

**Item Number:** 8  
**Application No:** 21/00442/MFUL  
**Parish:** Malton Town Council  
**Appn. Type:** Full Application Major  
**Applicant:** Mrs Miranda Bell  
**Proposal:** Use of land as a highways depot to include the erection of an office/workshop building, erection of a salt barn and associated car parking, service yard and landscaping  
**Location:** Land Off Edenhouse Avenue Old Malton Malton North Yorkshire

**Registration Date:** 12 March 2021  
**8/13 Wk Expiry Date:** 11 June 2021  
**Overall Expiry Date:** 8 July 2021  
**Case Officer:** Niamh Bonner **Ext:** 43325

#### CONSULTATIONS:

<b>Flood Risk</b>	Recommend conditions
<b>Designing Out Crime Officer (DOCO)</b>	No comments
<b>Vale Of Pickering Internal Drainage Boards</b>	No objection
<b>Yorkshire Water Land Use Planning</b>	Recommend conditions
<b>Highways England</b>	No objection
<b>Health And Safety Executive</b>	Do Not Advise Against
<b>Sustainable Places Team (Environment-Agency Yorkshire Area)</b>	Recommend condition
<b>Archaeology Section</b>	No Objections
<b>Malton Town Council</b>	No objection, comments
<b>Highways North Yorkshire</b>	Recommend conditions
<b>Northern Gas Networks</b>	Withdraw objection

#### Representations:

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#### SITE:

The application site is an area of undeveloped land located to the north of Edenhouse Avenue, which is part of the location of the wider Eden Business Park development area, located to the west of the A169.

Outline approval for B1 (Business) B2 (General Industrial) and B8 (Storage and Distribution) uses was granted in this location as part of approval 14/00426/MOUTE.

The site also falls within the Malton Food Enterprise Zone (FEZ) which is the subject of a Local Development Order adopted by Ryedale District Council in February 2017. The Order identifies certain forms of development that can take place without needing detailed planning permission, together with a detailed design guide to create a cohesive approach to development in this location.

The application site is broadly rectangular in form and measures approximately 75 metres from east to west at its widest point and approximately 140 metres from north to south. The site spans to approximately 0.917 hectares in size.

The site is located within Flood Zone 3. A section of high pressure gas pipeline bisects the north western corner of the site. The site is bounded by mature tree planting to the north.

## **PROPOSAL:**

The proposal seeks permission for the use of land as a highways depot to include the erection of an office/workshop building, erection of a salt barn and associated car parking, service yard and landscaping.

The proposed office/workshop building would be more southerly located within the site in a central position. It would span approximately 31.35 metres x 33.25 metres in footprint at the maximum point, with a pitched roof form incorporating a maximum height of approximately 9.1m metres and an eaves height of approximately 7.4 metres. This would incorporate 192 solar panels to the southern roof slope.

Between this building and the highway would be 21no.car parking spaces, including 2 EV charging spaces and 2 accessible spaces. A cycle shelter is also proposed.

Between the car parking area and the highway a bank of landscaping is proposed to include a woodland shrub mix, seeded areas, turfed areas and 12 mature trees, to include predominately extra heavy standards.

The salt barn would be located to the north eastern corner of the site and would span approximately 24.5 metres x 27.75 metres in footprint at the maximum point, with a pitched roof form incorporating a maximum height of approximately 13.65 metres and an eaves height of approximately 12 metres.

The two buildings would be completed with profiled composite sheeting. Colours include a 'goosewing grey' roof, 'merlin grey' vertical wall cladding, 'hamlet' horizontal wall cladding' and black flashing/eaves fascia. Windows, doors and curtain walling would be completed in anthracite grey. Low level walls of the office/workshop would be completed with buff brick and the low level walls of the salt barn would be completed with concrete.

To the west/southwest of the Salt Barn and to the north of the office/workshop building is the location for the service yard, which includes operational parking for 10no.larger vehicles, storage areas, fuel pumps and a jet wash area.

The western and eastern boundaries of the plot are also landscaped, with a mix of native hedgerow and mature native tree planting. The Design and Access states that the Site Layout Plan shows the positioning of 2.4 metre high "V guard fence" which will either be galvanised or powder coated. A specific fencing plan is expected prior to the Committee meeting to show this in a black coloured finish.

