

**Item Number:** 10  
**Application No:** 19/00338/MFUL  
**Parish:** Norton Town Council  
**Appn. Type:** Full Application Major  
**Applicant:** Ray Chapman Motors (Mr Duncan Chapman)  
**Proposal:** Creation of vehicle logistics facility to include car valeting centre and open vehicle storage with associated new vehicular access  
**Location:** Land In OS Field 4480 Westfield Way Norton Malton North Yorkshire

**Registration Date:** 21 March 2019  
**8/13 Wk Expiry Date:** 20 June 2019  
**Overall Expiry Date:** 24 April 2019  
**Case Officer:** Alan Hunter **Ext:** 43276

#### CONSULTATIONS:

<b>Public Rights Of Way</b>	Recommend informative
<b>Norton Town Council</b>	No views received to date
<b>Highways North Yorkshire</b>	Recommend conditions
<b>Sustainable Places Team (Environment-Agency Yorkshire Area)</b>	No objection – standing advice applies
<b>Environmental Health Officer</b>	No objection subject to condition
<b>Flood Risk</b>	Further information required – final response awaited
<b>Archaeology Section</b>	Recommend condition
<b>Alan Tomlinson (Ecology and landscaping advisor)</b>	Views awaited

**Neighbour responses:** Mrs Anne Allen,

---

#### SITE:

The application site is located on the eastern side of Westfield Way, Norton. The site covers an area of approximately 1.3 hectares, with a maximum depth of 71 metres and a maximum width of 235 metres. The site is an allocated industrial/business site within the Ryedale Local Plan and proposed to continue with this commitment in the Sites Document. To the south of the site are existing business units on the Norton Grove Industrial Estate. To the east of the site is a woodland containing a pond. Residential development is located on the opposite side of Westfield Way, accessed directly from Scarborough Road. There are established field hedges on the western and southern boundaries, with extensive landscaping in on the eastern boundary and along the northern corner of the site.

Priorpot Beck is located on the northern side of the application site, with field drainage ditches on the southern and eastern boundaries. The land was previously used for arable use.

#### PROPOSAL:

Planning permission is sought for a car valeting and vehicle logistics building together with extensive outdoor vehicle parking areas. The proposal features the same previously approved vehicular access from Westfield Way. The proposed new access will be approximately 100 metres from the southern boundary. The access will then lead into the proposed development with the vehicle logistics and storage facility located to the southern side of the internal access road. The proposed building will approximately measure 21 metres by 40.5 metres and be 3 metres and 6 metres at eaves height (it has an asymmetrical roof design) and 8.2 metres to the ridge height. It is proposed to clad the building in facing brick and a microrib composite wall cladding under a raised seem metal roof cladding. The vehicle parking and storage areas are located to the northern side (laid to hardcore) of the internal access road and to the south the existing building (laid to gravel).

It is proposed that on-site surface water drainage will be attenuated using underground storage and this will be discharged at a controlled rate of no more than 3 litres/per second into the adjacent watercourse.

Extensive survey work has been undertaken for this application. These surveys include:-

- A Contaminated Land survey;
- A Transport Statement
- Ecological surveys;
- Tree Survey;
- Noise Assessment;
- Planning Statement;
- Flood Risk Assessment; and
- A Design & Access Statement.

Full copies of these documents are available to view online.

### **HISTORY:**

Relevant planning history includes:-

2018: Planning permission granted to erect 27no. industrial units (Use Class B1 & B8) together with a new access.

2014: Extension of time for 2009 application for the erection of 16 industrial units (Use Class B1 & B2) and 21 office units together with associated parking and formation of vehicular access together with controlled surface water drainage system water

2009: Planning permission granted for the erection of 16 industrial units (Use Class B1 & B2) and 21 office units together with associated parking and formation of vehicular access together with controlled surface water drainage system water drainage

1987: Outline planning application refused for the erection of a garage for the use of a transport depot - dismissed on appeal

1994: Planning permission granted for the erection of a new road to Norton Grove Industrial Estate

