

**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: 17/00685/MFUL
Parish: Weaverthorpe Parish Council
Appn. Type: Full Application Major
Applicant: Vellco Tyre Control
Proposal: Erection of 2no. industrial units (Use Class B8) for tyre storage together with formation of a landscaped buffer to the northern, eastern and southern boundaries, additional parking spaces and cycle parking.
Location: Vellco Industrial Park Roperly Lane Weaverthorpe Malton North Yorkshire

Registration Date: 6 June 2017 **8/13 Week Expiry Date:** 5 September 2017
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Parish Council	Object
Environmental Health Officer	No objection recommend conditions
Highways North Yorkshire	Recommend conditions
Lead Local Flood Authority	Recommend conditions
North Yorkshire Fire & Rescue Service	No objection
Countryside Officer	Comments
Archaeology Section	No objection
Sustainable Places Team (Environment-Agency Yorkshire Area)	Recommendations
Neighbouring Parish Council	Concerns
Building Conservation Officer	Objection

Neighbour responses: Jacqueline Taylor, Tracy Chapman, Penny & Jeff House, Maria Fusco & Andy Brown, Miss Kirsty Steele & Mr James Bedson, Trevor & Susan Thompson, Dr Peter Wilson, Jeff & Penny House, Ted & Silvia Johnson, Mrs Rebecca Sails, Cheryl Wilson, Stephen Milner, Tracy Chapman, Phillip Woodall & Sarah Thorsby, Mrs Rachel Fletcher, Mr Adam Davies, Maureen & John Lake, Trevor & Sue Thomson, Mr David Raine, Mrs Vicki Rowland, , P Potter, Ms Patricia Lake, Andy & Julie Thompson, Stuart & Lora Lane, Jacki Hildreth, Karyn Harper, Sally Hudson,

Overall Expiry Date: 27 July 2018

This application has been deferred from the previous Planning Committee meeting in order for members to undertake a Committee Site Inspection. Members are asked to refer to the earlier agenda for a details of the proposal and the Officer appraisal of the scheme.

The applicant has also written a further letter in support of the application, see appended letter. To summarise the agent has stated:

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- The proposal will create between 5 and 8 new jobs at Weaverthorpe;
- The applicant agrees to condition the replacement planting. Suggestions are made regarding possible species. This would be the subject of agreement with the Countryside Specialist.
- The agent has confirmed that the early morning vehicle activities the subject of complaints to this Authority have ceased and alternative arrangements have been made.
- That outside storage of tyres on the existing site is required, and a plan showing this area was provided prior to the earlier Planning Committee meeting.
- The agent has stated that he intends to submit further details on the health and condition of the existing group of trees within the centre of the application site shortly, Members will be updated, but it should be noted the Council's Countryside Specialist has no objection to the loss of these trees.
- That the applicant would consider extending the existing public footpath on Ropery Lane, if it was deemed to be necessary.
- There has also been a response from the applicant's Highway consultant which is summarised in the agent's response. The response essentially confirms the proposed access and passing arrangements on Ropery Lane are accurate and reflect the situation on the site; that it may be possible to extend the public footpath on Ropery Lane; and that a Councillors suggestion to use the site occupied by a bungalow and owned by Vellco Tyre on Main Street (immediately to the north of the application site) as an additional access is not appropriate.
- Since the decision to defer the application, there has also been two further responses from third parties. These letter have raised the following issues:
 - Ongoing noise and disturbance from current operations at the Vellco Tyres site (received before the previous Planning Committee meeting);
 - Pedestrian safety; and,
 - Existing damage to footpaths.

In addition, there has also been a further written response from the Highway Authority, copy appended. This responses confirms the proposed drawing showing the enlarged access and two HGV's passing each other at the site entrance on Ropery Lane can take place and these is sufficient width to accommodate the proposed amendments. The Highway Authority were asked by Officers to consider extending the existing footpath on Ropery Lane to increase the safety of pedestrians on Ropery Lane. There appears to be space in front of Meadowside to do this. The Highway Authority has confirmed that they do not consider an extension of the footpath to be necessity to make the proposed development acceptable in highway safety terms. As stated above, the agent has confirmed that they would consider this proposed footpath extension if it was considered necessary. As such, and whilst desirable, it is not considered to be possible for Officers to insist on this footpath extension.

Condition 15 has been updated to reflect the required amount of outside storage for the existing buildings.

In view of the above and the earlier Officer appraisal, the recommendation is one of approval.

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, 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, the Local Plan Strategy.

- 3 Before preparation of any groundworks and foundations on site for the development hereby approved, a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out in accordance with the approved details. These details shall include proposed boundary treatments and planting, proposed finished levels and contours, car park layouts, other vehicle and pedestrian access. The information shall also include indications of all existing trees and hedgerows on the land including those to be retained, together with measures for their protection which shall comply in full with BS5837-2012. Recommendations, in the course of development, together with a scheme for the subsequent maintenance of any trees, shrubs and hedges retained on the site and any proposed to be planted as part of the scheme. Soft landscape details shall include planting plans, written specifications, schedules of plants- noting species (which should be native provenance), planting sizes and proposed density.

Reason: To protect visual amenity and the character of the area and to ensure a satisfactory environment having regard to SP13, 14, 15 and NPPF.