Amendments have been made to the scheme which were fully re-advertised. These included the minor repositioning of the Salt Barn with amendments to doors and the repositioning of the Fuel Island. Minor amendments to the height of a gate was included following review with the Police Architectural Liaison Officer's comments.

The construction materials of the Salt Barn and Office/workshop also were amended to composite materials, following confirmation of the inaccessibility of the metal construction materials. Amendments were also made to include overhanging eaves to follow the design approach already used elsewhere on the business park area.

The site's foul drainage would connect to the existing foul water drainage infrastructure, which the Planning Statement notes is a new foul pump station that is intended to be adopted by Yorkshire Water under a S104 agreement.

Following review with the North Yorkshire Highway Team, the site is proposed with a dedicated entrance and exit, to facilitate a one way system from Eden House Avenue.

This proposal is before Members solely due to the fact that this is a major planning application. There have been no letters of objection to this scheme.

## **POLICY**

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy  
Local Plan Strategy - Policy SP6 Delivery and Distributing of Employment Land and Premises  
Local Plan Strategy - Policy SP16 Design  
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources  
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development  
Local Plan Strategy - Policy SP20 Generic Development Management Issues  
National Planning Policy Framework  
National Planning Practice Guidance

## **HISTORY**

The most relevant planning history is the following outline application which pertains directly to the application site:

14/00426/MOUTE: Erection of new livestock market (sui generis) comprising circa. 2,850 sq m floorspace: Agricultural Business Centre comprising circa. 6,010 sq m of floorspace for uses within Use Class A1, A2, A3, D1, B1, B2, B8 and agricultural vehicle sales (sui generis); and new Business Park comprising circa. 19,040 sq m of floorspace for uses within Use Class B1, B2, and B8 including premises for The Ginger Pig comprising 1,790 sq m of floorspace (for uses falling within Class B1, B2, B8 and A1) along with (in respect of all elements) all associated development including drainage, provision of services, landscaping, boundary treatments, attenuation ponds and access and associated highway works. (Site area 17.8ha). Approved 24th March 2015.

The following applications are also specifically relevant to the application site:

16/00251/MREM: Construction of retention pond with associated landscaping and construction of pumping station together with erection of perimeter fencing and formation of vehicular access: Phase 1 of reserved matters (outline approval 14/00426/MOUTE dated 24.03.2015 refers). Approved. 24th May 2016.

16/00412/FUL: Formation of roundabout access and internal access road to serve development at Edenhouse Road: Approved 8th July 2016.

The following applications include reference to other recently approved developments within the immediate vicinity, to the south:

18/00243/MREM: Erection of Unit A - Industrial unit subdivided into 4no.units and Unit B - Industrial unit subdivided into 2no. units: Phase 1 of reserved matters (outline approval 14/00426/MOUTE dated 24.03.2015 refers as amended). Approved 25th May 2018.

19/00241/MREM: Use of land adjacent to Unit B1 as an extension to the service yard to accommodate existing and future staff parking and to enable the storage of raw materials (metal rolls) in containers and finished products on racks (outline approval 14/00426/MOUTE dated 24.03.2015 as amended refers) Approved 18th April 2019.

19/00757/FUL: Erection of petrol filling station with forecourt shop sales building, canopy, 3no. fuel pump islands, 2no. HGV fuel pump islands, air bay, goods-in delivery bay, customer parking and associated access, landscaping and boundary treatment works. Approved 7th January 2020.

A pending application has been submitted for a new development to the east of this application site under the following application reference:

21/00981/MFUL: Erection of a showroom, office and workshop building with associated car parking, service yard, external lighting, electricity substation and landscaping for an agricultural business use (Pending Consideration.)

## **APPRAISAL:**

The key considerations in assessing this application are;

- i. Principle of the development
- ii. Character, Form and Landscaping
- iii. Impact on Amenity
- iv. Access and Highway Safety
- v. Drainage and Flood Risk
- vi. Other Matters Including Consultation Responses.

### i) Principle of the development

Policy SP1 (General Location of Development and Settlement Hierarchy) notes that Malton/Norton (the principal town) “will be the focus for the majority of new development and growth, including the housing, employment and retail space.”

Policy SP6 Delivery and Distribution of Employment Land and Premises notes that in Malton/Norton land and buildings for employment will be supported in employment land allocations.

As noted above in 2015, under application reference 14-00426-MOUTE outline planning permission was granted for B1/B2/B8 uses in this location and the principle of business units and storage was identified.