### **POLICY:**

#### National Policy

NPPF 2018

NPPG 2014

#### Local Plan Strategy

SP1 General Location of Development and Settlement Hierarchy

SP6 - Delivery and Distribution of Employment Land and Premises

SP10 - Physical Infrastructure

SP12 - Heritage

SP13 - Landscapes

SP14 - Biodiversity

SP15 - Green Infrastructure Networks

SP16 - Design

SP17 - Managing Air Quality, Land and Water Resources

SP19 - Presumption in favour of Sustainable Development

SP20 - Generic Development Management Issues

SP22 - Planning Obligations, Developer Contributions and the Community Infrastructure Levy

### **APPRAISAL:**

The main considerations in relation to this application are:-

- The principle of the proposed development;
- Potential flood risk;
- The layout, density, scale and design of the proposed development;
- The impact upon the character and appearance of the wider area;
- Impact upon the amenity of the adjoining neighbours;
- Impact upon local archaeology;
- Impact upon wildlife and ecology;
- Impact upon trees on and adjoining the site, together with landscaping details;
- drainage;
- Highway safety;
- Contaminated land; and,
- Developer Contributions.

This application is a 'Major' application that is required to be determined by the Planning Committee. Members will note that the site has previously been granted planning permission in 2009, 2014 and 2018 for industrial development. This application seeks planning permission to create a vehicle logistics facility to include a car valeting centre and open vehicle storage with associated new vehicle access. The proposed facility is required by Chapman Motors, York Road as an extension to their existing operations.

#### The principle of the proposed development

The application site is an allocated industrial/business site. The business use accords with Policy EMP2 of the Ryedale Local Plan which forms part of the adopted Development Plan. This policy is to be read alongside Policy SP6 of the Local Plan Strategy which is broadly supportive of the proposed development. Whilst the proposal does not fall within Use Classes B1, B2 or B8, it does represent a commercial use that is commonly found on industrial estates. Furthermore, Chapman Motors is a well established local company that seeks additional space to support their business, which provides important benefits to the local economy. The business currently employs 52 people on their Malton sites and 39 on their York site. At the present time, vehicles are moved between Seven Street (York Rd) and Showfield Lane for valeting and preparation. The proposed enlarged storage facilities at this site, allows vehicles to be stored and delivered directly to purchasers (accounting for approximately 80% of vehicles). Officers are not aware of any other vacant sites, of this size (1.3hectares) that could fulfil this use in a more appropriate location.

#### Potential flood risk

The site includes land within Flood Zones 1, and 2, and 3. Approximately just under half of the application site is located within Flood Zone 2 with a small section, mainly adjacent to Priorpot Beck being located within Flood Zone 3. The remainder of the site to the southern side is within Flood Zone 1, which represents the lowest area of risk of flooding from rivers and watercourses. It is noted that the location of the proposed building is within Flood Zone 1. In accordance, NPPF and Policy SP17 of the Local Plan Strategy the proposed development is required to be sequentially tested to establish if the proposal could be located on sites at a lower risk of flooding. The Local Planning Authority allocated the application site for industrial/business development because of its close relationship to the existing industrial estate, and because of its access and transport links in what is the largest settlement in the District. The LPA has proposed to continue with this site as a commitment in the Sites Document. There are sites currently being developed for industrial/business purposes in Malton/Norton on York

Road and at the Eden Camp site. The types of units coming forward on these sites tend to be for a combination of large, medium, and smaller industrial units, usually built to order. As detailed above, this proposal is for a business related activity, although not typically either a Use Class B1, B2 or B8. Nevertheless the use is currently undertaken on an existing site at Showfield Lane. The size requirement of the site - 1.3 hectares is considerable and Officers are not aware of other suitable and available premises for this use of this size. Furthermore, the proposal will free the existing industrial site on Showfield Lane for other prospective industrial uses. In view of the above it is considered that the sequential test is met in terms of the expansion of the existing business onto this site. It is not necessary to consider the Exception Test given that the use is within the 'Less Vulnerable' category of land uses.

A detailed Flood Risk Assessment (FRA) has been prepared that has assessed in detail the flood risk implications of the proposed development. Given the proposed building is located within Flood Zone 1 and the mitigation contained within the FRA it is considered that the proposed development has satisfactorily mitigated potential flood risk as far as is possible. The Environment Agency has confirmed it has no objection.

