

Parish: Northallerton

Committee date: 17 August 2017

Ward: Northallerton North & Brompton

Officer dealing: Mr K Ayrton

9

Target date: 14 September 2017

17/00584/FUL

Mixed Use Development for a residential care home (76 bedrooms), 26 extra care apartments and an 82 bedroom hotel with ground floor retail unit with associated landscaping and parking

At land south of The Willow Beck Public House, Finkills Way, Northallerton

For Crown Care

This application is referred to Planning Committee for decision as it constitutes a departure from the Development Plan

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The application site is 1.61 hectares in area and extends along the line of the branch railway to the north of Northallerton town centre adjacent to the Brompton Beck. It currently accommodates an employment use (steel fabrication) at the southern end of the site, patches of rough grassland and areas of cleared buildings. It is accessed off Finkills Way. The northern part of the site is allocated for employment use. The remainder of the site is unallocated but within the development limits of Northallerton.
- 1.2 To the north is the recently constructed Willow Beck public house. The wider area accommodates a mix of employment uses including a furnishing store to the west, and more traditional employment uses (i.e. Use Classes B1, B2 and B8) to the south along Finkills Way. The uses on the opposite side of the railway (within the town centre boundary) include retail warehouses, a supermarket and a mix of office and residential uses. The overall mix is typical of an edge of centre location. Access to the town centre is via the railway crossing. There is a potential alternative pedestrian access to the south via a public footpath which bridges over the railway line and links to the town centre, exiting at the Oddfellows Arms public house, although there is currently no access to this footpath from the application site.
- 1.3 The Brompton beck passes along the eastern boundary. There are several mature trees subject to a Tree Preservation Order in the vicinity, the majority of which are located beyond the application site at the north end where the land abuts the A167. A large proportion of the site falls within Flood Zones 2 and 3.
- 1.4 The proposal is for two main blocks of three-storey development. These include:
 - A C-shaped building to the south of the site, which would accommodate a 76 bed residential care home and 26 extra care apartments. The buildings would have frontages onto Finkills Way and Brompton Beck, creating an internal courtyard; and
 - A T-shaped 82-bedroom hotel with a frontage onto Willow Beck. This would accommodate a 102 sq m flexible ground floor unit (Use Classes A1, A3 or A5).
- 1.5 The application has also been accompanied by several supporting reports and plans, which cover flood risk, ecology, employment impact, highways, landscaping and design.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 15/02512/FUL - Construction of Use Class A3/A4 public house with parking, associated works and removal of trees; Granted 13 May 2016.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP2 – Access
Core Strategy Policy CP4 – Settlement Hierarchy
Core Strategy Policy CP8 – Type, size and tenure of housing
Core Strategy Policy CP12 - Priorities for employment development
Core Strategy Policy CP13 – Market Towns Regeneration
Core Strategy Policy CP14 – Retail and town centre development
Core Strategy Policy CP16 – Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Core Strategy Policy CP19 – Recreational facilities and amenity open space
Core Strategy Policy CP21 – Safe response to natural and other forces
Development Policies DP1 - Protecting amenity
Development Policies DP3 - Site accessibility
Development Policies DP4 - Access for all
Development Policies DP8 – Development Limits
Development Policies DP13 – Achieving and maintaining the right mix of housing
Development Policies DP16 – Specific measures to assist the economy and employment
Development Policies DP17 - Retention of employment sites
Development Policies DP19 – Specific measures to assist market town regeneration
Development Policies DP22 – Other town centre uses
Development Policies DP30 – Protecting the character and appearance of the countryside
Development Policies DP31 – Protecting natural resources: biodiversity/nature conservation
Development Policies DP32 - General design
Development Policies DP33 - Landscaping
Development Policies DP43 - Flooding and floodplains
Allocations Policy NE2
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Town Council – No objection.
- 4.2 NYCC Archaeology – No objection.
- 4.3 North Yorkshire Police Architectural Liaison Officer – Some initial comments were made, which were then responded to by the agent, including some minor amendments being made to the boundary treatments.
- 4.4 NYCC Sustainable Drainage Officer – Initially requested some additional information, which was addressed in an updated drainage assessment. No objection.
- 4.5 Environment Agency – No objection subject to the Council being satisfied that the sequential test and exception test have been satisfied.

- 4.6 Yorkshire Wildlife Trust - Concerned that this appears to be a very dense and impermeable development in Flood Zone 3 without clear mitigation for nesting birds and otters which are found on the site. If the authority is minded to give planning permission for the development a number of issues would need to be resolved, including designs for the sustainable drainage systems so that there are enhancements for biodiversity.
- 4.7 Environmental Health Officer – No objection. A contaminated land survey will be required.
- 4.9 Highway Authority – Has taken the following matters into account in assessing the proposal and reaching its recommendation:
- The design standard for the site is Manual for Streets and the required visibility splay at the access onto Finkills Way is 45m by 2.4m. The available visibility exceeds this; and
 - The Finkills Way footway along the front of the site has subsided due to the condition of the site boundary and the applicant needs to make good this length of footway.

