

Item Number: 10
Application No: 20/01235/MFUL
Parish: Huttons Ambo Parish Council
Appn. Type: Full Application Major
Applicant: Mr Jon Guest (Pro-Pak Food Ltd)
Proposal: Erection of raw materials and finished goods cold stores including product development offices and associated car parking, service yard and landscaping
Location: Pro-Pak Food Ltd Seven Street Malton YO17 6YA

Registration Date: 18 December 2020
8/13 Wk Expiry Date: 19 March 2021
Overall Expiry Date: 19 June 2021
Case Officer: Alan Goforth **Ext:** 43332

CONSULTATIONS:

Initial consultation

Archaeology Section	No objection
NYCC Natural Services	Recommend condition
Yorkshire Water Land Use Planning	Objection- site layout needs to take account of public sewerage infrastructure crossing the site
Huttons Ambo Parish Council	No objection
Highways England	Further information required
Highways North Yorkshire	Further information required
Paul Jackson AONB Manager	Comments and concerns
National Grid Plant Protection	No response received
Environmental Health	No response received
Tree & Landscape Officer	No response received
Economic Development	No response received
Flood Risk (LLFA)	No response received

Further consultations

Yorkshire Water Land Use Planning	Recommend conditions. Surface water subject to LLFA requirements.
Highways England	No objection
Highways North Yorkshire	Recommend conditions
Paul Jackson AONB Manager	Comments
Flood Risk (LLFA)	No response received

Representations (7): Mr David Warrington (North Yorkshire Property Holdings Ltd), Mrs Susan Morley, Harrison Developments Malton LLP, Tyr Law on behalf of Cherry Farm Management Company Limited, Mr James Kirby-Welch, Mr John Hartley (*all objection*), JM Packaging Ltd (*neutral*)

BACKGROUND:

The application is to be determined by Planning Committee as a major development because the floor area of the buildings exceed 1,000 square metres. In addition representations received in response to the consultation exercise have raised objections based on material planning considerations.

SITE:

The application site is within development limits on the western side of Malton and part of the western extension to York Road Industrial Estate (Malton Enterprise Park). The existing Pro-Pak site is land allocated as existing employment (Policy SP6 of the RPLPS 2013) and the extension land to the west is employment committed since 2012 (Policy SD12 of the LPSD 2019). The overall site amounts to approximately 2 hectares.

Access is gained from the north via York Road and Cherry Farm Close and also via Seven Street to the east. The site is within an area dominated by industrial and commercial units. There is agricultural land further to the north and west of the industrial estate/enterprise park. The site has a gradual slope north to south with a difference in level from the York Road to the south boundary of approximately 2.43 metres. The existing site boundary is predominately 2.5 metre high palisade fencing with mature tree planting to the north and north west of the existing building. The western part of the application site is used as a temporary car park for Pro- Pak staff and is enclosed by 2 metre high weld mesh fencing.

The site is located within Flood Zone 1, being the lowest flood risk classification. A water mains crosses the industrial estate and there is an electricity pylon on the south east corner of the application site. The boundary of the Howardian Hills AONB is approximately 220 metres to the north west of the site. Public Footpath no. 25.60/1/1 takes a north-south course between the A64 and York Road to the north of the application site. Public Footpath no. 25.51/3/1 takes a south-westerly course through the industrial estate beyond existing units south of the application site.

HISTORY:

10/00150/MOUT- Mixed use development of Business (B1), General Industrial (B2), Storage and Distribution (B8) - site area 6.8ha. APPROVED 22.12.2010. Work has commenced and a number of industrial/commercial units have been developed.

PROPOSAL:

Planning permission is sought for the erection of raw materials and finished goods cold stores including product development offices (B1(a) & B8 uses) and associated car parking, service yard and landscaping.

The proposed extension on the southern side of the existing building is within part of the existing Pro-Pak site currently used as a parking and service area and the building would provide a raw materials warehouse with a direct feed into the process lines. The extension would measure 30.5 metres by 35.4 metres.

The proposed flat roof, two storey extension on the south-east corner of the building is within part of the existing Pro-Pak site currently used as a loading area and the building would provide additional offices; new product development space; and a new main reception adjacent to the entrance off Seven Street. The office extension would measure 27.6 metres by 11.5 metres and stand 7.6 metres in height.

