

Agenda Item 9

Item Number:
Application No: 19/01059/MFUL
Parish: Norton Town Council
Appn. Type: Full Application Major
Applicant: Mr Paul Stead (Bright Steels Limited)
Proposal: Demolition of existing offices and factory buildings and erection of 4no. three bedroom terraced dwellings and a block of 6no. two bedroom flats with associated access, parking and landscaping
Location: Bright Steels Building 1 Beverley Road Norton Malton North Yorkshire

Registration Date: 11 September 2019
8/13 Wk Expiry Date: 11 December 2019
Overall Expiry Date: 1 January 2020
Case Officer: Niamh Bonner **Ext:** Ext 43325

CONSULTATIONS:

Highways North Yorkshire	Recommend conditions
Environmental Health Officer	Withdraws objection, recommends conditions
Designing Out Crime Officer (DOCO)	No objection should the D.A.S be followed
Archaeology Section	Recommend condition
Housing Services	
Yorkshire Water Land Use Planning	
Flood Risk	No comments

Neighbour responses: Mr Andrew Brown, Mrs Rebecca Simpson,

SITE:

The application site is located on the corner of Wood Street, Little Wood Street and Beverley Road, Norton. The site is currently occupied by relatively large office and factory buildings associated with Bright Steels, together with a timber hut.

The buildings directly adjoin the footpath along Beverley Road and Little Wood Street and range from approximately 6.75 to 8 metres in height, incorporating a range of materials including stonework, brickwork and corrugated sheeting. The Design and Access Statement confirms these are currently unused and these appear to be in a poor state of repair.

The site at its widest point measures approximately 38.5m from east to west and approximately 31m from north to south.

The wider locality incorporates predominately residential and industrial uses, with residential properties adjoining the site to the north, east and south. Further land under the ownership of Bright Steels includes the works to the north west and west of the application site and office buildings to the south.

This is located within Norton Development Limits and within an archaeologically sensitive area.

PROPOSAL:

This application seeks permission for the demolition of existing offices and factory buildings and erection of 4no. three bedroom terraced dwellings and a block of 6no. two bedroom flats with associated access, parking and landscaping.

Following limited alterations to the access, parking and hard landscaping the proposal was readvertised.

Under the scheme of delegation, due to the size of the scheme, this application constitutes a major application and is required to be considered by Members of Planning Committee.

HISTORY:

There are no applications considered relevant to the current proposal:

POLICIES

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

National Planning Policy Framework

National Planning Practice Guidance

APPRAISAL:

The main considerations within the determination of this application are:

- i. The Principle of Development
- ii. Character and Form
- iii. Impact upon Amenity
- iv. Access and Highway Safety
- v. Other matters, including consultation responses.

- i. The Principle of Development

The Ryedale Local Plan Strategy is the Development Plan and Policy SP1 (General Location of Development and Settlement Hierarchy) notes that Malton and Norton is the principle town in the district, which is the primary focus for growth for the majority of new development and growth including new housing, employment and retail space.

Policy SP2 (Delivery and Distribution of New Housing) notes support for the “*Conversion and redevelopment of previously developed land and buildings within development limits.*” Support is also noted for “*Infill development (small open sites in an otherwise continually built up frontage.*”

In this instance given that this is within the town development limits and would result in the redevelopment of previously developed land and buildings, the principle of new replacement residential dwellings is considered acceptable. A proposed development of this scale in Norton would not trigger any requirement for affordable housing, however Community Infrastructure Levy would be chargeable.

This proposal is considered to be in accordance with Policies SP1 and SP2 of the Ryedale Plan, Local Plan Strategy, subject to the assessment of the other identified main considerations.

- ii. Character and Form

The proposed development includes 4no. 3 bedroom terraced properties to the eastern section of the development, fronting Little Wood Street to the north. Each would incorporate dedicated private rear amenity spaces incorporating secure cycle storage and 2no. off street parking spaces within the communal rear parking area.

These dwellings would measure approximately 11.4m in length x 5.1m in width, with a ridge height and main eaves height of approximately 8.7m and 5.8m respectively. Due to the two storey projecting

element along the northern elevation, the eaves height does vary slightly, however this results in an acceptable design feature.

