

**RYEDALE DISTRICT COUNCIL  
PLANNING COMMITTEE**

**SCHEDULE OF ITEMS TO BE DETERMINED BY THE COMMITTEE**

**PLANS WILL BE AVAILABLE FOR INSPECTION 30 MINUTES BEFORE THE MEETING**

---

**Item Number:** 6  
**Application No:** 17/01281/MFUL  
**Parish:** Pickering Town Council  
**Appn. Type:** Full Application Major  
**Applicant:** North York Moors Historical Railway  
**Proposal:** Erection of carriage stable with associated storage, staff facilities and service facilities for up to 40no. carriages from the running fleet, erection of workshop for the restoration of historic carriages with associated staff facilities including accommodation, formation of an additional 12no. parking spaces and formation of new vehicular access bridge to replace existing access over Pickering Beck together with additional landscaping.  
**Location:** Land North East Of Rock Cottage Pickering North Yorkshire

**Registration Date:** 23 October 2017                      **8/13 Week Expiry Date:** 22 January 2018  
**Case Officer:** Gary Housden                      **Ext:** 307

**CONSULTATIONS:**

<b>Parish Council</b>	Support subject to flood/ground water valuation
<b>Highways North Yorkshire</b>	Recommends conditions
<b>Lead Local Flood Authority</b>	Recommends refusal
<b>Office Of Rail Regulation</b>	No response received
<b>Vale Of Pickering Internal Drainage Boards</b>	No Objection
<b>Environmental Health Officer</b>	Recommend conditions
<b>Archaeology Section</b>	Recommend scheme of archaeological evaluation
<b>Public Rights Of Way</b>	Recommend informative
<b>Countryside Officer</b>	No response received
<b>Sustainable Places Team (Environment-Agency Yorkshire Area)</b>	No Objection subject to condition
<b>Yorkshire Water Land Use Planning</b>	Comments
<b>National Grid Plant Protection</b>	No response received
<b>Economic Development</b>	No response received
<b>LEP Mr A Leeming</b>	Support
<b>Environmental Health Officer</b>	Advises conditions
<b>Sustainable Places Team (Environment-Agency Yorkshire Area)</b>	Further comments
<b>Lead Local Flood Authority</b>	After further information recommend conditions

**Neighbour responses:** Mr Paul Dewar, Ms C A Harrison, Norman And Enid Bridges, B. And S. J. Tozer, Ms Ange Whiles, Ms Cathy Long, Mr John Addyman, Ms Elspeth Barraclough, Mrs Sandra McNicoll, Mr David McNicoll, Mr Michael McPeake, Mr Robert Brown, Mr Keith Marsh, Mrs Helen Webb, Mr deryk bell, Mrs Linda Richardson, Mr Norman Harkness, Mr Peter Townsend, Mr Stephen Lane, Miss Janet Lumb, Ms Elizabeth Parkes, Mr John Freear, Mr Paul Chouler, Mrs Angela Chouler, Miss Andrea Reeves, Mr Christopher Lindley, Miss Jenny Putniorz, Mr Stephen Barker, Mr & Mrs BJS & JA Howard, Mr Phil

---

**PLANNING COMMITTEE**

13 February 2018

Roddam, Mr Alan Payne, Mrs Ann Hunter, Mr David Stephens, Mrs Anna Roddam, Stuart Harrison, Mrs Ann Searle, Mr Sam Tozer, Mrs Anna roddam, Mrs Judy Catterall, Mr Peter Roddam, Mrs Catherine Tyler, Mr Nicholas Mabey, Mr & Mrs R. G Lamb, Mr Stephen Hudson, Mr Allan Jones, CPRE Yorkshire, Mr Michael Jones, Ms Lisa Tozer, Mrs E Witherington, Mr Mark Stovold, Miss claudia Rodda, Mr Mark Norton, Mrs Mary Brandon, Mr Bart Botzen, Mr & Mrs A Leary, Mr Peter Emmerson, Mrs Suzanne Dean, Mr Simon Barraclough, Mr Paul Jameson, Mrs Georgina Clayton, Mrs Sarah Fox, Pickering And District Civic Society, Mr Mike Potter, Mr Eden Blyth, P.J Ciceri, Mr John Clark, Mrs Vivien Stephens, Mr Stephen Pickering, Mr Michael Holmes, Ms Christine Fox,

**Overall Expiry Date:** 5 February 2018

---

**SITE:**

The application site is located on a parcel of land which is accessed off Newbridge Rd and to the western side of the North York Moors rail line and Pickering Beck. Vehicular access to the site from Newbridge Rd is obtained via a bridge over the Beck and a gated crossing over the railway line. This is a private access road and is not a PROW.