Recommends planning conditions and requests a planning obligation, to which the Highway Authority would wish to be a party, to secure a new footway link leading across the development as shown in drawing PL05 and a contribution £5,000 to a footbridge across Willow Beck.

- 4.10 Public comments – None received.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of development in this location, including the loss of employment land; (ii) the design and landscaping; (iii) highway impact; (iv) impact on flood risk and drainage; (v) and impact on biodiversity.

Principle and loss of employment land

- 5.3 The site is located within the Development Limits of Northallerton and on the edge of the town centre boundary. The northern part of the site is allocated for employment use with the remainder of the site last in employment use.
- 5.4 Policy NE2 of the Allocation Development Plan Document allocates the northern part of the site for high quality Class B1 business use. The policy includes criteria that require development to deliver flood alleviation measures and high quality design and landscaping. Policy DP17 relates to the retention of employment sites and also applies to the southern part of the land that was previously in employment use. It states that sites and premises used and/or allocated for employment purposes will be safeguarded for that use. Permission for any use that may have an adverse effect on an area's primary purpose for employment will not be granted unless one of four criteria can be met. These are:
- i. The supply and variety of available alternative employment land is sufficient to meet district and local requirements; or
 - ii. Evidence can be provided that no suitable and viable alternative employment use can be found or is likely to be found in the foreseeable future; or
 - iii. There would be substantial planning benefit in permitting alternative uses; or

- iv. Economic benefits to the area would result by allowing redevelopment, for example by facilitating the retention of a business in the area through funding a new site or premises.

5.5 An Employment Land Use Impact Assessment has been undertaken. This considers the development against the four criteria set out under Policy DP17. The report makes the following comments:

- A significant proportion of the employment allocation has already been released to accommodate the public house. The emerging new Local Plan for Hambleton identifies this site as a 'non-preferred employment site' (officer note: this is incorrect. The site has been identified as an existing allocation). The Preferred Option document is based on the findings of the Employment Land Review, which recognised that the 'site south of Yafforth Road has primarily a retail focus' and 'the site would represent opportunities for industrial (mainly at northern parts), general office or/and wholesale employment uses. The southern part of the site could be considered for other uses'. The report goes on to conclude that there is scope to consider the release of further land allocations for employment, particularly 'infill' sites, which do not provide the flexibility required by some occupiers.
- The site has been openly marketed for development since August 2011, a period of 5½ years. It is stated that there have been very few enquiries received. Of those made, many were for non-employment uses (e.g. hotels, motor dealerships, leisure, retail, fast food).
- The report concludes that the site's long term retention would contravene the guidance contained within the National Planning Policy Framework, which seeks to avoid long-term protection of sites allocated for employment uses where there is no reasonable prospect of such a use taking place.

5.6 The findings of the assessment are considered to be sound. Whilst not referred to in much detail in the Employment Land Use Impact Assessment, it is also recognised that the proposed uses would generate significant employment, potentially greater than the previous and allocated uses. The submitted application form states that, in employment use, the site generates the equivalent of 10 full time employees, compared with 113 employees that would be generated by the proposed development.

5.7 The considerations above allow the conclusion to be formed that the relevant requirement of policy DP17 can be met, particularly when the NPPF's expectation that employment sites should be released if there is little prospect of an employment use coming forward. It is considered that there is a sufficient supply of employment land elsewhere to meet local requirements; interest for a more traditional employment use on the site has been limited; and perhaps most importantly, the development itself would generate a significant amount of employment.

5.8 The proposed development includes main town centre uses as defined in the NPPF. Paragraph 24 of the NPPF states that "Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre, and are not in accordance with an up to date local plan. They should require applications for main town centre uses to be located in town centres, then an edge-of-centre location and only if suitable sites are not available should out-of-centre sites be considered. When considering edge-of-centre and out-of-centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and Local Planning Authorities should demonstrate

flexibility on issues such as format and scale". Further advice is set out in the National Planning Practice Guidance.

- 5.9 The application is accompanied by a sequential analysis to consider the impact and justification of the hotel and retail unit. The assessment identified potential available alternative development sites in and well related to Northallerton town centre.
- 5.10 The assessment confirms that the site is in an edge of centre location as defined in the NPPF. It concludes that there are no alternative sites available and suitable. Whilst there are some sites that are available, the assessment sets out that these are not suitable due to their limited size. The report is considered to be thorough and satisfies the requirements of the NPPF's sequential test.