These proposals would provide a visual continuation of the form of the existing adjoining terraces along Little Wood Street by virtue of their size, proportions and positioning of the dwellings within the plots. The ridge height would extend a minimal 0.15m higher than the existing dwellings, and the main eaves height would match that of no. 86 Wood Street at the nearest point along the northern elevation.

The terraced row would be completed with facing brickwork with contrasting colour brickwork to accord with that of the adjoining terraces and natural blue/grey slate, with powder coated grey aluminium windows and zinc clad chimney stacks. The proposed dwellings also include openings which respect the positioning and proportions of those within the adjoining terrace, including a fan light and stone lintels and cills. This is considered to relate visually to the existing adjoining terraces, as does the low dwarf wall surrounding the small front amenity spaces to the north

The proposed three storey building containing the six flats would directly adjoin the terraced properties to the west. These would include entrances along the northern and southern elevations, with one car parking space per flat and dedicated internal cycle storage.

This building would incorporate a dual pitched hipped roof design, with a small section of concealed flat roof along the southern elevation. This would incorporate a ridge height of approximately 10.9m height, with an eaves height of 8.2-8.35m and would span approximately 15m east to west and 13m north to south. The flats would incorporate the same materials as those previously detailed for the proposed terraced and would incorporate Juliet Balconies at first and second floor level along the rear southern elevation. The western elevation would incorporate windows serving WCs only, with 'Blind' windows, with buff colour cast stone surrounds and brick infills. This ensures that the elevation appears to accord with the northern and southern elevations which incorporate functioning openings.

All dwellings have been designed with a Mechanical Ventilation Heat Recovery (MVHR) system. The Design and Access Statement notes the following: *"The development has been designed with fabric elements to allow higher insulation levels than the minimum required of the Building Regulations. An MVHR whole house ventilation system is shown to be incorporated into all of the dwelling units with intake and extract terminals integrated into the design (the 'chimneys'). The MVHR systems are incorporated for acoustic reasons (see 9.0) but will also provide a higher indoor air quality to the dwellings. It is envisaged that the dwellings will achieve a high level of airtightness at around 3 mcub/(h.msq) at 50 Pa in order that the MVHR system works efficiently which will also aid acoustic isolation."*

Following comments from the Environmental Health Officer, alterations to the external hard and soft landscaping to the rear of the properties have been made. Concerns in relation to noise impacts (which will be discussed more fully within the amenity section in this report) had influenced the redesign of the vehicular access. Along the western boundary of the site a 2.3m high brick wall has been included, with the repositioning of the access limiting this to one pedestrian entrance. This allows for the relocation of the bin storage area and the formation of an enhanced communal area for the flats. This would be further landscaped with stilted hedging to soften the appearance of the high wall, together with shrubs and turf. A landscaping condition would be recommended as part of any approval. The boundary treatments to the terraced properties were also improved, replacing the originally proposed timber fence with a brick wall, which would have acoustic benefits and better longevity.

This revised block plan is considered to present an enhancement, with a modest amenity space for the future occupiers of the flats secured together with an acceptable amenity space for the terraced dwellings. The aforementioned landscaping condition would ensure this appears adequately landscaped.

It is considered that the proposed design would result in significant visual enhancement upon the currently unoccupied industrial site, particularly given its prominence in this town centre location. The high quality design is sensitive to the surrounding residential dwellings in terms of scale, appearance and positioning, whilst also appearing cohesive with the local architectural vernacular.

iii. Impact upon Amenity

The site is surrounded by residential properties to the north, west and south. It is considered that the positioning of the proposed dwellings will ensure the development does not result in harm to the amenity of surrounding existing dwellings. It is considered that the proposal has the opportunity to improve the general amenity of neighbour residents through the enhancement of the overall visual appearance of the dwellings. No. 86 Wood Street, in the ownership of the applicants will be much enhanced through the removal of a section of the factory which projects into what would normally be expected to form part of the private rear amenity space. This will be returned to garden associated with that property. The proposed scheme would also result in much less overbearing development directly adjoining the western boundary of this property.

It is however recommended that householder 'permitted development' rights are removed to prevent any future extensions/structures/new openings giving rise to harm to amenity of surrounding dwellings. A further condition has been recommended to ensure that any new outdoor lighting within the communal areas of the site/on the exterior of the 6no. flats has the prior written approval of the Local Planning Authority to ensure the lighting remains appropriate in this location.