The site is located on the valley floor with an existing field access to the west of an existing storage building which has the appearance of a portal framed agricultural with a clad roof and block work walls. A public right of way runs alongside the western boundary of the site and this runs between the application site and Rock Cottage which is the nearest dwelling to the site. Views of the site can be obtained from the first section of the PROW because it is elevated above the ground level of the application site. Further to the north views of the site from the PROW are reduced because of a significant hedgerow screen which runs along the eastern side of the PROW adjacent to the site.

The PROW continues to the north towards Cottages at Bridge Row and Church Row some approx. 170 metres away from the north boundary of the site. To the south the PROW runs alongside Pickering Beck. Views of the site from Newbridge Rd are limited by the presence of well-established trees and vegetation which exists along both banks of the Beck.

The site is located approximately 400 metres beyond the nearest point of the town development limit in Newbridge. It is also located outside of the conservation area and visually important undeveloped area, the northern limits of both are approximately 200 metres to the south of the site. The whole of the site is however located with the local landscape designation of being an area of High Landscape Value.

**PROPOSAL:**

The application is for a major development comprising a new carriage care facility for the North York Moors Railway. Two buildings are proposed comprising:

1. The Carriage Stable

This building is proposed to be located next to and parallel with the existing main line. The building has a roof with a gently curving roof made from profiled sheeting and a lantern feature for ventilation. The end gables and side walls are largely open with some areas of stained vertical timber cladding. The building is constructed with a galvanised steel frame and gutters and fascia are powder coated to match the frame. The building has eaves which vary between 4.8 and 5.2 metres and a maximum roof height of

8 metres. The top of the lantern feature is approximately 8.3 metres. The submitted plans show a building which is approximately 165 metres in length and 31 metres in width.

The building contains 5 sidings (lines) underneath its covered area with the plans showing notional space for around 37 carriages.

## 2. The repair facility building

This building is a workshop facility which also includes a paint shop. It has been designed with a similar curved roof structure and also has a lantern feature albeit of a different double glazed design. The building has an eaves height of 4.6 metres and 'apex' height of 9.4 metres. The lantern feature is an additional 3.2 metres in height. The building is approximately 51.5 metres long and 38 metres wide.

Central part of the building also incorporates a first floor which provides for a mess room/training room, kitchen, toilets and other staff facilities.

The workshop facility unlike the carriage stable has solid natural stone gabion walls on its sides with a gabion and solid timber clad and glazed end (north wall). Solid timber doors and timber clad walls are proposed on the south facing elevation.

The workshop building contains 5 lines with notional space for 9 carriages including 1 paint shop space.

In addition to the above mentioned buildings the scheme proposes a new bridge and improvement of the existing vehicular access onto Newbridge Rd; a new access point into the site – adjacent to the main line; a surface water detention basin and Swales; staff parking areas and extensive areas of new landscape planting adjacent to the west and northern boundaries of the site.

The application is accompanied by a number of technical documents which can be viewed on the Council's website. These include a Design Environmental Management Plan, Flood Risk Assessment, Geotechnical report, Archaeological Assessment, Noise report and Design and Access Statement. For ease of reference the DAS is appended to this report.

## **HISTORY:**

There is no planning history that is directly relevant to this parcel of land.

## **POLICY:**

### National Policy

NPPF

NPPG

### Local Planning Policy

Ryedale Plan Local Plan Strategy Adopted 2013

Policy SP1 General Location of Development

Policy SP8 Tourism

Policy SP12 Heritage

Policy SP13 Landscapes

Policy SP14 Biodiversity

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

## **APPRAISAL:**

The following matters are considered to be relevant to the consideration of this application.

- Principle of development
- Flood risk/drainage Issues
- Highways/ access
- Landscape impact
- Biodiversity
- Design and Appearance
- Heritage issues
- Noise / amenity issues
- Contaminated land
- Other matters

### Principle

The Aspiration and Strategy section of the Ryedale Plan Local Plan Strategy identifies in para 3.23 that Pickering has an important role in supporting tourism and that Ryedale's country side is integral to tourism as it is a significant sector of the districts economy.

Pickering is a Local Service Centre, identified as a centre for tourism and a gateway for tourism and recreation opportunities further afield. The approach and ambitions of the Plan are to amongst other things support the town's role as a gateway to tourist attractions and recreational activities in the National Park, northern Ryedale including Dalby Forest, the Vale of Pickering and the Coast.