The proposed extension on the western side of the building is within the industrial estate expansion land (Malton Enterprise Park) adjacent to the Cherry Farm Close access off York Road. The extension would provide a finished goods warehouse and packing store and would connect to the existing building via a two storey, flat roof palletising and transfer corridor. The northern end of the corridor would link to a palletising and storage area formed from an extension off the north west corner of the existing building. The finished goods warehouse extension would measure 35.6 metres by 52.8 metres. The two storey, flat roof extension for the palletising and storage area would measure 22.8 metres by 13.7 metres and

stand 9.1 metres in height.

The staff access from the car park would be via the finished goods warehouse with a staircase leading to a first floor corridor which would link to new staff changing facilities and locker rooms.

The eaves height of the warehouses would be 12.12 metres above floor level to achieve the required internal ceiling height which is the operational requirement for Pro-Pak to achieve five levels of palletised storage necessary for the process volumes of the factory. The floor level of the proposed extensions are to be set to match the existing factory. The proposed extensions would create approximately 5,000m² of additional floor space.

The proposed extensions are of steel frame and predominately pitched roof construction. The walls of the extensions would be in composite cladding panels with a polyester powder coated (PPC) finish with the colour palette comprising greys, blue and silver and the roof would be composite profiled metal cladding with a polyester powder coating finish in grey.

The service yard and loading area would be the rear (south) of the finished goods warehouse and the 138 space car park would be to the west, adjacent to Cherry Farm Close. Landscaping is being provided to the north and west of the site. It was initially proposed to form a new access off Cherry Farm Close in the south west corner of the application site to serve the car park and service yard but the application, as amended, proposes a continuation of the use of the existing access off Cherry Farm Close (to be improved) for staff and HGVs.

The proposed extensions would be developed in three phases as shown on the plans accompanying this application.

The planning application is accompanied by a Design and Access Statement (including Planning Statement); Transport Statement and Travel Plan; FRA and Drainage Strategy; Ground Investigation Report; Ecological Impact Assessment; Archaeological WSI; Energy Report; Landscape and Visual Impact Assessment; Arboricultural Impact Assessment; Noise Impact Assessment; Lighting Designs; and Waste Management Strategy.

POLICIES:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

- The Ryedale Plan- Local Plan Strategy (2013)

The Ryedale Plan - Local Plan Strategy (RPLPS) (2013)

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 SP13 Landscapes
Local Plan Strategy - Policy SP14 Biodiversity
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources
Local Plan Strategy - Policy SP18 Renewable and Low Carbon Energy
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development
Local Plan Strategy - Policy SP20 Generic Development Management Issues

Local Plan Sites Document (LPSD) 2019

Policy SD12- New Employment Land Provision

‘The following sites are allocated or committed, as indicated on the Policies Map, for the development of the employment uses specified:

Employment Land - Commitments

- *York Road Industrial Estate, Malton 6.8ha B1,B2,B8 uses’*

Material Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (PPG)

REPRESENTATIONS:

The LPA has received 7 representations from and on behalf of adjacent landowners and occupants of adjacent commercial/industrial units in response to the application. Six raise objections to the application and the reasons are summarised as follows:-

- The proposed building will be twice the height of surrounding buildings
- Scale and mass excessive and colours and materials not appropriate
- More visible from the A64
- The building are out of character with surroundings
- Inadequate landscaping
- Volume of traffic on a daily basis on Cherry Farm Close
- HGVs using Cherry Farm Close will cause congestion
- Insufficient space for HGVs and staff buses
- Parking pressures
- Pedestrian and cyclist safety
- Drainage discharge should run off at Greenfield rates

The objections relating to the following are not matters of planning control:

- Drainage rights/consent
- Access rights/consent

APPRAISAL:

The main considerations in the determination of this application are:

- Principle of the development;
- Design, form, scale and impact on the setting of the AONB;
- Impact on highway safety;
- Impact on local amenity;
- Flood risk and drainage; and
- Ecological impact.

Principle of the development

The National Planning Policy Framework (NPPF), at paragraph 80, advises that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. It states that *“Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”*.