A further condition to seek details of the method of demolition is also recommended, to ensure that the methods undertaken are sufficient to limit harm to the occupiers of the surrounding residential properties.

In the determination of this application, the greatest area of concern to date has been whether the proposal would provide a sufficient level of amenity for future occupiers of the dwellings in relation to noise, due to the close proximity of the existing factory operations and the busy highway.

The initial Noise Assessment submitted in support of this application was based on a closed windows assessment with the primary ventilation system, for the dwellings to be a Mechanical Ventilation and Heat Recovery System.

The Local Planning Authority's Standards for noise in relation to new domestic dwellings (in line with the World Health Organisation's standards) are based on a windows partially open assessment. In light of the noise levels indicated within the initial noise assessment, Environmental Health Officers initially objected to the proposal.

Significant negotiations were undertaken and with the operational functions of the MVHR system further detailed. The Planning Agent noted in an email dated 26th November 2019 that "*An MVHR system with summer bypass and cooling function is to be incorporated. Designed correctly, this system will provide all of the dwellings with the required day to day ventilation and further protection against summer overheating, so that the occupants do not need to open the windows. Occupants can open their windows but this would only be necessary in extreme circumstances where purge ventilation is required (eg burning food, decorating etc) and would not be necessary on a regular basis. The occupant would have the option to close the window at any time with no detrimental effect to health. Air changes within the dwellings will be designed for the number of occupants and volume of the dwellings. The supply air will be filtered to exclude atmospheric pollution. Extraction from the wet areas of the dwellings will be more effective than the intermittent extract systems normally associated with naturally ventilated dwellings. All of this will lead to a very high indoor air quality within the dwellings, equal to Passivhaus Standards.*

We accept that there is noise present at this site from both the factory and the road noise from Beverley Road. As such, we have designed the development with a largely blank masonry elevation facing the principal sources of noise. This has reduced the noise impact but not to the required level without the further mitigation of acoustic glazing, high performance windows and an MVHR system, all of which are clearly specified."

During the further negotiations (in order to try make noise related improvements to the wider scheme) physical alterations to the boundary treatments of the wider site along Beverley Road have been

secured, including a 2.3 metre high solid wall on either side of the solid electric vehicular access gate/pedestrian access. As noted in the Design Section of this report, care has been given to the landscaping and a stilted hedge is proposed to soften the appearance of the dwelling. A 1.8m high solid wall would also now surround the private rear amenity spaces of the terraces, which has also been illustrated on the proposed plans. Along the Beverley Road, this was previously shown with 1.7m to 1m high walling, with gates incorporating an open railing design. This would have a much more limited impact upon noise attenuation benefits that the currently proposed boundary treatments. The fencing surrounding the terraces was previously a 2.3m high close boarded fence, which would have been overbearing and which may have had limited longevity for the future occupants.

The following final consultation response was received from the Council's Environmental Health Officer following the submission of a revised noise assessment:

"Further to the above application, following our meeting with the architects a revised noise assessment has been submitted. I have considered the revised assessment and whilst the levels in some of the apartments are above the recommended levels with windows partially open, we appreciate that the developers have proposed some mitigation by providing solid brick walls to the perimeter and around the amenity space to each of the houses. It has been proposed that the development will be fitted with a mechanical ventilation and heat recovery system (MVHR) with a cooling function.

Whilst Ryedale is considered to be a rural area and therefore we look at the higher standards of the World Health Organisation noise standards, I accept that the proposed development is in an unique position being opposite a heavy engineering factory and could be considered urban. On balance whilst not within my remit for consideration, I believe that the development will improve the amenity of the area.

When assessing noise impact and amenity of developments each application is considered on its own merits, and providing that this application has the following conditions attached I am satisfied, and shall withdraw my objection.