The site also falls within the Malton Food Enterprise Zone (FEZ) which is a Local Development Order adopted by Ryedale District Council in February 2017. This Order identifies certain forms of development that can take place without needing planning permission, together with a design guide to create a cohesive approach to development in this location.

Furthermore, under Policy SD12 (New Employment Land Provision) of The Ryedale Plan – Local Plan Sites Document this wider site at Eden House Road was adopted as Employment Land ‘committed or constructed since 2012.’ It was noted that *“The site is considered to be a major employment/business opportunity for the District which occupies a good location in relation to the Principal Town and strategic road network. The site has planning permission for the development of an agri-business park for B1, B2 and B8 uses; an Agricultural Business Centre and new livestock market.”*

Although there is outline permission at this site, this current application relates to a standalone application for a functional base for Highways England, to include an office, workshop and salt barn.

The proposed office, workshop and storage facilities broadly aligning with the use set out in the earlier outline application. Furthermore, it is acknowledged that this is a strategic position centrally within the Ryedale District, with easy access onto the A64 Trunk Road from which essential services carried out by Highways England can be provided. The use of renewable energy via solar panels is also welcomed.

It is therefore considered that the principle of this development is acceptable in accordance with Policies SP1, SP6 and SP17 of the Ryedale Plan, Local Plan Strategy, Policy SD12 of the Local Plan Sites Document and the NPPF.

### ii) Character, Form and Landscaping

The Design and Access Statement notes in relation to scale that “The scale of the offices/workshop has been designed to *“accommodate the height of the garage service doors.”* It was also noted that the salt barn was *“required to accommodate 3,500 tonnes of salt and 100 tonnes of white salt. The door to the main salt barn needs to be 11m high, hence this dictates the height of the barn.”*

The scale of the proposed development as described in the proposal section above is considered acceptable in design terms. Confirmation had been sought as to whether the proposed car parking could all be contained to the rear, however for health and safety reasons, the segregation of the functional yard

area which includes provision for large gritting vehicles and the office car park was considered necessary. This is considered acceptable.

Whilst it is acknowledged that the Salt Barn would incorporate significant proportions, it is considered that this is functionally necessary and the use of the Merlin Grey cladding will aid this assimilating into the planting belt to the north. The site will furthermore be softened by the proposed planting scheme. It is noted that directly to the north eastern elevation of the Salt Barn, there is limited room for specific new planting beyond the wildflower mix, however it is acknowledged that there is other developable land to the north east, including the pending application proposed under 21-00981-MFUL put forward by the same applicant.

Improvements to the overall design of the two buildings were secured via the inclusion of overhanging eaves, which is a design detail that will provide visual continuity with the existing on site developments.

As noted, during the determination phase, the vertical cladding and roof cladding to both buildings were amended to profiled composite panels from twin skin cladding, with the colours remaining consistent. These colours would include a 'goosewing grey' roof, 'merlin grey' vertical wall cladding, 'hamlet' horizontal wall cladding' and black flashing/eaves fascia. Windows, doors and curtain walling would be completed in anthracite grey. Low level walls of the office/workshop would be completed with buff brick and the low level walls of the salt barn would be completed with concrete.

Samples were sought by Officers to review the specific construction material of the proposed new panels.

Following receipt of the samples, the proposed roof material, horizontal cladding, low level wall materials and window/eaves details have already been found to be acceptable. Some further review of the 'merlin grey' wall cladding proposed is being undertaken and an updated condition may be provided as part of the late pages.

The colour finishes proposed are considered acceptable. The use of a grey palette of materials is again consistent with the other development approved throughout the site and will contribute to the visual cohesiveness. The dark overhanging eaves are also welcomed. This is considered to be broadly in accordance with the requirements of the Design Guide associated with the Local Development Order. It is considered that the proposed development, subject to condition will accord with the existing and approved nearby developments and will maintain the high quality achieved thus far.

The proposed site levels included within the updated Proposed Drainage Layout (Drawing no. 4656-JPG-U8-XX-DR-D-1400 S4 P05) indicate that the levels of the proposed yard area will broadly be commensurate with the land to the east and west. The finished floor levels of the buildings will be slightly raised, as is to be expected but this will remain slightly lower than the Edenhouse Road to the south. It is therefore not considered that the site levels/topography will result in an incongruous development.

The proposed landscaping is considered acceptable, with a high quality and diverse range of planting proposed. This will be controlled by condition.

