the basis on the abovementioned figures officers consider that the number of dwellings proposed is relatively modest and would not constitute a sustainable reason for refusal.

### Design

Aspects of design are dealt with by Policies SP16 and also SP20 of the Adopted Plan. The NPPF also advocates good quality design (see earlier in this report).



The proposed application follows the ethos of the earlier 'Master Plan' submitted to accompany application 14/00427/MOUTE and which informed the later approval of reserved matters under 15/00616/REM. The configuration of the road layout and access arrangements remains the same and the strategic approach to landscaping and the noise and landscape buffer to the A64 and Showfield Lane remains as previously approved.

The location of open space centrally within the site also follows the broad location shown on the earlier illustrative layout plan. In terms of design approach the application is considered to be acceptable.

The detailed designs of the individual buildings do not form part of this application. However, the scheme approved for Phase 1 which is currently under construction adjacent to Pasture Lane indicates that the design approach is acceptable and capable of delivering a scheme to ensure that Policies SP16 and SP20 are complied with.

### Highway Matters

The application has been accompanied by a detailed Transport Assessment and has been considered by both Highways England and NYCC - Highways. Highways England have raised no objection to the application. NYCC - Highways have submitted a 5 page response which is appended to the main Agenda papers for Members information, including an informative note (P139). In summary the Highways Officer recommends Conditional Approval - to include a Travel Plan together with a site specific S106 developer contribution towards the implementation of Traffic Management schemes in the town aimed at improving road safety and removing traffic from the Air Quality Management Area (AQMA) subject to conditions and the developer consultation.

No objection to the scheme is raised on highway grounds.

### Air Quality

The full comments of the Council's EHO relating to Air Quality, Contaminated Land and Noise are also appended to the main agenda (Pages 144-152 inc).

Members will be aware of the designated AQMA. The applicants have submitted an Air Quality Assessment which deals with Construction Impacts (dust etc), baseline information regarding pollutants and an assessment which deals of the impact of predicted changes attributable to the development.

The Council's EHO considers the AQA to "be sufficiently robust to inform to inform judgement of the overall impact of the development on air quality"

Mitigation includes the requirement for a Dust Management Plan; measures to reduce the use of high emission vehicles; the implementation of a Travel Plan (see NYCC request above). The EHO goes on to recommend that electric vehicle charging points are provided for each dwelling on this site plus one charge point for every 10 spaces of 'communal parking' if any are proposed as part of a reserved matters scheme.

Subject to the conditions listed on Pages 148 and 149 of the main agenda papers no objection is raised by the Council's EHO on the grounds of Impacts and Air Quality.

### Contaminated Land

A condition requiring a Phase 2 Site Investigation Report is recommended.

### Noise

Conditions are recommended to protect the amenities of future residents on site if permission is granted. This follows the same approval of the earlier outline permission. The conditions are set out on Pages 150 and 151 of the main agenda papers.

### Drainage/Flood Rate

The site is located in Flood Zone 1. No objections are raised by the Environment Agency or the Vale of Pickering IDB in relation to flood water or surfaced water drainage issues. The IDB note that all surface water is to be disposed of by a Sustainable Drainage System with no run off proposed to the Boards maintained watercourses.

Yorkshire Water raise no objection subject to conditions relating to foul and surface water details. Again the use of SUDS is encouraged by Yorkshire Water.

### Ecology

No major impacts are noted. Enhancements indicated in the Ecological Report Section 4 are recommended as a condition. Subject to this Policy SP14 is considered to be satisfied.

### Police Designing Out Crime

The application is in outline and a detailed response has been received giving advice on elements that a reserved matters application should follow. The PDOC Officer does note that Phase 1 of the larger site has met most if not all of their requirements. No objection is raised and a planning condition is recommended if permission is granted.

### Archaeology

The applicants have submitted a Archaeological report to accompany the application. NYCC Heritage Services have requested that further investigation be required prior to the grant of permission. Members will recall that this issues was debated at some length under application 14/00421/MOUTE and notwithstanding the response the Planning Committee resolved to grant permission subject to the implementation of a condition requiring further investigation prior to the commencement of development. This was because of the lack of any clear evidence of archaeological activity and because it is an outline application with ample opportunity to further test the site in advance of development taking place. This approach was followed on Phase 1 and the requirements of the archaeological condition have since been discharged for that phase.