1. *The development shall be fitted with a MVHR system with cooling function.*
2. *The perimeter wall shall be of a solid brick construction*
3. *The walls to the amenity areas of the houses shall be of solid brick construction.*
4. *The entrance gates shall be of solid construction."*

The assessment undertaken by the Environmental Health Officer is noted and it is considered that on balance, the scheme whilst not meeting the highest standards of the WHO requirements does incorporate high quality options for future residents as a result of the MVHR scheme. Points 2, 3 and 4 are effectively managed through the submitted plans. However further detail on the entrance gates will be sought by condition. In relation to point 1, the Agent had put forward a proposed condition within correspondence dated 26th November which would effectively secure the inclusion of the MVHR System and its technical airtightness testing to Passivehaus standards, which are industry leading standards. This will be included in any approval.

The proposed physical amendments to the scheme incorporating the improved boundary treatments present an enhancement upon the original scheme and on balance in these site specific circumstances, the incorporation of the high quality, tested MVHR system secured by planning condition is considered to provide an acceptable level of residential amenity for future occupiers, with the option to open windows when required.

Fundamentally, the site is an urban site and this presents an opportunity to regenerate currently disused industrial land in very close proximity to existing residential dwellings. The preferred use of this site would be residential rather than the continuation of the lawful industrial use associated with the site. Discussions over whether a redesign of the scheme to provide more of a physical barrier to the road were undertaken, but ultimately the LPA were advised that the costs associated with the remediation of the site were such that the 10 units presented the most effective use of the land and to redesign this may result in margins that make the scheme untenable. Therefore (in this site specific case) and the individual considerations highlighted above, Officers are willing to accept the proposed development

based on the current noise assessment. This is based on the consideration of the detailed evidence put before the Local Planning Authority in this currently vacant industrial plot and as all applications are assessed on their own merits, this would not form any precedent for future applications.

iv. Access and Highway Safety

The North Yorkshire County Council Highways Officer noted the following in their statutory consultation response *“The application includes on-site car parking provision in the order of 14 spaces, which equates to the minimum requirements as set out in the adopted (2015) “Interim Guidance on Transport issues including Parking Standards”. For Malton/Norton (Market Town), these standards are 1 space for two-bedroom properties and 2 spaces for three-bedroom properties, together with a secure lockable facility for cycle parking at each property.*

It is recommended that, in respect of car parking provision, each property allocation is provided with at least one electric vehicle charging point next to the car parking space.

Given the extensive built-up existing site, it is unlikely any construction work can commence until allied demolition works are completed and this will likely entail temporary partial road closures and traffic management measures in order for such works to be safely and satisfactorily carried out.

Appropriate licences required for these works can be applied for via the local highway (Kirby Misperton) office.

It is noted that the car parking and access areas are to be laid with permeable block paving. However, given the made-up ground that currently comprises the site it may be required to excavate additional sub-soils and replace with suitable fill in order for the soak-away character of this block paving to work correctly down into the underlying strata.” This response is noted.

The electric vehicle charging points in this instance were a recommendation rather than a requirement. However negotiation has been undertaken with the Planning Agent in light of this. It has been agreed that electric charging points for each of the four terraced properties will be installed, as there are more challenges in installing private electric charging points in communal parking areas for flats, including upkeep, financial charging and maintenance. This is considered to be an acceptable compromise. It is noted that there are public charging points in close proximity to the site.

In relation to the drainage, the application form notes that surface water would drain to mains sewers. The proposed block paving is permeable but the comments in relation to the potential requirement for excavation to ensure appropriate drainage is secured is noted. This will be negotiated as part of the recommended highway condition relating to surface water.

The Highways Officer confirmed in a response dated 17th December 2019 no objection to the proposed minor alterations to the site layout subject to the updating of the conditions.

v. Other Matters, including consultation responses

The Town Council have noted their recommendation for approval

Two consultation responses were received.

The occupier of no. 19 Briarwood Court noted *“I think it would be great to see that whole side of Bright Steels transformed and tidied up. The buildings standing currently are very dated and these plans would really help improve the visuals of the area.”*

The occupier of 77B Wood Street noted: *“I have no objection to the demolition of the existing building and the erection of much needed housing, this will enhance the appearance of this area with the removal of what is becoming an eyesore due to lack of use and maintenance. I do however have several areas of concern that I would like noted.*

1) During the demolition and construction phases where would the construction workers park, the parking situation in the area known as 'Little Wood Street' is now at a critical level with actual residents struggling to find a parking space either on the road or in the car park at the 'Mill Street' end. During construction I would assume that we would lose (for safety and access reasons) at least parking for 6 vehicles in the road adjacent to the building (opposite Wellington House). If it was Bright Steels that were to develop the site then I would expect construction workers to be using the business premises on Wood Street and Beverley Road for their parking needs however if another developer were to take on the construction then I would doubt that Bright Steels would be forthcoming in allowing the use of their land for parking.