Pro-Pak is a well-established business in Malton and a significant employer in the area (approx. 500 full time employees). The site is within the town development limits as defined by the Policies Map and Policy SP1 (General Location of Development and Settlement Hierarchy) of the RPLPS (2013) supports new development within Malton, as one of the principal towns it is the primary focus for growth. The site benefits from outline planning permission ref. 10/00150/MOUT for mixed use

development of Business (B1), General Industrial (B2), Storage and Distribution (B8) granted in December 2010. Several of the outline conditions have been discharged and work has progressed with the estate road, site infrastructure, landscaping and the build out of a number of plots within the extended estate (Malton Enterprise Park).

Policy SP6 (Delivery and Distribution of Employment/Industrial Land and Premises) of the RPLPS (2013) relates to employment/industrial land and the site falls within the York Road Industrial Estate which is allocated for that purpose. Policy SP6 supports expansion land and new buildings for major employers/established businesses in this location. Policy SD12 (New Employment Land Provision) of the LPSD (2019) is relevant to the western part of the application site and identifies the land as being part of an employment land commitment at York Road Industrial Estate for B1, B2 and B8 uses.

The extensions would allow for internal reconfiguration of production and processing areas within the existing building to meet the expanding demands of the factory and enable manufacturing efficiencies. As a result of the proposed development the site would become the central hub of the business and would reduce the need to outsource storage requirements to off-site locations.

In principle the proposal would generate economic activity and provide employment that would comply with the aims of Policy SP6 of the Local Plan Strategy. The proposed development is considered to be in accordance with the aforementioned national and local policies in relation to economic growth and productivity and the expansion of the business is considered to be acceptable in principle.

Design, form, scale and impact on the setting of the AONB

Policy SP16 (Design) requires that that the location, siting, form, layout, scale and detailed design should respect the context provided by its surroundings and be well related to adjacent buildings.

The proposal relates to a site off York Road on the eastbound approach to Malton. The site is at the entrance to the newer part of the expanded York Road industrial estate. The boundary of the Howardian Hills AONB is approximately 220 metres north west of the site and the potential impact on the setting of the nationally protected landscape needs to be considered in light of Policy SP13 and paragraph 172 of the NPPF.

The application is accompanied by a LVIA and it is evident that the warehouse extensions would be visible over short distances from York Road and within the Malton Enterprise Park and York Road Industrial Estate and longer distances from elevated receptors such as the A64 at Golden Hill.

A number of objections have raised concerns about the scale and appearance of the warehouse extensions.

The two warehouse extensions each reach a maximum height of 15 metres to the ridge of the shallow pitched roof. The heights of the buildings reflect the operational requirements of the Pro-Pak business as explained earlier in this report. It is clear that the two warehouses are of a scale which differs from the existing Pro Pak building (ridge height 5 metres taller) and would not follow the apex heights of the recently constructed units within the enterprise park.

It is reasonable to expect that land allocated for industrial estate/enterprise park purposes to comprise a mix of smaller starter units, medium size buildings and more sizeable premises to cater for the larger, more established businesses/employers. The application site falls wholly within such land and the allocation process had regard to the proximity to the AONB. The extensions do not abut the perimeter of the estate/enterprise park and existing units on adjacent development plots provide a degree of enclosure to ensure there is no sense of encroachment into the open countryside to the north or west. The existing estate has evolved with a variety of buildings of different styles and sizes and it is not considered that the proposed development would be obtrusive within this context.

The external cladding; colour finishes; and exposed external wall columns would provide the building with a degree of visual interest and break up the overall mass of the larger elements. It is considered

that the general massing is appropriate and the overall height would not significantly depart from that expected of a large factory within an industrial estate. Viewed from within the site the new buildings would be read in connection with the existing building and would not appear incongruous.

The position of the extensions reflects the process flows of the factory (raw materials storage, production, finished goods, loading) and the offices would create a new focal point at the eastern Seven Street entrance. The orientation of the buildings and extensions would create appropriate frontages to Cherry Farm Close and Seven Street and the footprint of the extensions does not overdevelop the wider Pro-Pak site. The extensions allow for adequate space between existing buildings and boundaries and sufficient external areas are provided for access, parking, turning and servicing.