Policy SP1 General Location of Development and Settlement Hierarchy confirms the Local Service Centre status of the town and in terms of guiding development at the town seeks to ensure that development is sensitive and responsive to the historic character and form of the town and its setting in the wider landscape.

The preamble to Policy SP8 Tourism paras 5.29 to 5.33 highlights the fact that Ryedale is a popular tourist and visitor destination and that certain attractions in the district are of national and regional significance including the North York Moors Railway. SP8 encourages sustainable forms of tourism and acknowledges the role of Pickering as a key visitor destination as well as a gateway to tourism and recreational opportunities in northern Ryedale including the National Park. In principle therefore Policies SP1 and SP 8 are considered to be satisfied in terms of the proposal and its broad location. However a judgement is required in relation to the overall planning balance taking into account matters of flood risk, landscape impact, biodiversity issues, heritage impacts, design and a range of generic development management considerations and these are addressed in the report below.

It is of note that the response from the Local Enterprise Partnership makes the following comments:

“The NYMR is one of the UK's leading heritage railways and by far the biggest in the north of England. With over 300,000 passengers and 90,000 miles of train travel each year, the line is the busiest steam heritage railway in the world and a major tourist attraction for Ryedale and Yorkshire. Some 40% of passengers stay in the area for a weekend break and 80% of visitors see the railway as a core component of their visit to the area. Yorkshire Forward in 2010 concluded that NYMR generated £30million each year for North Yorkshire's economy. Past research undertaken by the Yorkshire Tourist Board using the Cambridge Economic Model concluded that the NYMR's passengers generated around 730 indirect jobs and this is believed to have since risen to around 900. In addition, over 110 people are employed directly at Pickering and Grosmont.

This proposal will provide a new, covered railway carriage stabling, maintenance and servicing facility for up to 40 vehicles, together with a headquarters for the Railway's high value-added Pullman

operation at Pickering. As a result, the sustainability of the railway and the quality of service it offers to tourists will be enhanced and expansion of the operation for visitors will be facilitated, attracting more visitors to Ryedale and encouraging them to stay longer.

Provision of a carriage housing and care facility north of Pickering station will arrest deterioration of historic and irreplaceable coaching stock, with the added advantage of an improved experience for the travelling visitor and provision of better accommodation for volunteers and staff. It will also provide better facilities for the care and servicing of value-added Pullman dining services, allowing the number of these services to be increased with consequent impact on overnight stays in the region. Re-positioning of the focus of the Pullman service to commence from Pickering will attract/ create additional job vacancies as these will be supplementary to the existing services and will substantially increase the passenger flows through Pickering station. Relocation of the workshop will free up the area adjacent to Pickering station for the future development of a new visitor reception centre, increasing quality of experience and economic activity at Pickering Station.

The proposals involved in this application are expected to yield a 7% increase in economic activity and a consequent increase of up to 50 new jobs in the community. It is anticipated that these jobs would primarily be found in retail, accommodation transport and engineering services. The same 7% increase in economic activity would yield a £2.55M in local economic activity.

The LEP considers that the significant economic benefits of this proposal, taken in the context of local economic challenges and needs, fully justify approval of this application.”

#### Flood risk/Drainage issues

The Vale of Pickering Internal Drainage Board have not raised any issue with the proposals on the basis that any discharge from the site will be attenuated to agricultural rates and that this would not inundate the adjacent Beck.

Yorkshire Water have confirmed that the site overlies the Corallian aquifer and is in the groundwater protection zone 1. Potential therefore exists for contamination to groundwater during both construction and operation of the facility. Details of foul drainage, have been submitted together with a Flood Risk Assessment and Design Environmental Management Plan. Yorkshire Water are satisfied that the development can safely proceed subject to the development of a Construction Environmental Management Plan and recommend a condition to this effect if permission is granted. A condition in relation to any storage tanks on site is also recommended.

The Environment Agency have assessed the site in view of its location in Flood Zones 2 and 3. This proposal falls within a ‘less vulnerable’ category as defined in the Planning Policy Guidance and in the technical guidance to the NPPF. The application of a sequential test as required by Para 101 of the NPPF has been undertaken by the applicants agent in the submitted FRA. Members will be aware that the aim of the NPPF is to direct new development to areas with the lowest probability of flooding. The EA consider that although the site is located partly in flood zone 3 it does not form part of the functional flood plain and therefore the ‘less vulnerable’ use is potentially acceptable in principle in such a location if no sites at a lower risk of flooding are available. The DAS identifies steps that have already been taken to identify other suitable sites. However officers consider that there are site specific constraints which severely limit the search area for other suitable alternative sites. In the immediate vicinity of the existing facility and the track between the station and the boundary with the North York Moors National Park all the sites are land which is predominantly categorised as flood zone 3.