In the circumstances some of the conditions imposed on a application 14/00427/MOUTE are recommended if permission is granted.

### Education

NYCC - Education have indicated that if approved the site would give rise to the need for financial contributions to increase capacity at Primary School and the Secondary School at Malton. Prior to 1st March 2016 this would have been negotiated in the form of a developer S106 contribution. However, these types of contributions can now only be received from the collection of the Community Infrastructure Levy. Residential development from this site will contribute at a rate of £85/sqm gross internal floor area of the development.

### Open Space

Open space is shown centrally within the scheme on basis of the submitted plan. An estimated additional contribution of £100K would be made for off-site provision or provision 'in-kind' if permission is granted on the basis of the illustrative plan.

### Third Party Responses

Malton Town Council have objected to the scheme and recommended refusal (see Page 138 of the main Agenda)

They consider that the application should not be considered until the Sites Document is agreed; that the additional 87 units is overdevelopment; that there is infrastructure deficiency and in addition to more traffic movements there would be an adverse impact on air quality.

It is of note that the site already benefits from an outline permission. It is not reasonable therefore to withhold permission on the basis on a emerging policy document. The additional 87 units proposed would give rise to a density of approximately 28 units / hectare on the site which is similar to that approved in the previously approved - Phase 1. This level of density is relatively low and not a sustainable reason to refuse permission. It is unclear in any other respect why the Town Council would consider the scheme to represent 'overdevelopment'.

In terms of infrastructure deficiencies members will note that there has been no objection from any of the technical consultees on the grounds of infrastructure capacity. In the light of these responses there is again no sustainable reason to refuse the application subject to the conditions and/or developer contributions recommended by consultees.

In respect of traffic and air quality issues the full views of NYCC - Highways and the Councils EHO officer are set out in this report. Subject to conditions and contributions to Traffic Management Schemes in the town no technical objection is raised.

### View from other Third Parties

#### **Responses from 3 other individuals have been received:-**

Mr Thackray, Sweet Pea Cottage, Brawby - 2no. letters - 23.03.2016 and 07.04.2016

#### Objects

- Considers AQMA and application to be deficient
- Conflicts with advice in the NPPF; Ryedale Plan and Malton Air Quality Plan in relation to Air quality - NO<sub>2</sub> emissions
- Recommends refusal

Paula Riley, 71 Middlecave Road, Malton - 1 letter emailed 18.02.2016

#### Objects

- Traffic congestion in locality
- Increased air pollution
- Insufficient capacity in primary school
- 5 years housing supply exists
- Prejudices site allocation development

- Increase in no from 227 to 314 is too high a density
- Will exceed drainage/sewer capacity

Mr T Conlan - 83 Middlecave Road, Malton - 3 No. emails 18.02.2016, 27.02.2016 and 03.03.2016

Objects

- 18.02.2016 - Comments as Paula Riley above plus query over level of on-site affordable housing
- 27.02.2016 - Further concerns over figures in Transport Report
- 02.03.2016 - Further concerns over traffic modelling and impact on schools

The full responses of third parties can be view on the Councils website.

The abovementioned issues are noted and have been considered by officers and external consultees. The matters raised have been addressed in the officer report and notwithstanding the objections raised are all capable of being mitigated through the imposition of planning conditions or through the receipt of developer contributions if permission is granted.

**RECOMMENDATION - Approval subject to the outstanding views of the Independent Valuer and subject to the conditions listed below, together with the completion of a Section 106 Agreement relating to the provision of contributions towards site specific Public Open Space; Traffic Management Schemes and Affordable Housing.**

**SUGGESTED CONDITIONS**

01 **TIME LIMITS**

Application for approval of 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 whichever is the later of the following dates:-

The expiration of two years from the final approval of the reserved matters or (in the case of approval on different dates) the final approval of the last such matters approved.

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

02 **RESERVED MATTERS**

No development shall take place without the prior written approval of the Local Planning Authority of all details of the following matters:-

- (i) the layout;
- (ii) scale;
- (iii) appearance of every building, including a schedule of external materials to be used; and
- (iv) the landscaping of the site

Reason:- To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.