A condition to seek details of any lighting proposed as part of this development will be recommended.

As noted above, the Design and Access Statement noted the use of a 2.4 metre high "V guard fence" which will either be galvanised or powder coated. This is not specified via a key and therefore a condition to seek the exact positioning of the fence and other details such as colour finish will be recommended.

### iii. Impact on Amenity

It is not considered that this proposal would have any impact upon amenity.

#### iv. Access and Highway Safety

North Yorkshire County Council were consulted on this proposal and originally noted on the 6th May 2021 that “In principle the local Highway Authority does not offer any objection to the proposals outlined in the application documents. Consideration must be given to maintaining an ‘in-only’ and ‘out-only’ arrangement through the access/exit points to avoid creating traffic conflict with existing accesses.” Appropriate general conditions were also recommended.

The plans were updated to confirm upon the one way system to include a no entry sign on the exit. In an updated response dated 17th July 2021 the North Yorkshire Highways Officer noted:

*“I would recommend conditioning the in-only and out-only access and egress arrangement and otherwise, yes, the same comments to apply with regard to the updated information.”* This will be included via a condition. It is noted that further incoming details from the Agent relating to the Construction Management Plan were added to the planning file on the 9th June. The NYCC Officer has reviewed this and confirmed the details of this were acceptable and this can be conditioned to be ‘in accordance with.’

Highways England were consulted on this proposal and confirmed no objection on the 6th April 2021. In an updated response dated 16th July 2021 the Highways England Officer confirmed no objection.

#### v. Drainage and Flood Risk

As noted, the application site is formally designated as Flood Zone 3 by the Environment Agency. This does relate to a ‘less vulnerable’ proposal in terms of the EA’s Flood Risk Vulnerability classifications.

Section 3.0 of The Drainage Assessment confirms that as part of a previous phase *“foul water pumping station and associated adoptable foul and surface water sewers have been constructed on site. These sewers have been designed to accept foul and surface water discharge from this site and future development plots. A copy of the S104 Sewer Plan is provided in Appendix C... Foul and surface water stubs have been provided under Edenhouse Road to provide a point of connection for the Northern Developments.”*

The EA originally objected to the submitted information on the 22nd March 2021 and the 26th June 2021, noting the FRA was not acceptable. There was a need for this to include reference to safety of people and how a range of flooding events could affect people and property.

A revised Flood Risk Assessment was submitted by the Agent on the 12th July 2021 which included additional information in Section 5.1 relating to ‘Flooding from Rivers and Sea (Fluvial)’ and an entirely new Section 6.0 ‘Flood Risk Mitigation.’

In an updated response dated 16th July 2021 the Environment Agency Officer noted *“We write in regards to the revised flood risk assessment (FRA) by JPG, referenced 656-JPG-XX-XX-RP-D-0621-S2-P04 and dated March 2021, which was sent to both ourselves and your authority on the 12 July 2021. Having reviewed this FRA, we are now able to remove our objection,”* this was subject to the imposition of a relevant condition requiring adherence to the mitigation measures contained within the approved Flood Risk Assessment.

Additional advice was also provided to the LPA to *“formally consider the emergency planning and rescue implications of new development in making their decisions”* and undertake consultation with emergency planners. The FRA now incorporates Section 6.3 ‘Occupant Safety’ within which a detailed analysis of the access arrangements are provided, including signing up to flood warnings, having first floor level accommodation and the site levels/road levels. Given this has already been submitted, the NYCC Emergency Planners will be consulted on what has been submitted thus far but it is considered likely that this pragmatic approach will be acceptable. A condition has been recommended but this can be amended to an ‘in accordance with condition’ if appropriate.

As per the EA guidance, neither the sequential test, nor exception test is applicable as part of this

application.

The Lead Local Flood Authority were consulted on this application and confirmed on the 23rd June that the proposal, including the use of the existing site drainage system to the SW pond, that ultimately discharges to the nearby IDB watercourse are acceptable and in line with previous agreements. Conditions were recommended for the development to be undertaken in accordance with the submitted documents. To confirm, a further revision of the FRA was subsequently received after this formal LLFA response relating to amendments sought by the EA. However this amended version only related to the limited aspects highlighted above and not to surface water arrangements. It was therefore not considered necessary to undertake further consultation with the LLFA. The revision number of the FRA (now version 04) will be updated in the condition recommended by the LLFA for the avoidance of doubt.