#### The layout, density, scale and design of the proposed development

The proposal is to retain the majority of the planting around the site, with the exception of a small area to be removed to form the access to the site. The majority of the site will be screened from Westfield Way. There will be some views from Westfield Way, but this will be largely of the proposed building which is of similar appearance to other buildings on the industrial estate in terms of its scale, design and materials. Subject to the retention and possible enhancement of the landscaping there is considered to be no objection to the proposed development in terms of its siting, scale and design.

In view of the above, the proposed layout, design and appearance of the scheme, is considered to be acceptable on this site and consistent with the requirements of Policy SP16 of the Local Plan Strategy.

#### The impact upon the character and appearance of the wider area;

The site is undeveloped land previously used for arable crop production, it is well screened by the existing woodland to the east, and by the existing industrial/business estate to the south. The application proposes to retain the existing field hedge on the western boundary with additional planting proposed within the estate and on the northern side. It is considered that the site will not adversely affect the character of the surrounding landscape. A condition is recommended regarding details of external lighting, and additional planting.

#### Impact upon the amenity of the adjoining neighbours

Policy SP20 of the Local Plan Strategy states:

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

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

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

The proposed development will create some noise and disturbance given its intended use, however, this is an allocated employment site, which is located directly adjacent to other industrial/business development and has planning permission for a range of business/industrial uses including Use Classes.

B1, B2 and B8.

There is residential development to the west, Westfield Nurseries Site. Those properties are considered to be the most sensitive receptors to potential noise and disturbance from this proposal. The Environmental Specialists have been consulted and assessed the submitted Noise Assessment.

The Environmental Health Officer has stated:

*'Further to the above application for a vehicle logistics comprising a valeting workshop with 3 bays and offices. I believe that this work activity is suitable for this site but due to the residential dwellings that surround this site recommend that the following conditions are applied.*

*1, Work activities on site to be limited to within 08:00hrs and 17:00 hrs Monday to Friday with no work activity Saturday and Sunday.*

*2, No more than one HGV unloading and loading activity per working day during the conditioned operating hours.'*

In view of this response and the submitted Noise Assessment, it is considered subject to the stated conditions above, there are considered to be no sustainable grounds to refuse this application in terms of residential amenity impacts. It is also considered that the proposal will not have a material adverse effect upon the amenities of the surrounding occupiers or be contrary to the requirements of Policy SP20 of the Local Plan Strategy.

#### Impact upon wildlife and ecology;

The Ecological surveys submitted previously in 2018 have been re-submitted (Water Vole Report and Bat Report). The Council Countryside Specialist stated in response to the 2018 application:

*'The recently submitted documents:-*

*Water Vole interim report*

*Bat report*

*These do go some way to counter my objections to this application. There is a lack of evidence within the adjacent watercourse for Water vole and it was found that the habitat is only suboptimal for Voles. Bat activity has been recorded in the site but much of this was at a low level and associated with the edge habitats which are to be mainly retained.*

*Similarly the revised layout plan has allowed the retention of much of the existing woodland in the north of the site. The ecological report does make mention of the requirement to ensure that there are no impacts from the development onto the nearby River Derwent SAC and suggest the use of a Construction Environment Management Plan (CEMP) to protect the water courses.'*

The Countryside Specialist also recommended a condition relating to construction to include elements relating to biodiversity. A further specialist ecology consultation response is awaited. It is anticipated however that the same ecology condition as previously imposed is also recommended (Condition 5).

#### Impact upon trees on and adjoining the site, together with landscaping details;

The proposal involves the retention of the existing field hedges along the western and southern boundaries. There are existing mature trees along the eastern and northern boundaries. The site includes woodland to the northern part, some of which will be lost due to the proposal. Whilst the final views of the Tree Specialist are awaited. It is again anticipated that the same conditions as previously imposed will be required and these are recommended (Conditions 6, 7 and 8 below).

#### Drainage

The proposal is to drain foul water into the mains and Yorkshire Water has no objection to this method of drainage.