- 03 The details required by Condition No. 02 above shall provide for the implementation of a package of Sustainable Drainage solutions. The reserved matters shall specify in full, the details of these measures which shall be implemented on-site prior to the occupation of any of the dwellings hereby approved.

Reason:- To satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

04 **PRE-COMMENCEMENT CONDITIONS**

With the exception of preliminary works, no development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- Surface water discharge should be restricted to Greenfield run-off rates;
- Sufficient attenuation and long-term storage at least to accommodate a 1 in 30 year storm. The design should also ensure that storm water resulting from a 1 in 100 year event, plus 30% to account for climate change, and surcharging the drainage system can be stored on the site without risk to people or property and without overflowing into a watercourse;
- Details of how the scheme shall be maintained and managed after completion.

Reason:- To prevent the increased risk of flooding, both on and off-site, and to satisfy the requirements of Policy SP17 of the Ryedale Plan - Local Plan Strategy.

- 05 Unless otherwise agreed in writing with the Local Planning Authority, development shall not commence with the exception of preliminary works, until actual or potential land contamination at the site has been investigated and a Phase 2 Site Investigation Report (to follow the Geoenvironmental Desk Study (Report ref MT/DS/4657)) 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(2013) Code of Practice for the Investigation of Potential Contaminated Sites. Following remediation, submission of a verification report 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 site is adequately remediated and suitable for residential purposes and to satisfy Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 06 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the local planning authority before development commences.

Reason:- To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading, and to satisfy Policy SP17 of the Ryedale Plan - Local Plan Strategy

- 07 With the exception of preliminary works, no development shall take place until details of the proposed means of disposal of foul water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority.

Reason:- To ensure that the development can be properly drained, and to satisfy Policy SP17 of the Ryedale Plan - Local Plan Strategy.

- 08 A) With the exception of preliminary works, no 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:

- i. The programme and methodology of site investigation and recording
- ii. Community involvement and/or outreach proposals
- iii. The programme for post investigation assessment
- iv. Provision to be made for analysis of the site investigation and recording
- v. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- vi. Provision to be made for archive deposition of the analysis and records of the site investigation
- vii. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

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

Reason:- In order to ensure the archaeological resources at the site are adequately investigated, understood, and where necessary safeguarded, in accordance with the National Planning Policy Framework, and to satisfy SP12 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, unless 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
- (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 road 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 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 of 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.

- 11 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.

- (a) Widening of the existing footpath along the site frontage to provide a 2m width
- (b) The installation of MOVA at the Broughton Road/The Mount signal junction.

(iii) A programme for the completion of the proposed works has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority.

Reason:- In accordance with Policy 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.

- 12 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 ^IN; and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

- 13 Unless approved otherwise in writing by the Local Planning Authority, there shall be no establishment on a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction of 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.

(iii) The approved areas shall be kept available for their intended use at all times that construction works are in operation.

Reason:- In accordance with Policy ^IN; and to provide for appropriate on-site vehicle parking and the storage facilities, in the interests of highway safety and the general amenity of the area.

- 14 Before the development hereby permitted is commenced, 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 building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

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

- 15 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 building. 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 Policy H7A (ii) of the Ryedale Local Plan.



- 16 Before any part of the development hereby approved commences, plans showing details of landscaping and planting schemes shall be submitted to and approved in writing by the Local Planning Authority. The schemes shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed where appropriate to the development. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs including existing items to be retained.. All planting, seeding and/or turfing comprised in the above scheme shall be carried out in the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved and to comply with the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 17 No development or other operation shall commence on site, except for preliminary works until a scheme (herein after called the Method Statement for Arborticultural Works) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the Method Statement. In relating to that Statement:

(a) No operations shall commence on site in connection with the development hereby permitted (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening, or any other operation involving the use of motorised vehicles or construction machinery) until the tree protection works required by the Method Statement are in place on site.

(b) No excavations for services, storage of materials, or machinery, parking of vehicles, deposit or excavation of soil or rubble, or disposal of liquids, shall take place within a distance equal to 12 x the diameter of any tree, in accordance with BS 5837:2012, to be retained shown on plan No. (or dated) .