The palletising extension and corridor on the north western part of the existing building would improve the view from York Road and enhance the entrance to the enterprise park in that the existing external plant along that elevation would be incorporated within the building envelope. Likewise, the western warehouse extension would provide screening of the rear service and loading yard and as result HGV parking, loading and turning would not be visible from York Road.

The more recently constructed units within the enterprise park are predominately finished in PPC metal cladding with colours ranging from mid to dark grey. This is in contrast to the older industrial buildings within the estate (including the Pro Pak building) which have a lighter colour finish and are of limited architectural merit. The proposed extensions have a modern design to suit the appearance of the Malton Enterprise Park rather than being a continuation of the old style, functional industrial estate buildings. It is acknowledged that the proposal represent a ‘step up’ in quality of industrial estate buildings and a continuation of the approach taken on newer units in the enterprise park.

The extension to form the office/main entrance would be flat roof and its appearance would depart from the more functional appearance of the existing building. The façade would incorporate rain screen cladding with a range of module sizes to create interest. The main entrance is to be accentuated by an aluminium clad portal containing two levels of metallic silver louvres and a laser cut decorative screen above a brickwork dwarf wall. Solar PV panels are to be provided on the roof.

The LVIA concludes that the scale and massing of the extensions is appropriate for the location. There is a general absence of landscaping within the enterprise park but in this case it is considered that the landscaping strip (ranging from 1.3m – 9m in width) proposed along the site perimeter on the western side of the site would suitably soften the appearance of the car park.

Policies SP16 and SP20 require that extensions are appropriate and sympathetic to the character and appearance of the host building in terms of scale, form and use of materials. It is considered that the extensions comply with that required by these policies. In terms of the wider landscape impact and the setting of the AONB it is concluded that the extensions would not appear incongruous as despite the increased height they would blend with the existing built form and commercial/industrial landscape in this area. The buildings allow for a degree of variation in the appearance but they would not overly depart from the character of the site and would not give rise to material harm to the appearance of the enterprise park or the setting of the designated landscape in compliance with Policies SP13, SP16 and SP20.

Highways

Paragraph 109 of the NPPF states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.

Policy SP20 (Generic Development Management Issues) of the RPLPS advises that *“Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists. Information will be required in terms of the positioning and treatment of accesses and circulation routes, including how these relate to surrounding footpaths and roads”*.

As stated earlier in this report a number of objections raise highways related concerns.

The highways officer initially requested further information in relation to traffic flow on Cherry Farm Close associated with the site, especially at shift changes and the capacity of the junction with York Road. In addition information was sought in relation to the level of traffic generated at shift changes and staff parking demand.

The further information was provided by the applicant and the plans were revised to omit the new access off Cherry Farm Close proposed to be formed in the south west corner of the application site. The revised plans revert to use of the existing access onto Cherry Farm Close which is immediately to the north of the proposed western extension and opposite the junction with York Road.

The existing access, which is to be improved, would provide access to the car park and service yard/loading area via Cherry Farm Close. The existing formal access off Seven Street would remain in use for visitors; a reduced number of staff; and a significantly reduced number of deliveries.

The highways officer notes that both York Road, which has a ghost island right turn lane, and the internal estate road have been laid out to be able to accommodate large goods vehicles. In terms of HGV movements associated with the factory the site layout allows for maximum length HGVs to safely enter and leave the site and the service yard.

The layout includes an arrival holding bay for delivery vehicles and barrier system and 3 bays within the service yard. The application details confirm 12 goods vehicles arriving per day. The highways officer acknowledges that in theory the site could have 4 goods vehicles on site at any one time, clear of the highway, so providing loading/unloading time for each delivery is no more than a couple of hours, 12 deliveries could be accommodated over an 8 hour day. Nevertheless the delivery arrangements require careful management and control and a condition is recommended requiring the submission and approval of a service management plan in this regard.