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

1702 PL 02 B
1702 PL 03 L
1702 PL 05 C
1702 PL 07 D
1702 PL06 D
1702 PL 09 C

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

- 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 material on the site until the access(es) 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 the adjacent carriageway to the north along the application site frontage shall be improved by widening in accordance with submitted Drawing no. 1702 PL 03 L and constructed in accordance with the specification of the highway authority and Standard Detail drawing numbers: ACCESS - E7m (with Stone Mastic Asphalt surface/wearing course) & CARRIAGEWAY WIDENING - HAU.1a (construction) & dev.4959/2/spec (channel block design).

Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

INFORMATIVE

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 OF THE Local Plan Strategy and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

- 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 Number 1702 PL 03 L for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

Reason: In accordance with Policy SP20 of the Local Plan Strategy 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 Unless otherwise approved in writing by the Local Planning Authority, there shall be no HCV brought onto the site in association with the development being brought into use until a survey recording the structural condition of the existing highway culvert bridge under Ropery Lane at the junction with Main Street has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority. At the expiration of 24 months of the development being brought into use and within a period of 3 months thereafter a further structural survey shall be undertaken in a similar manner and any identified deterioration of the culvert bridge shall be made good at the applicants' expense in agreement and in accordance with the due process required for working within the public highway to the satisfaction of the local planning authority in consultation with the highway authority.

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

- 8 Development shall not commence until a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk and to satisfy Policy SP17 of the Local Plan Strategy and NPPF.

- 9 Development shall not commence until a scheme detailing storage volume has been evaluated to accommodate the minimum 1 in 100 year plus climate change (40% or 30% CC plus 10% Urban Creep) critical storm event.

Reason: To mitigate additional flood impact from the development proposals and ensure that flood risk is not increased elsewhere and to satisfy Policy SP17 of the Local Plan Strategy and NPPF.

- 10 No development shall take place until a suitable maintenance of the proposed SuDS drainage scheme arrangement has been demonstrated to the local planning authority. Details with regard to the maintenance and management of the approved scheme to include; drawings showing any surface water assets to be vested with the statutory undertaker/highway authority and subsequently maintained at their expense, and/or any other arrangements to secure the operation of the approved drainage scheme/sustainable urban drainage systems throughout the lifetime of the development.

Reason: To prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage system and to satisfy Policy SP17 of the Local Plan Strategy and NPPF.

- 11 No development shall take place until an appropriate Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority. Site design must be such that when SuDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site.

Reason: to prevent flooding to properties during extreme flood events and to mitigate against the risk of flooding on and off the site and to satisfy Policy SP17 of the Local Plan Strategy and NPPF.

- 12 No development shall take place until an ecological/landscape restoration scheme addressing tree, bat roost, hedge/woodland habitat protection, replacement and enhancement has been submitted to and approved by the local planning authority.

The replacement/restoration strategy shall include the following:

- Purpose and objectives for the works
- Review of site potential and constraints
- Detailed designs and working methods
- Extent and location of proposed works
- Timetable
- Responsible person
- Details of aftercare and long term maintenance
- Monitoring and remedial measures
- The strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In order to take full account of protected species, and landscaping and to satisfy Policy SP13, SP14 and SP20 of the Local Plan Strategy.

- 13 The hours of operation at the application site (the entire Vellco Tyres site including existing buildings) shall be restricted to 7am - 7pm inclusive Monday - Friday and 8am - 1pm on Saturdays. The site shall be closed on Sundays, Bank Holidays and outside of these times. This includes no deliveries or HGV movements to or from the site outside of these prescribed times.

Reason: In order to protect the residential amenities of the surrounding occupiers and to satisfy Policy SP20 of the Local Plan Strategy.

- 14 The development shall be undertaken in accordance with the submitted Flood Risk Assessment prepared by BWB.
- Reason: To prevent the risks of flooding and to satisfy Policy SP17 of the Local Plan Strategy and NPPF.
- 15 Upon completion of the development hereby approved there shall be no outside storage of tyres at the application site save in respect of those areas hatched on the revised site layout plan in relation to the areas around the existing buildings.
- Reason: In order to protect the character and appearance of the area and to satisfy Policy SP13 and Policy SP20 of the Local Plan Strategy.
- 16 Prior to any such installation precise details shall be submitted to and approved in writing by the Local Planning Authority regarding any external lighting.
- Reason: In order to protect the character and appearance of the area and to satisfy Policies SP13 and SP20 of the Local Plan Strategy.
- 17 Prior to the commencement of the development a management plan for the site shall be submitted to and agreed in writing for all operations on the site and movements to and from the site. The management plan will detail all measures to ensure HGV and larger vehicles movements are managed in a way that prevents vehicles waiting in Ropery Lane or being unable to access or leave the site. The plan will also control all outside activities and the operation of plant and machinery and provide details of how any complaints from local residents will be addressed. Once approved, the management plan shall be adhered to and regularly reviewed in consultation with the Local Planning Authority where there is any significant change in activity at the site.
- Reason: To ensure the proposed development does not have a material adverse effect upon the amenities of surrounding occupiers and to satisfy Policy SP20 of the Local Plan Strategy.
- 18 Prior to the commencement of the development a construction management plan for the development shall be submitted to and approved in writing by the Local Planning Authority.
- Reason: In order to protect the amenity of the surrounding occupiers and to satisfy Policy SP20 of the Local Plan Strategy.