(c) The fencing or other works which are part of the Method Statement shall not be moved or removed, until all works including external works, have been completed and all equipment, machinery and surplus materials removed from the site, without the prior written approval of the Local Planning Authority.

Reason:- To secure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 18 Before the commencement of the development hereby permitted, with the exception of preliminary works, or such longer period as may be agreed in writing with the Local Planning Authority, full details of the materials and design of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these shall be erected prior to the occupation of any dwelling to which they relate.

Reason:- To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality, as required by Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 19 Prior to any works commencing on site, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning authority. The CEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration and dust resulting from the site preparation, demolition, groundwork and construction phases of the development. Appropriate measures such as the use of agreed routes to and from site during construction works and allocating arrival times for construction vehicles and suppliers should be agreed with the Local Planning Authority. Consideration should also be given to setting minimum emission standards for construction vehicles.

Reason: to safeguard the amenity of adjoining residential properties.

- 20 An emission mitigation package for the site shall be submitted in writing to the Local Planning Authority for approval prior to the commencement of the development. This shall include a site specific emission damage cost calculation undertaken in line with DEFRA emission factor toolkit and Interdepartmental Group on Costs and Benefits (IGCB) and must adequately demonstrate that the emission mitigation measures are proportionate to the damage costs. the emission mitigation package shall be implemented in line with the phasing of the development, in agreement with the Local Planning Authority.

Reason: to protect air quality and comply with Policy SP17 of the Ryedale Plan - Local Plan Strategy.

- 21 Except for preliminary works, no work shall commence on site until a detailed acoustic study has been submitted to and approved by the Local Planning Authority. Unless otherwise agreed by the Local Planning Authority, the study shall demonstrate by means of acoustic modelling of the proposed design and layout of the dwellings that indoor ambient noise levels in all proposed dwellings on the site will be commensurate with Table 4 of BS8233:2014, as follows:

Table 4 - Indoor ambient noise levels for dwellings

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living room	35 db $L_{Aeq,16hour}$	-
Dining	Dining room/area	40 db $L_{Aeq,16hour}$	-
Sleeping(daytime resting)	Bedroom	35 db $L_{Aeq,16hour}$	30 db $L_{Aeq,16hour}$

Unless otherwise agreed with the Local Planning Authority, the acoustic study shall also demonstrate that outdoor ambient noise levels, e.g. in private gardens and amenity spaces shall not exceed 50 dB LAeq(16 hours) when assessed at the head height of a seated person of 1.2 metres.

Unless otherwise agreed with the Local Planning Authority, the acoustic study shall demonstrate that indoor levels in Table 4 can be achieved with windows to habitable rooms when partially open, without reliance on mechanical means of ventilation unless agreed with the local planning authority.

Reason: In order to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan Strategy.

- 22 Mitigation of noise, where required, shall take the form of bunds, barriers and fences, and design and orientation of dwellings demonstrated by acoustic modelling shall be submitted in writing for approval to the Local Planning Authority prior to commencement of work on site, with the exception of preliminary works. Unless otherwise agreed with the Local Planning Authority, the building envelope (including window design) shall be designed to achieve a 17dB reduction from free field to inside and shall assume that windows to habitable rooms can be left partially opened for natural ventilation, while still achieving the noise conditions stated in Condition 1 above.

Reason: In order to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 23 Prior to the commencement of any work, with the exception of preliminary works the applicants are required to provide full details of how crime prevention has been considered and incorporated into the design and layout of the scheme.

Reason:- To satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 24 No development shall take place on site until an Ecological Management Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The mitigation measures to be carried out on site shall be implemented in full prior to the commencement of the first dwelling on site, unless otherwise approved in writing with the Local Planning Authority.

Reason:- To satisfy the requirements of Policy SP14 of the Ryedale Plan - Local Plan Strategy.

25 **PRE-OCCUPATION CONDITIONS**

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.

- 26 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.

- 27 Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority, the development shall not be brought into use until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority under condition ^IN;:

- (a) Widening of the existing footpath along the site frontage to provide a 2m width.
- (b) The installation of MOVA at the Broughton Road/The Mount signal junction.

Reason:- In accordance with Policy ^IN; and in the interests of the safety and convenience of highway users.