The supporting documents detail shift patterns and staffing levels and illustrate that the proposed car park (138 spaces) would not be exceeded by day to day site activities. The highways officer has not raised concerns in relation to the parking provision. In addition a staff bus and Travel Plan aim to limit staff parking demands on-site. It is noted that objections have queried the frequency of the staff bus pick up and drop offs. It has been clarified that one bus per day is used Monday to Friday. The drop off and pick up times are: drop off at approximately 5:50 am and depart immediately with no collection; drop off at approximately 1:50pm and collects staff that finish at 2:00pm. Depart site at approximately 2:10pm; and pick up from site at 10:00pm with no drop off. Depart approximately 10:10pm. As a result multiple buses would not need to be accommodated at the same time.

The highways officer notes that due to the nature of the shift patterns in operation at the site much of the traffic generated at present and following the proposed expansion would continue to occur outside of the peak network hours. Whilst shift change over times will produce particular peaks in traffic generation, any queuing that may occur would be expected to be relatively short lived and unlikely to impact the flow of traffic on York Road.

The supporting documents include vehicle tracking drawings, phasing plans and an outline service management plan. There would be sufficient parking and turning areas available within the site to allow for the safe movement of staff and delivery vehicles.

Highways England have no objections and the Local Highway Authority is satisfied with the proposal subject to a schedule of standard conditions. It is considered that the proposed development would not result in an unacceptable increase in traffic levels or any adverse impacts on the local highway network and the design encourages the use of sustainable transport in compliance with Policy SP20.

Local amenity

As required by Policy SP20 (Generic Development Management Issues) the development should respect the character of the area without having 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.

The site is within an established industrial estate and land allocated for employment purposes for B1, B2 and B8 uses. There are no nearby residential properties that would be impacted by the proposed development.

In terms of noise the site is set within an area dominated by commercial and industrial uses which contribute to background noise. There is a requirement for external refrigeration plant on the chilled warehouses. The noise report confirms that the noise associated with the operation of the plant would be within acceptable levels. The extensions would not involve any food manufacturing process and no odour control systems are required.

The application has shown that the external access and parking areas can be illuminated by subtle, low-level lighting to ensure safe movement of pedestrians and vehicles whilst not creating unacceptable glare or light pollution.

It is considered that the proposed development would be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation of existing businesses. It is not anticipated that the expansion of the factory would give rise to unacceptable emissions, pollution or disturbance in compliance with Policy SP20.

Flood Risk and drainage

The site is within Flood Zone 1 with no water features in close proximity and the proposed development is classed as a 'less vulnerable' use. The application is for 'major' development and is therefore accompanied by a Flood Risk and Drainage Assessment and supplementary technical notes.

The FRA confirms that the site is assessed as having a low and negligible risk of flooding from all sources of flooding. The proposed development has been designed to incorporate the following mitigation:

- Set finished floor levels in the extension at the same level as the existing building of 23.60mAOD.
- Use on-site landscaping and site levels to ensure surface water falls away from new/existing buildings and towards positive on-site drainage systems.
- No basements to be constructed on site.
- Safe access will need to be available into the development for motor vehicles, pedestrians and emergency vehicles at all times.
- Utilise Sustainable Drainage Systems (SuDS) where possible.

The proposed surface water discharge for the Pro-Pak expansion site is into the Malton Enterprise Park drainage system. It is proposed that a new connection is created into an existing manhole within Cherry Farm Close to the south west of the site with eventual discharge from the enterprise park attenuation basin to the watercourse south of the enterprise park.

In terms of alternatives for surface water the applicant has confirmed that site conditions and planning restrictions do not allow for infiltration (due to underlying clays) or combined discharge to the existing trade effluent system.

The applicant's other, alternative option would be to discharge at greenfield rate into the existing Seven Street spur. However, given the shallow nature of this outlet, pumping would be required to convey runoff across the site, complex drainage systems and a large amount of storage would be needed in order to facilitate this.

In light of the above the applicant's drainage consultants have submitted technical details to illustrate

that a surface water outlet proposal based on 50 litres per second outflow (using a hydro-brake flow control device) from the Pro-Pak expansion site connecting to the wider enterprise park site drainage system is appropriate and would not cause undue effects downstream.

The existing Pro-Pak site has a domestic foul and trade effluent connection and an additional foul connection is not required for this proposed development.

It is also proposed to divert both the water main and the pumped foul main services along the route of internal access road through the car park so to avoid the proposed buildings and areas of landscaping.