Having assessed the submitted information and applied the pragmatic approach advocated in the NPPG and taking into account the advice received from the EA officers consider that the sequential test has been satisfied in this instance. Although an exception test is not then required in this case (because of the less vulnerable use proposed) the applicant has detailed steps that they intend to take make the development flood resilient and steps that they intend to take to ensure that the development does not exacerbate flooding and/or pollution elsewhere. These include floor levels, location of flood sensitive

equipment, sealed surface water systems, sealed foul water systems and flood permeable buildings.

Detailed conditions relating to compensatory flood storage are recommended, limitations of surface water run off; removal of spoil from the site; details of the new bridge construction ; details of the cess pool construction; no piling unless otherwise agreed ; details of working methods to be agreed and details of a flood evacuation plan. Many of these conditions dovetail with the requirements of Yorkshire Water above.

The County Council as Lead Local Flood Authority had originally raised an objection to the proposal. In response the applicant consultants Alan Wood and Partners submitted additional information which has been reconsidered by the LLFA. The LLFA have responded by stating the following:

“This note is in response to additional information received, as per the Alan Wood & Partners Technical Note, ref: NYMR\_LLFA\_TEN001 received 02/02/2018.

Our original response recommends refusal of the application, on the grounds that insufficient account had been taken of the potential of the development to cause pollution to groundwater in a source protection zone.

We are also concerned that the proposal has potential to raise flood risk and that attenuation volumes for storing surface water have been underestimated.

Having considered the clarifications and information in the Alan Wood & Partners Technical Note ref: NYMR\_LLFA\_TEN001, we remove our recommendation of refusal on the understanding that the facilities will be designed, constructed and operated in accordance with both the Technical Note and the Alan Wood & Partners “Flood Risk & Drainage Assessment for a Proposed Carriage Care Facility at Pickering, rev B”.

Subject to this proviso including conditions recommend by the relevant drainage bodies it is considered that the proposal satisfies Policy SP17 of the Ryedale Plan Local Plan Strategy

#### Highways access issues

A new bridge is proposed over Pickering Beck together with improvements to the access point onto Newbridge. The access has limited visibility to the south. During construction a temporary 30 mph speed limit is required in the vicinity of the entrance. It is of note that the applicant has stated that some of the building materials will be transported by rail to the site having been delivered to the Newbridge crossing further to the north of the application site. Additional conditions are recommended to include details of the verge crossing, details of the bridging of the watercourse, a construction management plan and retention of car parking on site for staff. Aside from these requirements no objection is raised by NYCC Highways on highway safety grounds and the application is therefore considered to satisfy this aspect of Policy SP20 of the adopted plan.

#### Landscape Impact

The site is located in an area of land which is subject to a local designation as being an Area of High Landscape Value. The site is located beyond the developments limits and is therefore in open countryside. The site abuts the line of the railway and is approximately 400 metres beyond the established development limits. There are a number of PROW's in the vicinity of the site. These mainly run to the west of the application site from within the built up area of the town and are generally on a north /south alignment.

Viewed from the PROW adjacent to Pickering Beck (to the south) the view northwards up the valley is interrupted by the presence of a number of low grade agricultural buildings. This view is particularly affected by the largest agricultural building which abuts the sites southern boundary on an east/west axis. Views from the southwest and from the west of the site vary dependent upon the position of the

observer when walking along the PROW past Rock Cottage towards Newbridge. The site's western boundary is screened by a well-established hedgerow and the PROW for the most part occupies an elevated position in relation to the application site.

This PROW continues north past another group of low grade agricultural building alongside the eastern side of the PROW heading the towards a scattered group of dwellings at Church row and Bridge Row. A short stretch of PROW runs across the front of Bridge Row. Views back down the valley can be obtained at this point although these are filtered by existing hedgerow boundaries and other vegetation.

Other views of the site from the Newbridge Rd are relatively well screened apart from the access point itself and the immediate area to the south by well-established trees and shrubs which run along both banks of Pickering Beck. Visual impacts from outside of the site are considered to be relatively localised and at times of the year when indigenous vegetation is in full leaf will be more limited than is the case at the present time.

Nevertheless the adopted plan makes provision for appropriate development in the countryside, including in areas of High Landscape Value as set out in Policy SP13. The policy states that in areas of local landscape designation that the Council will carefully consider the impact of the development in the Fringe of the Moors and in The Vale of Pickering because they are locally valued and sensitive to change. As mentioned above whilst the carriage stable and repair building are substantial in size their wider landscape impact is limited and further mitigated by the presence of other existing buildings within the landscape from a number of public viewpoints and by the presence of significant areas of screening both on the periphery of the site's boundaries and adjacent to near PROW's and the public highway further to the east.