Yorkshire Water were also consulted as part of this application, in their response dated 1st July 2021, they did not raise an objection and recommended standard conditions and informatives. These will be attached.

The Value of Pickering Internal Drainage Board were consulted as part of this application and on the 18th June 2021 confirmed no objection, with no specific conditions recommended.

#### vi. Other Matters Including Consultation Responses

North Yorkshire Archaeology were consulted on the proposal and made the following comments: "I have checked the details of the proposal against the Historic Environment Record. The site has been the subject of previous archaeological evaluation. This identified no archaeological constraints."

The HSE online consultation confirmed the HSE did not advise against the proposal. It was however indicated that a Northern Gas Network pipeline bisected the north-west corner of the site. Northern Gas Networks have been consulted in relation to this and have liaised directly with the Agent. A specific plan (Existing Gas Main Details was produced Drawing no. 4656-JPG-U8-XX-DR-C-1505 S2 P05) which plotted the pipeline and proposed development sections. A structural calculation document was also provided. Northern Gas Networks confirmed on the 28th June 2021 they had no objection. No specific conditions were recommended.

The Town Council noted in a consultation response dated 31st March 2021 "*approval, subject to satisfactory mature screening.*" An updated response was received from the Town Council on the 1st July 2021 following re-consultation on the additional information submitted which also noted "*approval, subject to satisfactory mature screening.*" As detailed above, the proposed site landscaping is considered to be acceptable and will be controlled by condition.

In light of the above assessment, it is considered the proposal is acceptable and complies with Policies SP1 General Location of Development and Settlement Hierarchy, SP6 Delivery and Distributing of Employment Land and Premises, SP16 Design, SP17 Managing Air Quality, Land and Water Resources, SP19 Presumption in Favour of Sustainable Development and SP20 Generic Development Management Issues of the adopted Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework. Therefore the recommendation is one of conditional 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 The development hereby permitted shall be carried out in accordance with the following approved documents/plan(s)

Location Plan (Drawing no. M3129-P101 Rev A)  
Site Layout Plan (Drawing no. M3129-P100 Rev C)  
Floor Plan and Elevations (Drawing. No M3129-P1 Rev B)  
Salt Barn - Floor Plans and Elevations (Drawing no. M3129-P2 Rev D)  
Office/Workshop Roof Plan (Drawing no. M3129-P03 Rev A)  
Salt Barn Elevations (Drawing. No. M3129-P4 Rev B)  
Proposed Drainage Layout (Drawing no. 4656-JPG-U8-XX-DR-D-1400 S4 P05)  
Existing Gas Main Details (Drawing no. 4656-JPG-U8-XX-DR-C-1505 S2 P05)  
Landscape Proposals (Drawing no. LL01 Rev B)

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

- 3 Unless otherwise agreed in writing with the Local Planning Authority, prior to the installation of any external lighting at the site, including lighting for site security purposes, full details shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the position, height, angle of lighting, illuminance level and hours of operation. All lighting shall be installed and maintained in accordance with the approved details.

Reason: In the interests of the reduction of light pollution in compliance with Policies SP16 and SP20 of the Ryedale Plan, the Local Plan Strategy

- 4 Unless otherwise agreed in writing with the Local Planning Authority, prior to the installation of any gates/fences at the site, full details shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the position, height, and colour finish. All fences/gates shall be installed and maintained in accordance with the approved details.

Reason: In the interests of the reduction of visual amenity in compliance with Policies SP16 and SP20 of the Ryedale Plan, the Local Plan Strategy

- 5 Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall be undertaken with the profiled composite roof sheeting in 'goosewing grey' roof and 'hamlet' horizontal wall cladding' as per the samples provided to and approved by the Local Planning Authority.

Reason: In the interest of visual amenity and good design, in compliance with Policies SP16 and SP20 of the Ryedale Plan, the Local Plan Strategy

- 6 Unless otherwise agreed in writing with the Local Planning Authority, prior to the installation of the 'merlin grey' vertical wall cladding, details and samples of this material shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and good design, in compliance with Policies SP16 and SP20 of the Ryedale Plan, the Local Plan Strategy

- 7 Unless otherwise agreed in writing with the Local Planning Authority, the site shall be landscaped within the first available planting season (November to March) in accordance with the details outlined in the approved drawing "Landscape Proposals" (Drawing no. LL01 Rev B) 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

- 8 The crossings of the highway verge and/or footway must be constructed in accordance with the approved details and Standard Detail number E60 Rev A and the following requirements.
- Any gates or barriers must be erected a minimum distance of 4.5 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
  - The final surfacing of any private access within 4.5 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

All works must accord with the approved details.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

MHi-C New and altered Private Access or Verge Crossing -(MHC-03)

Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site: [https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification\\_for\\_housing\\_\\_\\_ind\\_est\\_roads\\_\\_\\_street\\_works\\_2nd\\_edition.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification_for_housing___ind_est_roads___street_works_2nd_edition.pdf).