Yorkshire Water have no objections and a consultation response from the LLFA is awaited.

In light of the above it is considered that provided the development proceeds in accordance with the mitigation contained within the FRA it would not be at risk from flooding or increase flood risk elsewhere and subject to final details being approved in relation to the design of the surface water drainage scheme the development complies with the NPPF and Policy SP17.

Ecological Impact

The application is accompanied by an Ecological Impact Assessment. The County Ecologist notes that the proposed development would result in the loss of a modest area of amenity grassland, a single tree and two sections of hedgerow. There are no significant constraints in terms of protected species. The replacement planting of hedgerows and trees would provide significant net gains for biodiversity. A number of additional ecological enhancement measures include provision of a log pile, two bird nesting boxes and one bat box. Further details have been secured in relation to external lighting which will be designed to minimise impact on protected species and will be secured by condition.

The proposed development site is located around 400 metres north-west of the River Derwent Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). The supporting documents consider the possibility of contaminants being transported to the river via surface water drainage and incorporate various mitigation measures (interceptor, catchpits, gullies) to avoid these risks. It is considered that provided that the Construction Management Plan, SuDS Maintenance and Management Plan, and measures for removal of Himalayan balsam are implemented, there would be no likely significant effect on the integrity of the River Derwent SAC/SSSI.

The County Ecologist is satisfied subject to a condition requiring adherence to the ecological mitigation and enhancement measures set out in the Ecological Impact Assessment. In light of this it is considered that the proposed development complies with the requirements of Policy SP14 and the NPPF.

Archaeological impact

The area of the proposed extension has been subject to previous archaeological assessment in the form of a geophysical survey, with a number of the adjacent plots also subject to monitoring during development. The results of these surveys indicate a low archaeological potential for this particular area. The County Archaeologist has no objections to the proposal.

Conclusion

The proposed development of this site within an area allocated as employment land within the town development limits aligns with the principle aims of Policies SP1 and SP6 of the Local Plan Strategy and the NPPF in relation to economic growth, productivity and employment.

The new facility would be appropriate in terms of scale, design, materials and orientation and can be accommodated without having an unacceptable impact on the appearance of the street frontage or the character and form of the settlement.

The proposed development can be accommodated without resulting in material harm to the setting of the AONB, character of the enterprise park, visual or residential amenity or highways safety and

complies with Policies SP1, SP6, SP13, SP14, SP16, SP17, SP18, SP19 and SP20 of the adopted Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework.

In light of the above it is considered that the proposal is acceptable and the recommendation to Members is one of conditional approval.

RECOMMENDATION: **Approval** subject to the following conditions; and any further requirements of the LLFA

- 1 The development hereby permitted shall be begun on or before [3 years from date of permission].

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 plans:

Location Plan ref. 1905 / 01a, dated 13.05.2021
Proposed Site Plan ref. 1905 / 12f, dated 11.05.2021
Proposed Ground Floor Plan ref. 1905 / 13c, dated 14.05.2021
Proposed First Floor Plan ref. 1905 / 14c, dated 17.05.2021
Proposed Roof Plan ref. 1905 / 15b, dated 17.05.2021
Power Line Section ref. 1905 / 16, dated 02.12.2019
Proposed Sections Sheet 1 ref. 1905 / 17a, dated 19.10.2020
Proposed Sections Sheet 2 ref. 1905 / 18, dated 20.10.2019
Proposed Sections Sheet 3 ref. 1905 / 19b, dated 18.05.2021

Proposed Elevations Sheet 1 ref. 1905 / 21b, dated 18.05.2021
Proposed Elevations Sheet 2 ref. 1905 / 22c, dated 18.05.2021

Proposed Phasing Plan ref. 1905 / 23d, dated 03.06.2021
Construction Site Set Up for Phase 1 ref. 1905 / 24b, dated 20.05.2021
Proposed Site Plan Phase 1 ref. 1905 / 25, dated 13.05.2021

Landscape Proposals ref. PRI23028-11C, dated 14.05.2021
Tree Protection Plan ref. PRI23028-03B, dated 12.05.2021

Drainage Layout ref. S1426 – 01E, dated 11.05.2021
Drainage Details ref. S1426 – 02D, dated 09.02.2021
External Works Layout ref. S1426 – 03E, dated 11.05.2021

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

- 3 Unless otherwise agreed in writing with the Local Planning Authority, the materials and colour finishes to be used on the exterior of the buildings the subject of this permission shall be in accordance with the details and samples as shown on the approved elevation drawings and the Schedule of Materials, dated December 2020.