The proposal does also make provision for an on-site lake/lagoon and additional blocks of planting in order to further soften the impact of the development locally in the landscape.

#### Biodiversity

The proposal has been considered by the Councils Biodiversity Specialist who notes that the submitted Design Environmental Management Plan outlines the site to be of generally low ecological value comprising poor semi improved grassland, tall herb and scrub although there is a higher value hedgerow noted. Further surveys were recommended for a number of species following the desktop study. Following further negotiations in respect of the new bridge design over the beck the Council's Specialist has confirmed he raises no objection to the application subject to the imposition of an Ecological Method Statement for the demolition and construction phases of the bridge.

#### Design and Appearance

A full DAS has been submitted with the application and was appended to the earlier Committee report for 16th January 2018. The main elements of the scheme are described in the Proposal section of this report above.

It is of note that the applicant's architect has specifically promoted a low profile curved roof design in order to reduce and breakdown the scale of the buildings in the valley floor. The detailed design and materials being promoted have sought to use dark recessive coloured sheeting for the roofs and a combination of timber clad sides and doors with rock-filled gabion wall for the sides of the repairs facility building. These building are in the view of officers are a significant step up in terms of their design quality in comparison to other agricultural/commercial buildings in the vicinity of the site. Subject to detailed control of materials and glazing by way of a planning condition no objection is raised by officers to the overall design approach proposed.

#### Heritage Issues (including archaeology)

The site at its southernmost extent is located some 200 metres to the north of the nearest point of the

designated conservation area. Pickering Castle a scheduled monument is located some 250 metres away to the east of Newbridge. The Castle is located on much higher ground and views between the site and this designated heritage asset are obscured by an extensive belt of trees on the valley side.

An archaeological assessment of the site including geophysical survey has been undertaken and the results assessed by the Principal Archaeologist at NYCC who has stated:

“The geophysical survey shows some very geometric but faint anomalies that could be of particular archaeological significance. The regularity of the anomalies might suggest that there is a high status structure such as a Roman villa. On the other hand the anomalies might reflect something more mundane such as a drainage or similar, although this was discounted when I asked for an opinion from the surveyor at On-Site Archaeology.

The geophysical survey alone does not allow us to understand the significance of the anomalies and I would recommend that several targeted trial trenches are excavated. I would be happy to assist in agreeing an appropriate scheme for trial trenching that is as inexpensive as possible but sufficiently robust to meet the purposes of defining significance.

I recommend that the trial trenching is carried out prior to a planning decision being made as the anomalies of interest do not look like they could be avoided by the development.”

In response the applicants have agreed with the NYCC Archaeologist to a scheme of trial trenching which is commissioned to take place on 12th February 2018. The scheme will include 3 No. 20 metre trenches with the aim of providing an interim statement of findings to NYCC the following day. It is anticipated that Members will be updated at the meeting and the implications taken into account in the final decision

#### Noise Amenity Issues

There are a number residential properties in the locality and these are shown on the location plan. The nearest of these is Rock Cottage which is situated adjacent to the western site boundary. Rock Cottage is located on the opposite side of the PROW and is elevated above the site. Its main aspect is oriented west/east and the property faces directly towards the carriage stable which runs along the eastern side of the application site. There is a distance of approximately 50 metres between Rock Cottage and the carriage stable.

The carriage repair facility is located further to the north and is approximately 70 metres away from Rock Cottage at its nearest point. The submitted information has been appraised by the Council's Environment Specialists and the site and its immediate surroundings visited before responding. No objection is raised subject to detailed conditions relating to control over hours of construction, hours of use of the maintenance shed, hours of use activity in the carriage stable, submission of a BS 4142 assessment for noise in order to determine an appropriate boundary noise level and also a condition to address odour control

#### Contaminated Land

The Council's Environment Specialist has raised no objection in relation to contaminated land issues subject to the imposition of the following condition if planning permission is granted.

In the event that contamination is found at any time when carrying out the approved development it must be reported immediately to the local planning authority, and work must cease until an appropriate investigation and risk assessment must be undertaken. Where remediation is necessary, a remediation scheme must be prepared by competent persons and submitted to the local planning authority for approval. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the local planning authority.



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

### Consultation Responses from Third Parties

The Town Council comments were appended to the earlier report to Members on 16th January 2018. The final comment received from the Town Council was that ... “the feeling of the meeting was to support the proposal subject to EA and Yorkshire Water evaluation of the proposals to deal respectively with development in the flood plain and potential contamination of ground water.”