Surface water is proposed to drain into Priorpot Beck at a restricted rate of 3 l/s. This will be undertaken by a series of underground pipes and storage areas and with hydra brakes. This will ensure that outfall into Priorpot Beck will be no greater than the existing agricultural run-off rate. The LLFA has requested additional information before a final decision is made relating to drainage calculations, details of pollution control, exceedance plan, maintenance arrangements and an allowance for climate change. The agent has noted that this outstanding information has previously been the subject of conditions, and has therefore asked the LLFA to consider using conditions again to cover these outstanding issues. The final views of the LLFA are awaited.

#### Highway safety

The Local Highway Authority has considered the submitted Transport Statement and assessed the impact of the proposals upon the local highway network. The Local Highway Authority has no objection to the proposals subject to the imposition of detailed planning conditions listed below.

#### Archaeology

An archaeological evaluation on the site has previously revealed no significant factors on site, and the County Council recommend a condition known as a Watching Brief.

#### Contaminated Land

The Council's Environmental Specialists have been consulted regarding the potential contamination at the site. A land contamination condition as previously imposed is recommended regarding further details of precautionary gas protection measures, details of a below ground level membrane, and details of any imported fill material.

#### Other issues

Norton Town Council have stated that they recommend approval of the application. There has been 1 letter of objection received to the application from the occupier of 35 Evergreen Way, Norton which has raised the following issues:

- Noise and disturbance
- Wildlife and biodiversity
- Views of the site
- Whether additional landscaping is necessary

The issue of noise and disturbance has been appraised above and subject to conditions there is not considered to be a material adverse effect upon the amenity of surrounding properties. Final comments are awaited regarding landscaping, and ecology. The proposal is not however considered to be prejudicial to the visual amenity of the area.

#### Summary

In view of the above the recommendation is one of approval.

**RECOMMENDATION:**                      **Approval subject to the ecology, landscaping and drainage issues being resolved**

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 all external materials, including all external finishes to the buildings and ground surfacing materials, the subject of this permission, shall be submitted to and approved in writing by the Local Planning Authority.

(NB Pursuant to this condition the applicant is asked to complete and return the attached proforma before the development commences so that materials can be agreed and the requirements of the condition discharged)

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

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

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

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

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In order to take full account of heritage assets at the site and satisfy Policy SP12 of the Local Plan Strategy and NPPF.

- 4 Prior to the commencement of the development hereby approved, precise details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be undertaken in accordance with the details thereby agreed.

Reason: In order to protect the character and appearance of the area and to comply with Policy SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 5 No development shall take place (including ground works, vegetation clearance) until a Construction Environment Management Plan (CEMP) (Biodiversity and Arboriculture) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following.

- a) Risk assessment of potentially damaging construction activities
- b) Identification of Biodiversity/Arboricultural protection zones
- c) Practical measures (both physical measures and sensitive working practises) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity or

- arboricultural features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication
  - g) The role and responsibilities on site of an ecological clerk of works or similar.
  - h) Use of protective fences, exclusion barriers and warning signs.
- The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In order to fully take account of protected species, existing landscaping and trees to be retained and new planting. This condition is required to satisfy Policy SP14 and Policy SP20 of the Local Plan Strategy.

- 6 Prior to the commencement of the development, the two lengths of existing hawthorn hedges along Westfield Way to be retained following the formation of the new access to the development, shall be protected a minimum 1.4 metre high fencing aligned 1 metre off the inside face of the hedge. The Local Planning Authority shall first agree the design of this fence in writing prior to the commencement of the development.

Reason:- To ensure that the hedgerow along the western boundary of the site, which is regarded as an important natural screen along the western side of the development is retained and not damaged as a consequence of development, and to comply with Policy SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 7 The formation of the access through the existing boundary hedge along the western side of the development shall be carried out in a manner sympathetic to good horticultural practices, ensuring that hedge plants that form the new ends of the hedge on either side of the new access are retained undamaged, and in a condition that ensures their healthy retention.