Reason: To ensure a satisfactory external appearance in the interests of visual amenity and to comply with Policies SP13, SP16 and SP20.

- 4 Unless otherwise agreed in writing with the Local Planning Authority, all ground surfacing materials for access, internal roads, paths, verges, parking and turning areas shall be in accordance with the details as shown on External Works Layout ref. S1426-03E, dated 11.05.2021.

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

- 5 Unless otherwise agreed in writing with the Local Planning Authority, all boundary treatments and means of enclosure shall be in accordance with the details as shown on the approved Proposed Site Plan ref. 1905 / 12f, dated 11.05.2021.

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

- 6 Unless otherwise agreed in writing with the Local Planning Authority, the landscape planting scheme as shown on the approved Landscape Proposals drawing ref. PRI23028-11C, dated 14.05.2021 as detailed within the Soft Landscape Specification produced by ACD Environmental, dated November 2020 shall be carried out during 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 satisfy the requirements of Policies SP13, SP16 and SP20 of the Ryedale Plan, the Local Plan Strategy.

- 7 Unless otherwise agreed in writing with the Local Planning Authority, the long term management and maintenance of all planted areas within the site (trees, shrubs, other plants and grassland) shall be in accordance with the Soft Landscape Management and Maintenance Plan produced by ACD Environmental, dated November 2020.

Reason: To ensure the successful planting operations, establishment, and continued healthy growth through to maturity of the trees, shrubs, and grass to satisfy the requirements of Policies SP13, SP16 and SP20 of the Ryedale Plan, the Local Plan Strategy.

- 8 Unless otherwise agreed in writing with the Local Planning Authority, all works shall be undertaken in accordance with the recommendations set out in the Arboricultural Impact Assessment and Method Statement Rev B, produced by ACD Environmental, dated 12.05.2021 and as shown on the Tree Protection Plan ref. PRI23028-03B, dated 12.05.2021.

Reason: In order to ensure good management and protection of retained trees to satisfy Policy SP16 of the Local Plan Strategy.

- 9 Unless otherwise agreed in writing with the Local Planning Authority, all works shall be undertaken in accordance with the recommended mitigation and enhancement measures set out in the following sections of the Ecological Impact Assessment Rev A, produced by ACD Environmental, dated 12.05.2021:

- 6.23-6.27 (management of Himalayan Balsam)
- 6.28-6.31 (replacement hedgerow planting)

- 6.36-6.38 (replacement tree planting)
- 6.40-6.41 (protection of wildlife from construction hazards)
- 6.54 (timing of site clearance)
- 8.1 (biodiversity enhancements)

Reason: In order to maintain and enhance habitats and to satisfy Policy SP14 of the Local Plan Strategy.

- 10 Unless otherwise agreed in writing with the Local Planning Authority, the installation of external lighting at the site shall be in accordance with the details contained within Section 3.10 of the Design and Access Statement, dated December 2020 (Revised June 2021) and the Outdoor Lighting Design Calculations ref. FR-257, dated 27.11.2020 produced by NVC Lighting Ltd.

Reason: In the interests of the reduction of light pollution; protected species and to protect the setting of the AONB in compliance with Policies SP13 and SP20.

- 11 Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall be operated in accordance with the recommended measures set out in the Waste Management Strategy, dated November 2020.

Reason: To ensure minimisation and management of waste generated by the development in compliance with Policy SP16.

- 12 No building or other obstruction including landscape features shall be located over or within 3 (three) metres either side of the centre line of the public rising main i.e. a protected strip width of 6 (six) metres, that crosses the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

Reason: In order to allow sufficient access for maintenance and repair work at all times in compliance with Policy SP17.

- 13 No construction works in the relevant area(s) of the site shall commence until measures to protect the public sewerage and water supply infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipes for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the sewer & water main, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.

Reason: In the interest of public health and maintaining the public sewerage and water supply networks in compliance with Policy SP17.