Both the EA and Yorkshire water have appraised the application and raise no objection subject to the imposition of appropriate planning conditions. (See above)

At the time of writing this report 69 third party responses have been received which include 37 letters of support and 32 letters of objection. The full letters of objection are scanned and available to view on the Council’s website. The point raised in support or as objection are however summarised below.

### SUPPORTERS

- . Proposal will assist the sustainable development of the NYMR
- . The facilities will greatly assist with the maintenance and protection of the heritage rolling stock
- . The NYMR is a significant employer and contributor to the town’s economy
- . Other local businesses benefit from the visitors that the NMYR attracts
- . The proposals would help upgrade and benefit the overall appearance of the area
- . proposed carriage stable would be of huge benefit to preserving the teak carriages
- . The coaches are irreplaceable –there is no option but to keep and maintain them
- . Will assist in prevention of damage through vandalism
- . Balance of the benefits of the scheme versus the adverse impacts clearly favour the grant of permission.
- . The NMYMR is the ‘jewel in the crown’ of the Town and should be supported
- . Proposal secures jobs
- . Any visual impacts can be mitigated by additional landscaping and careful choice of materials/cladding colours
- . Site very well screened from Newbridge
- . NYMR depends on its locomotive stock being maintained at Grosmont and its carriages at Pickering

It is of note that 29 No. of the supporter reside in Pickering and nearby parishes with the remainder being supporters from further afield.

### OBJECTORS

- .Potential Noise and Smell
- .Loss of privacy
- .Visual intrusion
- .Loss of views
- . Light pollution
- . Increase in traffic/activity over the Beck
- . Adverse impact on walkers using the PROW’s
- . Should be retained for agriculture/ site in countryside outside development limits
- . Flooding/drainage concerns
- . Disruption from construction
- . Loss of property value
- . Site could become more of a target for vandals
- . Adverse impact on wildlife
- . Possible alternative sites available

It is of note that 19 No. Objectors are resident of Pickering and nearby parishes with the remainder being objectors from further afield.

Most of the issues raised by supporters and objectors have been addressed in the appraisal section of this report above. Members will appreciate that matters relating loss of property value and loss of a view are not material considerations that can be taken into account in the determination of this application.

#### Other matters

Members visiting the site will recall that the private road crossing the railway is an unmanned crossing with gates that are currently required to be opened and closed manually. There is a 5mph speed limit for trains along this section of the track. There are also signs on the gates requesting users to close them after being used for safety reasons.

The crossing is currently being appraised by NYMR for upgrading to an electronic system (outside of the remit of this planning application) in order that users in future will not have to leave their vehicles to open gates to cross the crossing. The system will mean that in future the gates will be synchronised with the trains so that they will not open if a train is due.

In conclusion this major application has raised a number of issues and has generated a significant amount of interest both for and against the proposals.

However taking into account the benefit and dis-benefits of the application it is considered by officers that the balance of the planning decision lies clearly in favour of the approval of the application. Concerns in relation to any adverse impacts of the proposal are considered to be capable of being adequately mitigated by the imposition of planning conditions and these are listed below. The proposal is on balance considered to comply with the policies contained in the development plan when read as a whole and there are no material considerations of such weight that warrant a decision contrary to the development plan.

#### Recommendation

That this application is approved subject to any further requirements that might arise as a result of further comments from NYCC's Principle Archaeologist following the results of the trail trenching and subject to the following conditions.

#### **RECOMMENDATION:                      APPROVAL**

- 1            The development hereby permitted shall be begun on or before .

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

- 2            Before the development hereby permitted is commenced, details and samples of the materials to be used on the exterior of the proposed building(s) shall be submitted to and approved in writing by the Local Planning Authority. No variation of the approved materials shall be undertaken without the express consent in writing of the Local Planning Authority.

Reason: To ensure a satisfactory external appearance.

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

3125/201 rev D  
3125/205 rev D  
3125/111 rev B  
3125/215 rev E  
3125/216 rev D  
3125/217 rev B

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

- 4 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, the Local Plan Strategy

- 5 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 materials on the site until the access(s) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements.

a. The existing access shall be improved by widening and upgrading of construction specification as shown on approved Drawing Number 3125/111 Rev. B and to construction Specification standard drawing No. E2 for the first 15 Metres, measured from the carriageway edge.

b. Provision of tactile paving in accordance with the current Government guidance.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

Reason: In accordance with Policy SP20 and to ensure satisfactory drainage in the interest of highway safety and the amenity of the area.