The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

- 9 The development hereby approved shall only be undertaken in accordance with the details provided in the Construction Management Plan/Construction Method Statement (Received by the Local Planning Authority on the 9th June 2021.)

Reason: In the interest of public safety and amenity in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 10 Unless otherwise agreed in writing with the Local Planning Authority, the one way system as detailed on the approved Site Layout Plan (Drawing no. M3129-P100 Rev C) shall be retained for the lifetime of the development.

Reason: In the interest of public safety and amenity in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 11 The development shall be carried out in accordance with the submitted flood risk assessment by JPG, referenced 4656-JPG-XX-XX-RP-D-0621-S2-P04 and dated March 2021, and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 21.3 metres above Ordnance
- Datum (mAOD)
- The loss of flood storage is to be mitigated in accordance with section 6.2 of the
- FRA.

These mitigation measures shall be fully implemented prior to occupation and subsequently in

accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and prevent flooding elsewhere, by ensuring that compensatory storage of flood water is provided in accordance with Policy SP17 of the Ryedale Plan, Local Plan Strategy.

## **EA Informatives**

### Flood Warning and Emergency Response

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/ users covered by our flood warning network.

The planning practice guidance (PPG) to the National Planning Policy Framework (NPPF) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you refer to 'Flood risk emergency plans for new development' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 163 of the NPPF and the guiding principles of the PPG.

### Surface Water Management

Surface water drainage details should be agreed with both the relevant Internal Drainage Board and the Lead Local Flood Authority.

- 12 Unless otherwise agreed in writing with the Local Planning Authority, prior to the occupation of the buildings hereby approved a Flood Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority, in conjunction with North Yorkshire County Council's Emergency Planning Team. The Flood Evacuation Plan will be reviewed annually in accordance with the Environment Agency Guidance

Reason: In the interests of the safety of the users of the site and to satisfy the requirements of Policy SP17 of the Ryedale Plan - Local Plan Strategy.

**Informative:** The Applicant should also sign up to Environment Agency Flood Warnings.

- 13 The Development shall be built in accordance with the following submitted designs;

Drainage & Flood Risk Assessment, JPG Group, Reference

- 4656-JPG-XX-XX-RP-D-0621-S2-P03, Revision P04, Dated 08/07/2021.
- Drainage Maintenance and Management Plan, JPG Group, Reference
- 4656-JPG-XX-XX-RP-D-0621-S2-P01, Revision P01, Dated 05/03/2021.
- Proposed Drainage Layout, JPG Group, Reference
- 4656-JPG-XX-XX-RP-D-1400-S4-P05, Revision P05, Dated 07/06/2021.

The flowrate from the site shall be restricted to a maximum flowrate of 1.4 litres per second per hectare. A 30% allowance shall be included for climate change and an additional 10% allowance for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change plus urban creep critical storm

event. The scheme shall include a detailed maintenance and management regime for the storage facility. Principles of sustainable urban drainage shall be employed wherever possible.

Reason: To ensure that the development is built to the submitted drainage design; to prevent the increased risk of flooding; to ensure the provision of adequate and sustainable means of drainage in the interests of amenity in accordance with Policy SP17 of the Ryedale Plan, Local Plan Strategy.

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

Reason: In the interest of satisfactory and sustainable drainage in accordance with Policy SP17 of the Ryedale Plan, Local Plan Strategy.

- 15 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network drainage in accordance with Policy SP17 of the Ryedale Plan, Local Plan Strategy.

#### **INFORMATIVE(S)**

- 1 The grant of this planning permission do not imply or convey any consent for signs that would need permission under The Control of Advertisement Regulations.
- 2 If the developer is looking to have new sewers included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act 1991), he should contact our Developer Services Team (telephone 0345 120 84 82, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition as supplemented by Yorkshire Water's requirements.