- 28 Prior to the occupation of the development, details of electric vehicle charging points shall be submitted to and approved in writing by the local planning authority. Installation shall comply with current guidance/advice. The first dwelling/development shall not be occupied until the approved connection has been installed and is operational and shall be retained for the lifetime of the development, The development shall be carried out in accordance with the approved details. The provision shall be based on;

One EV charging point per residential dwelling with dedicated off street parking e.g. a driveway or garage space

One EV charging point per 10% of undedicated parking spaces (i.e. a minimum of 1 charging point for up to 10 undedicated parking spaces, 2 points for 11 to 20 parking spaces etc)

Reason: to protect air quality and comply with Policy SP17 of the Ryedale Plan - Local Plan Strategy.

- 29 Unless otherwise approved in writing by the local planning authority, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason:- To ensure that no foul water discharges take place until proper provision has been made for its disposal, and to satisfy Policy SP17 of the Ryedale Plan - Local Plan Strategy.

- 30 No part of the development shall be brought into use until the existing access on to Pasture Lane has been permanently closed off and the highway restored. These works shall be in accordance with details which have been approved in writing by the Local Planning Authority in consultation with the Highway Authority. No new access shall be created without the written approval of 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.

- 31 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.

32 **CONTINUING EFFECT CONDITIONS**

Unless otherwise agreed in writing by the local planning authority, no building or other obstruction shall be located over or within 3.0 (three) metres either side of the centre line of the sewer, which crosses the site.

Reason:- In order to allow sufficient access for maintenance and repair work at all times, and to satisfy Policy SP17 of the Ryedale Plan - Local Plan Strategy.

33 The details submitted in pursuance of Condition no. 1. (above) shall be preceded by the submission to the Local Planning Authority for approval in writing, and subsequent implementation, of a scheme of archaeological investigation to provide for:

- (i) The proper identification and evaluation of the extent, character and significance of archaeological remains within the application area;
- (ii) An assessment of the impact of the proposed development on the archaeological significance of the remains;

Reason:- In order to ensure the archaeological resources at the site are adequately investigated, understood, and where necessary safeguarded, in accordance with the National Planning Policy Framework, and to satisfy Policy SP12 of the Ryedale Plan - Local Plan Strategy.

34 The applicant shall formally notify the Local Planning Authority in writing within 14 days of the completion of archaeological mitigation fieldwork.

Reason:- In order to ensure the archaeological resources at the site are adequately investigated, understood, and where necessary safeguarded, in accordance with the National Planning Policy Framework, and to satisfy Policy SP12 of the Ryedale Plan - Local Plan Strategy.

35 Within 24 months of completing the archaeological field investigations required by condition 1 (above), a report which shall comprise of an assessment of the archaeological remains recovered from the site and an outline of the subsequent programme of analyses, publication (including a date for publication) and archiving, shall be submitted to and approved in writing by the Local Planning Authority.

The programme of analyses, publication and archiving shall thereafter be carried out in accordance with the details thus approved, and in accordance with a timetable agreed in writing with the Local Planning Authority.

Reason:- In order to ensure the archaeological resources at the site are adequately investigated, understood, and where necessary safeguarded, in accordance with the National Planning Policy Framework, and to satisfy Policy SP12 of the Ryedale Plan - Local Plan Strategy.

- 36 Unless otherwise agreed in writing with the Local Planning Authority, the reserved matters shall provide for at least 5% of the new homes to be built as bungalows.

Reason:- To satisfy Policy SP4 of the Ryedale Plan - Local Plan Strategy.

- 37 The acoustic study shall demonstrate for any dwellings close to the sites eastern boundary with Showfield Lane Industrial Estate that the noise conditions stated in Condition Nos. 18 and 19 above are achievable with windows to habitable rooms partially open.

For the purposes of this condition, it has been assessed that noise from the industrial estate is typically 55dB LAeq (15 minutes), exceptionally 60dB LAeq at the boundary fence of the industrial estate (15 minutes) at any time of the day or night.

Reason:- In order to provide a good level of residential amenity for the occupiers of the proposed dwellings and to satisfy Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

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

Red line plan - 048(a)  
Site Access plan - 13051-10 Revision A (Connect)

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