- 6 Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Drawing numbers 3125/112 Rev. B and 3125/205 Rev. D for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

Reason: In accordance with Policy SP20 and to ensure these areas are kept available for their

intended use in the interests of highway safety and the general amenity of the development.

- 7 No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall provide for the following in respect of the phase:
- a. the parking of vehicle of site operatives and visitors
  - b. loading and unloading of plant and materials
  - c. storage of plant and materials used in constructing the development
  - d. erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate
  - e. wheel washing facilities
  - f. measures to control the emission of dust and dirt during construction
  - g. a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

- 8 No development shall take place until a Construction Environmental Management Plan (CEMP) relevant to all phases of the construction of the proposed development, is submitted to and approved by the Local Planning Authority. The CEMP shall include but be exclusive to the follow:

- a) Identification of potential sources of groundwater pollution, potential pathways for the movement of contaminants and identification of receptors and the appropriate mitigation measures;
- b) details of construction methods including details of piling techniques, the depths of excavations for foundations, cess pit and inspection pits;
- c) details of the construction and lining of any attenuation pond; and
- d) temporary surface water controls to ensure that no surface waters generated during construction of the development are discharged to ground.

Furthermore, mitigation measures shall be based on an appropriate hydro-geological risk assessment and implemented in full accordance with the approved details.

Reason: To ensure that protection of controlled waters and that public water supply is protected.

- 9 Any liquid storage tanks should be located within a bund with capacity of not less than 110% of the largest tank or largest combined volume of connected tanks.

Reason: to ensure that there are no discharges to the public sewerage system which may injure the sewer, interfere with free flow or prejudicially affect the treatment and disposal of its contents.

- 10 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) by Alan Wood and Partners, dated 18 October 2017 and the following mitigation measures detailed within the FRA and further technical note dated 05 February 2018:

- Limiting the surface water run-off to 4l/s with the drainage design to be in accordance with sections 4.5, 4.6 and chapter 5 of the FRA and the technical note.
- Finished floor levels are set in accordance with Sections 4.5 and 4.6 with the repair building at 33.3m above Ordnance Datum (AOD), and the carriage stable building at 33.9mAOD and track level in the carriage stable building at 34.3mAOD.

- The buildings are to be designed and built to allow the free ingress and egress of flood flows, within the FRA incorporated.
  - The proposed new bridge is to be designed and built in accordance with Section 4.7 of the FRA.
- The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To reduce the risk of flooring to the proposed development and future occupants, and to ensure flood flow routes are maintained.
- To reduce the impact of flooding to the proposed development and future occupants, and to ensure flood flow routes are maintained.
- To ensure that flood risk to others is not increased to others as a result of the works.

11 The development hereby permitted shall not be commenced until such time as a scheme to balance flood volumes (compensatory storage) on the site has been submitted to, and approved in writing by the Local Planning Authority. The scheme is to include and be in accordance with the following:

- o The flood balancing works are to be completed prior to the commencement of construction of the associated tracks / sheds.
- o The scheme must maintain the existing floodable volume on the site.
- o Detailed calculations and drawing are to be provided to demonstrate that flood flows are not displaced onto others.
- o The scheme is to be in accordance with the principles outlined within Chapter 7 in the FRA and with appendices E & G.
- o The scheme must demonstrate that the hydrological connectivity of the flood plain is maintained.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, the Local Planning Authority.

Reason: To ensure that the flood risk to others is not increased and that flood flows are not displaced onto others as a result of the development. Also to ensure flood flow routes are maintained.

12 All spoil is to be removed from the floodplain.

Reason: To ensure that there is no loss of flood storage and that flood flows are not displaced onto others.

13 The development hereby permitted may not commence until such time as a scheme to agree pollution prevention measures for the construction of the cesspool, at development in an SPZ1, has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that the proposed storage of foul water at the cesspool does not harm groundwater resources in line with paragraph 109 of the National Planning Policy Framework and Position Statement G6 of the Environment Agency's Groundwater Protection: Principles and Practice.

14 Piling using penetrative methods shall not be carried out other than with the written consent of

the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed activity does not harm groundwater resources in line with paragraph 109 of the National Planning Policy Framework and Position Statement N of the Environment Agency's Groundwater Protection: Principles and Practice.

- 15 The development hereby permitted may not commence until such time as a scheme for the proposed method of working has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall, where necessary, be supported by detailed calculations and include a program for future maintenance. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or any details as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To ensure that the proposed development, does not harm the water environment in line with paragraph 109 of the National Planning Policy Framework.