2) During school drop off and pick up times the area outside the proposed site on Beverley Road is extremely busy with cars parking on both sides of the road leaving enough room only for single file traffic, and the number of children and parents using this area is very high so requires very careful consideration if accidents are to be avoided, also if parking in the road is restricted during construction in this area we would see an even greater use of the parking facilities in 'Little Wood Street' once again making life even more difficult for the residents of the area.

3) I notice that the planning application indicates that there will be off street parking for the residents of the proposed development however I would like it to be ensured that there is sufficient parking for all the properties so that vehicles do not 'spill' out onto the surrounding area and make it even more difficult for existing residents to park their own vehicles in what I have already mentioned is a much overcrowded area.

So in summary I would like the council to ensure that existing residents are not inconvenienced in their parking needs and that any dangers to the public are considered before any approval of this application."

This response is noted. The proposal incorporates off street parking for all properties in line with the NYCC Highways Guidelines for Town Centres. Additionally, North Yorkshire Highways as the statutory consultee for access matters and highway safety have not objected to the proposal and have recommended appropriate conditions in relation to a Construction Management Plan. The Agent has confirmed in an email dated 6th January 2020 that they are confident the site is large enough so that "all contractor parking (along with materials, plant and welfare) could be contained within the site." The previous indicated condition relating to demolition will seek details of constructor parking.

Given the archaeologically sensitive nature of the site, North Yorkshire Archaeology were consulted. They noted the following:

"The application includes a desk based assessment that sets out the archaeological interest of this part of the Roman and medieval town of Norton. The site has a high potential for Roman remains in particular with the projected route of the Norton to Settrington Roman road bisecting the site. Significant and well stratified deposits have been observed in Norton and can underlie later 19th and 20th century industrial developments such as those recently noted at the former Wood Street depot site.

It would be usual to request that some level of archaeological field evaluation took place to determine the level of survival and significance of any remains. In this case the site is completely built over with operational buildings. Opportunities to excavate trial trenches have been discussed with the developer but the site is so constrained that this is not possible prior to demolitions taking place. Given the logistical issues my recommendation is that a conditioned scheme of archaeological work takes place following site clearance. Any archaeological deposits would require assessment (e.g. Trial trenching) followed by an appropriate level of excavation where they cannot be preserved beneath the proposed development.

I advise that a scheme of archaeological evaluation followed by mitigation recording is undertaken in response to the ground- disturbing works associated with this development proposal. This should comprise an archaeological strip, map and record to be undertaken in advance of development, including site preparation works, top soil stripping, excavations for new foundations and new drainage or services, to be followed by appropriate analyses, reporting and archive preparation. This is in order

to ensure that a detailed record is made of any deposits/remains that will be disturbed.” A condition was subsequently recommended.

The Designing Out Crime Officer provided advice within their initial response dated 17th September 2019 that all measures outlined in the Security Section of the Design and Access Statement should be incorporated into this scheme. This will be the subject of an informative on any decision notice.

“Thank you for giving North Yorkshire Police the opportunity to comment on this amended planning application. Having reviewed the documents submitted, in relation to designing out crime, I have no further comments to make regarding the proposal.”

In relation to drainage, the Lead Local Flood Authority confirmed no comments to make due to the position of the development in Flood Zone 1. The submitted Drainage Statement highlights that the proposed development will reintroduce some soft landscaping to the site, with substantially less buildings proposed than are currently present and water butts will be incorporated for the terraced properties. The foul and surface water will continue to be directed to the combined public sewer network, but within the site will be dealt with separately should the public sewer be separated in the future in this location. The surface and foul water discharges will be verified by Building Control Officers.

The Council’s Environmental Health Officer also recommended conditions in relation to land contamination given the former industrial use of the site and demolition.

It is therefore concluded that that this scheme is acceptable in terms of policy. The proposed flats and terraced properties are considered to relate to a high quality, sustainable design with modest but sufficient outdoor amenity space. This proposal results in an enhancement upon the existing unused industrial site, securing wider visual improvements within the local streetscene. It is not considered that this would result in harm to residential amenity and that the development can be undertaken without any adverse impacts to access and highway safety, with appropriate off street parking provision secured.