Reason: To ensure that the formation of the new access to the development is not detrimental to the two sections of the western boundary hedge which are to be retained, and to comply with Policy SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 8 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.

- 9 A 5m strip to the side of the ditch along the southern side of the site shall be retained for maintenance of the ditch.

Reason: In order to ensure the proper maintenance of the local ditch network by the Internal Drainage Board and to satisfy Policy SP17 of the Local Plan Strategy.

10 Development shall not commence until details of precautionary gas protection measures, including the membrane to be installed and the appropriately qualified person responsible for installing the gas protection measures, have been submitted in writing and agreed with the Local Planning Authority. Submission of a verification report to be approved in writing by the Local Planning Authority will be required on the completion of the instalment of the gas protection measures.

11 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

12 Details of any imported fill material, including the source, amount brought onto site and the test results to ensure that no contamination is present within the fill shall be submitted and approved in writing with the Local Planning Authority.

Reason: To ensure that the site is safe for development, and to satisfy NPPF.

13 Prior to the commencement of the development a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. This will specify measures to deal with impacts from noise, vibration, dust and vehicle movements and should indicate operating and delivery hours. Thereafter the Plan shall be fully adhered to.

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

14 Work activities on the site shall be limited to between the hours of 08:00 hours - 17:00hours Monday - Friday with no working or operations on Saturdays, Sundays or Bank Holidays.

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

15 There shall be no more than one HGV unloading and loading activity per working day during the conditioned opening hours.

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

16 The development shall be carried out in accordance with the details shown on the submitted Flood Risk Assessment dated March 2019), unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage and to satisfy Policy SP17 and NPPF.

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

18034/P/01 Rev G  
18034/P/03 Rev B  
18034/P/02 Rev B

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

- 18 Prior to the commencement of the development the applicant shall submit proposals to be approved in writing by the Local Planning Authority detailing the arrangements for the future maintenance of the internal roads and footways and proposals to ensure that the turning areas and parking provided shall be maintained clear of any obstruction and retained for their intended purpose

Reason: In the interests of highway safety and the general amenity of the development.

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

Reason: To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of prospective users of the highway.

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

Reason: In the interests of highway safety and to satisfy Policy SP20 of the Local Plan Strategy.

- 21 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 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 details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority

b. The access shall be formed with 15 metre radius kerbs, to give a minimum carriageway width of 6 metres, and that part of the access road extending 15 metres into the site shall be constructed in accordance with Standard Detail number E7

e. Any gates or barriers shall be erected a minimum distance of «distance» metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.

g. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details shown on drawing «drawing number» and maintained thereafter to prevent such discharges

h. 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.

#### 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: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience and to satisfy Policy SP20 of the Local Plan Strategy.

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

**INFORMATIVE**

These works shall include, where appropriate, replacing kerbs, footways, cycleways and verges to the proper line and level.

Reason: In the interests of highway safety and to satisfy Policy SP20 of the Local Plan Strategy.

- 23 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 120m measured along both channel lines of the major road Westfield Way from a point measured 4.5m down the centre line of the access road. The eye height will be 1.05m and the object height shall be 0.6m. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

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

- 24 No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas have been constructed in accordance with the submitted drawing 18034/P/01.

Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development and to satisfy Policy SP20 of the Local Plan Strategy.

- 25 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 the approved drawing for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development and to satisfy Policy SP20 of the Local Plan Strategy.

- 26 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of

material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Reason: To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety and to satisfy Policy SP20 of the Local Plan Strategy.

- 27 Prior to the development being brought into use, a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include:
- a. the appointment of a travel co-ordinator
  - b. measures to manage the delivery of car transporters and routing arrangements to avoid the Malton AQMA

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

Reason: To establish measures to encourage more sustainable non-car modes of transport and to satisfy Policy SP20 of the Local Plan Strategy and NPPF.

- 28 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 be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:
- a. the parking of vehicles 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. wheel washing facilities
  - e. measures to control the emission of dust and dirt during construction
  - f. HGV routing to avoid Malton Town Centre

Reason: To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

## **INFORMATIVE**

- 01 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 way. The applicant should discuss with the Highways Authority any proposals for altering the route.