- 14 All development on the new extension land of Cherry Farm Close shall be designed with separate systems of drainage for foul and surface water on and off site. N.B. The buildings and hard standings from the existing facility can continue to outlet to the existing combined sewer.

Reason: In the interest of satisfactory and sustainable drainage in compliance with Policy SP17.

- 15 The development shall be carried out in accordance with the details shown within the submitted report, "Site-Specific Flood Risk Assessment & Drainage Strategy prepared by Bailey Johnson Hayes Consulting Engineers (Report dated November 2020)", unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage in compliance with Policy SP17.

- 16 The development must not be brought into use until the access to the site on Cherry Farm Close has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:

The access must be formed with radius kerbs, to give a minimum carriageway width of 6.5 metres, and that part of the access road extending 10 metres into the site must be constructed in accordance with the following requirements.

- Any gates or barriers must be erected a minimum distance of 10 metres back from the carriageway of the existing highway and must not be able to swing over the existing highway.
- That part of the access extending 10 metres into the site from the carriageway of the existing highway must be at a gradient not exceeding 4%.
- Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway must be constructed in accordance with the approved details and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within 10 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 compliance with Policy SP20.

- 17 There must be no access or egress by any vehicles between the highway and the application site at Cherry Farm Close until splays are provided giving clear visibility of 43m to the west measured along the channel line of the major road Cherry Farm Close from a point measured 2.4m down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety in compliance with Policy SP20.

- 18 No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users have been constructed in accordance with those shown on drawing ref's 1905/25; S1426 – 01E; S1426 – 02D; & S1426 – 03E. Once created these areas must 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 in compliance with Policy SP20.

- 19 Prior to the first occupation of the development, a Travel Plan must be submitted to and approved in writing by the Local Planning Authority. The Travel Plan will include: -

- Agreed targets to promote sustainable travel and reduce vehicle trips and emissions within specified timescales and a programme for delivery;
- Effective measures for the on-going monitoring and review of the travel plan;
- S commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development, and;
- Effective mechanisms to achieve the objectives of the Travel Plan by both present and future occupiers of the development.

The development must be carried out and operated in accordance with the approved Travel Plan. Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation must be implemented in accordance with the timetable contained therein and must continue to be implemented as long as any part of the development is occupied.

Reason: To establish measures to encourage more sustainable non-car modes of transport in compliance with Policy SP20.

- 20 Prior to the first occupation of the development, a Service Management Plan (SMP) shall be submitted to and approved in writing by the Local Planning Authority. The SMP shall provide a framework to manage the delivery of all service vehicle movements to and from the site. The SMP should identify how and what types of vehicles are expected for operation of the site. Their delivery times should be also be detailed and measures to be implemented to ensure the proposed system for accessing the site via the arrivals holding layby can operate satisfactorily. Any measure described in the SMP shall be implemented prior to first occupation.

The approved SMP shall be implemented and shall remain for as long as the development is occupied unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of highway safety and the amenity of the area in compliance with Policy SP20.

INFORMATIVES

1. Any proposal by the developer to alter/divert a public sewer will be subject to Yorkshire Water's requirements and formal procedure (in accordance with Section 185 Water Industry Act 1991).
2. Any ground clearance and vegetation removal work is required to be undertaken without harming nesting birds or destroying their nests. The main nesting and breeding season runs from 1 March to 31 August. If this is unavoidable checks should be undertaken by a suitably qualified ecologist prior to any felling or cutting of trees or shrubs. Reason: In order to prevent disturbance to breeding birds which are protected by the Wildlife and Countryside Act 1981 (as amended).

3. All new lighting should follow guidance detailed within the Bats and Artificial Lighting in the UK guidance note and the Guidelines for consideration of bats in lighting projects (section 6.48 of the EcIA).
4. Condition 6- new hedgerow planting (section 6.31 of the EcIA), Alder Buckthorn is rare in Ryedale and not characteristic of the Derwent valley; Purging Buckthorn (*Rhamnus catharticus*) would be a more appropriate species.
5. The applicant should liaise with the relevant service provider/operator to ensure necessary consent is in place for construction work in close proximity to the on-site electricity pylon and overhead lines.