In light of the above considerations, subject to the recommended conditions, this proposal is considered to satisfy the relevant policy criteria outlined within Policies SP1, SP2, SP12, SP16, SP17, SP19 and SP20 of the Ryedale Plan – Local Plan Strategy and the National Planning Policy Framework. This application is therefore recommended for 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 plan(s):

- Site Location Plan (Drawing no. EX10 01 Rev A)
- Proposed Block Plan (Drawing no. PL20 03 Rev A)
- Proposed Site Plan (Drawing no. PL20 01 Rev E)
- Proposed Elevations 1 (Drawing no. PL30 01 Rev B)
- Proposed Elevations 2 (Drawing no. PL30 02 Rev B)
- Proposed Elevations 3 (Drawing no. PL30 03 Rev B)
- Proposed Elevations 4 and Sections (Drawing no. PL30 04 Rev C)

Proposed Floor Plans (Flats) (Drawing no. PL20 02 Rev B)

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

3 In relation to the 4no. terraced dwellings, notwithstanding the provisions of Schedule 2, Part 1

of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or amending that Order) development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

Class A: Enlargement, improvement or alteration of a dwellinghouse

Class B: Roof alteration to enlarge a dwellinghouse

Class C: Any other alteration to the roof of a dwellinghouse

Class D: Erection or construction of a domestic external porch

Class E: Provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure

Reason: To ensure that the appearance of the areas is not prejudiced by the introduction of unacceptable materials and/or structure(s).

- 4 Prior to the commencement of the above ground works of the development hereby permitted or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the buildings the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

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

- 5 Prior to the above ground construction of the dwellings, unless otherwise agreed in writing with the Local Planning Authority, details and samples of the brickwork to be used on the internal and external boundary walls within and surrounding the site shall be submitted to and approved in writing by the Local Planning Authority.

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

- 6 Prior to the above ground construction of the dwellings, unless otherwise agreed in writing with the Local Planning Authority, details of the hard surfacing materials to be used within the site shall be submitted to and approved in writing by the Local Planning Authority.

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

- 7 Unless otherwise agreed in writing with the Local Planning Authority, no additional external lighting shall be installed within the communal areas of the application site, nor on the exterior of the building housing the 6no. flats without the prior written approval of the Local Planning Authority.

Reason: To ensure any additional lighting in this residential area does not result in harm to residential amenity in discordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 8 Prior to the above ground construction of the dwellings, unless otherwise agreed in writing with the Local Planning Authority, plans showing details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of any trees/shrubs and show any areas to be grass seeded or turfed. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs. All planting seeding and/or turfing comprised in the above scheme 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 Policy in accordance with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy

- 9 No part of the demolition of the existing buildings shall be undertaken until a written scheme of demolition has been submitted to and approved in writing by the Local Planning Authority.

This shall provide details of the method of demolition and measures to be undertaken to prevent harmful impacts upon surrounding residential properties.

Reason: To ensure the proposed demolition works in this residential area do not result in harm to residential amenity in discordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 10 No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level and/or block paved 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 the first dwelling of the development is occupied.

Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and to ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.

- 11 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 accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and in the interests of highway safety

- 12 Unless otherwise approved in writing by the Local Planning Authority, no dwelling at the site shall be occupied in advance of or until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements

d. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details shown on Drawing Number PL20 03 Rev A and/or Standard Detail number A2 (Revision E) - crossing point only (copy attached). Any making good of the existing footway around the site shall be in accordance with Specification Standard Detail E50 (Revision A) (copy also attached).

e. Any gates or barriers shall be erected a minimum distance of 7.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.

i. 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.

HI-07 INFORMATIVE:

You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County

Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

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

- 13 There shall be no movement by construction or other vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until that part of the access(es) extending 10 metres into the site from the carriageway of the existing highway has been made up and surfaced in accordance with the approved details and/or Standard Detail number A2 (Revision E) - crossing point only, surface course omitted, and the published Specification of the Highway Authority. All works shall accord with the approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority. Any damage during use of the access until the completion of all the permanent works shall be repaired immediately.