- 16 Development shall not commence until a scheme restricting the rate of development flow runoff from the site has been submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to a maximum flowrate of 4 litres per second for up to the 1 in 100 year event. A 30% allowance shall be included for climate change effects. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To mitigate additional flood impact from the development proposals and ensure that flood risk is not increased elsewhere.

- 17 The development shall not commence until a scheme, detailing the treatment of all surface water flows from parking areas and hardstanding through the use of road side gullies, oil interceptors, reedbeds or alternative treatment systems, has been submitted to and approved in writing by the Local Planning Authority. Use of the parking areas/hardstanding shall not commence until the works comprising the approved treatment scheme have been completed. Roof water shall not pass through the treatment scheme. Treatment shall take place prior to discharge from the treatment scheme. The treatment scheme shall be retained, maintained to ensure efficient working and used throughout the lifetime of the development.

Reason: To prevent pollution of the water environment from the development site

- 18 To control noise emitted by the operational activities on site the following may be considered:

- Restricting the use of workshop facilities to between 07:00 and 18:00 daily.
- Restricting use of the carriage stable to between 07:00 to 22:00 daily.
- Operation of the facilities on a Sunday should be borne in mind.
- An assessment be undertaken in accordance with the methodology of BS4142 (2014) (Methods for rating and assessing industrial and commercial sound) and that this be submitted in writing to the Planning Authority. The site and buildings shall conform with the approved operational requirements of the BS4142 assessment and an appropriate noise level set for the site boundaries that shall not be exceeded

- 19 In order to minimise noise emissions, all construction work to be undertaken following best practice, including the guidance within BS 5228-1: 2009. Best practice measures that might

typically be employed include the following:

- Fitting of more efficient exhaust sound reduction equipment to earth moving plant where possible;
- Fitting more efficient sound reduction equipment to compressors and generators;
- Pneumatic tools to be fitted with suitably designed muffler or sound reduction equipment to reduce noise without impairing efficiency;
- Ensuring that air lines to pneumatic equipment do not leak;
- Optimising haul roads to minimise noise emissions to noise sensitive receptors;
- Switching off plant and equipment when not in use

Construction works/activities should be limited to 08:00 - 18:00 hrs Mondays to Fridays and 09:00 - 13:00 hrs on Saturdays and at no times on Sundays and Bank or Public Holidays.

- 20 Prior to the commencement of the development, details of the odour control measure related to any proposed painting and /or paint spraying activities shall be submitted and approved in writing by the Planning Authority.

### **INFORMATIVE(S)**

- 1 It is recommended that the applicant consult with the Internal Drainage Board, the Environment Agency and/or other drainage body as defined under the Land Drainage Act 1991. Details of the consultations shall be included in the submission of the Local Planning Authority. The Structure may be subject to the Highway Authority's structural approval procedures.

- 2 There shall be no site clearance, demolition excavation or depositing of material in connection with the construction of the development until Temporary 30mph speed limit is in place extending northwards from the existing 30mph limit on Newbridge Road to a point 120 metres north of the improved access point have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved details shall, at the applicant's expense, undergo the legal process required. Subject to the successful completion of this legal process the measures will be implemented at the applicant's cost prior to the development being commenced until such time as the associated construction works are substantially completed.

Reason: In accordance with Policy SP20 and in the interest of highway safety.

- 3 The proposed bridge works will require a permit under the Environmental Permitting (England and Wales) Regulations 2012 system (EPR), for any proposed works or structures in, under, over or within either meters of the top of the bank of the Pickering Beck, designated a 'main river'.

The EPR are a risk-based framework that enables us to focus regulatory effort towards activities with highest flood or environmental; risk. Lower risk activities will be excluded or exempt and only higher risk activities will require a permit. The proposed works may fall under either one or more of the below;

- Exemption
- Exclusion
- Standard Risks Permit
- Bespoke permit

Forms and further information can be found at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Anyone carrying out these activities without a permit, where one is required, is breaking the law.

The applicant should contact our National Customer Contact Centre to assess which category the proposed works fall under. They will be able to tell you the classification and the fee

associated with the application, and how to proceed forward. They can be contacted by email at: [floodriskactivity@environment0agency.gov.uk](mailto:floodriskactivity@environment0agency.gov.uk).

- 4 The Environment Agency's documents Approach to Groundwater Protection contains Position Statement G which has advice and guidance on the liquid effluent to ground within a Source Protection Zone 1. It is recommend that is a permit application is required an application is submitted.
- 5 No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development. Applicants are advised to contact the County Council's Access and Public Rights of way team at County Hall, Northallerton via [paths@northyorks.gov.uk](mailto:paths@northyorks.gov.uk) to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposal for altering the route.