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

- 14 No part of the development shall be brought into use until the existing access on to Beverley Road 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. Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and in the interests of highway safety.

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

- 15 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing number PL20 03 Rev A Once created these parking 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 Ryedale Plan, Local Plan Strategy and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

- 16 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. erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate
 - e. wheel washing facilities
 - f. measures to control the emission of dust and dirt during construction
 - g. a scheme for recycling/disposing of waste resulting from demolition and construction works
 - h. HGV routing to avoid local school locations and/or local school arrival and leaving periods.
- Reason: In accordance with policy # and to provide for appropriate on-site vehicle parking

and storage facilities, in the interests of highway safety and the general amenity of the area. INFORMATIVE: It is recommended that electric vehicle car charging points should be provided in association with the marked car parking area at a ratio of one charging point per dwelling/flat.

- 17 Development shall not begin until an investigation and risk assessment of land contamination has been completed by competent persons and a report of the findings submitted to and approved in writing by the Local Planning Authority. This shall include an appropriate survey of the nature and extent of any contamination affecting the site, and an assessment of the potential risks to human health, controlled waters, property and ecological systems. reports shall be prepared in accordance with Contaminated Land Report 11 and BS 10175 (2013) Code of practice for the investigation of Potentially Contaminated Sites.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 18 Where land affected by contamination is found which poses risks identified as unacceptable, no development or remediation shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the local planning authority. The scheme must include proposed remediation objectives and remediation criteria, an appraisal of remedial options and proposal of the preferred option(s), all works to be undertaken, and a description and programme of the works to be undertaken including the verification plan.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 19 Unless otherwise agreed in writing by the local planning authority, none of the dwellings shall be occupied (or the site shall not be brought into use) until the approved scheme of remediation has been completed, and a verification report demonstrating the effectiveness of the remediation carried out has been submitted to and approved in writing by the local planning authority. The verification report shall include a description of the works undertaken and a photographic record where appropriate, the results of any additional monitoring or sampling, evidence that any imported soil is from a suitable source, and copies of relevant waste documentation for any contaminated material removed from the site.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 20 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 immediately to the local planning authority, and work must cease until an appropriate investigation and risk assessment must be undertaken. Where remediation is necessary, a remediation scheme must be prepared by competent persons and submitted to the local planning authority for approval. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the local planning authority.

Reason: To ensure that risks from land contamination to the future users of the land and

neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 21 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.

No demolition/development shall take place other than in accordance with the approved Written Scheme of Investigation.

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 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: This condition is imposed in accordance with Section 12 of the NPPF (paragraph 141) as the site is of archaeological significance.

- 22 Unless otherwise agreed in writing with the Local Planning Authority, all habitable rooms on the north and south elevations must be constructed with improved acoustic performance as follows:
- o Glazing to windows and doors to units 1 to 6 to be rated at 29 dB Rw+Ctr.
 - o Glazing to windows and doors to units 7 to 10 to be rated at 25 dB Rw+Ctr.
 - o Whole house mechanical ventilation equal to Passivhaus Certified Standard must be installed in each new dwelling to ensure that there is no reliance on background ventilation from trickle vents and/or openable windows or doors.
 - o In order to ensure construction quality in the interest of good as-built acoustic performance, each new dwelling must be tested for air tightness to prove that the air leakage is less than 3 mcub/(h.msq) at 50 Pa.

Reason: To ensure a satisfactory level of residential amenity to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 23 Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of the above ground construction of the dwellings, details of the 4no. electric charging points to serve the 4no terraced dwellings must be submitted to and approved in writing by the Local Planning Authority. These shall be installed and functioning prior to the residential occupation of the 4no. terraced properties.

Reason: To facilitate the use of low emission vehicles in accordance with Policy SP17 of the Ryedale Plan - Local Plan Strategy.

- 24 Notwithstanding the approved plans, prior to the commencement of the above ground works of the development hereby permitted or such longer period as may be agreed in writing with the Local Planning Authority, further details of the proposed gates along Beverley Road shall

be submitted to and approved in writing by the Local Planning Authority.

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

INFORMATIVE(S)

- 1 The development hereby permitted shall be undertaken in accordance with the details within the Security Section of the Design and Access Statement.