Design and landscaping

- 5.11 One of Hambleton's strategic planning objectives, set out in The Core Strategy Local Development Document (2007), is "To protect and enhance the historic heritage and the unique character and identity of the towns and villages by ensuring that new developments are appropriate in terms of scale and location in the context of settlement form and character."
- 5.12 Policies CP17 and DP32 require the highest quality of creative, innovative and sustainable design for buildings and landscaping that take account of local character and settings, promote local identity and distinctiveness and are appropriate in terms of use, movement, form and space.
- 5.13 The National Planning Policy Framework supports this approach and Paragraph 64, states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 66 sets an expectation that applicants engage with the local community in drawing up the design of their schemes:

"Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably."
- 5.14 The Council's Statement of Community Involvement, adopted in 2013, requires applications for major development or other proposals likely to have any significant impact to explain how public comments have influenced the chosen design.
- 5.15 The application is supported by a Design and Access Statement, which includes an assessment of the site and its context. This results in the identification of strengths, weaknesses, opportunities and threats; most notably the opportunity to enhance the beck side is identified along with improved links to the wider area and the proximity to the town centre. Weaknesses and threats include flooding, the railway and wildlife.
- 5.16 The latter part of the document sets out how the design has evolved, making reference to pre-application discussions. The agent was advised of the need to successfully integrate the development with the surrounding mix of uses and to create a suitable environment for the uses proposed; and the need to reflect local distinctiveness. Changes made throughout the process include a reduction in the scale and mass of the development through greater modulation of facades and more sympathetic use of materials. This has been informed through an assessment of the historic core of Northallerton town centre. Whilst the development is not necessarily seen in the same context, this has helped to introduce local distinctiveness in both the materials and rhythm of development.

- 5.17 Ultimately it is recognised that most importantly, the development will need to respond to its immediate context. In this respect the scale of development would frame the newly landscaped beck, whilst introducing a high quality design to the area and in particular to Finkills Way.
- 5.18 Taking this into account, it is considered that the design meets the requirements of Policy DP32, particularly having regard to the site's context. The supporting documents demonstrate how the design has evolved in response to advice and a considered analysis of the local area, including the choice of materials, which will be critical in making the scheme successfully integrate with its surroundings. The details set out in the Design and Access Statement will need to be followed though in the construction phase as they will add texture and articulation to the elevations.
- 5.19 Due to the density of development, the proposed landscaping would have a crucial role in successfully integrating it with its surroundings. Detailed consideration has been given at this stage, with the application being supported by a landscape and visual assessment, including a landscape masterplan.
- 5.20 The assessment confirms that the site is visually well contained by surrounding built development and vegetation along the railway embankment, which restrict long and medium distance views. Proposed landscape mitigation includes:
- Retention of existing trees where practical;
 - Incorporating significant tree, hedge and shrub planting along site boundary;
 - Development of a landscape entrance; and
 - Paved pedestrian routes linking to the footpath route along the beck bankside.
- 5.21 The landscape masterplan introduces a path alongside the beck, where the landscaping is intended to recognise the function of this part of the site as a drainage and attenuation basin.
- 5.22 Overall the landscaping scheme is considered to be of a good quality, which would enhance the setting of the development and make a positive contribution to the character of the area.
- 5.23 Community views were sought by the agent in developing the scheme, as recorded in the submitted Statement of Community Involvement. This included an exhibition at Allerton Court Hotel. Prior to the event leaflets were distributed to approximately 150 households and businesses. The event was also reported in a local newspaper. Approximately 16 people attended the event. The feedback, whilst limited, was generally positive, with support for the development in terms of the intended uses and the design approach.

Highways

- 5.24 The Highway Authority initially had concerns over the narrowness of the footpath over the road crossing of the beck leading to Northallerton town centre, which was considered to reduce the accessibility of the site from the town centre. Subsequent discussions with the applicant's representative explored options for improvements and agreement has been reached on provision of a new footway link leading across the site (identified on the application drawings) and a contribution of £5,000 to a footbridge across Willow Beck that would provide an alternative to the narrow footpath on the road bridge.
- 5.25 The Highway Authority is satisfied with the visibility splays that can be achieved at the access and egress point. It is also satisfied with the car parking proposed, which includes a total of 90 spaces in two main areas split between the north and south of

the site. The supporting transport statement sets out how the provision accords with North Yorkshire County Council standards and compares with similar developments elsewhere. The scheme would also deliver 24 on-site cycle parking spaces.

Flood Risk and Drainage

- 5.26 The Environment Agency flood map identified large parts of the site as being located within Flood Zones 2 and 3, areas of flood risk where flood-sensitive development should be discouraged or prevented. The owner of the site has been investigating flood risk for the last few years and this is reflected in the supporting documentation, which includes a Flood Risk Assessment (FRA) from 2015 with a 2017 addendum. A Drainage Impact Assessment and a Sequential and Exception Test have also been submitted.
- 5.27 The Sequential Test is intended to steer new development to areas with the lowest probability of flooding; Flood Zone 1. Where there are no reasonably available sites in Flood Zone 1, Local Planning Authorities should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the Exception Test if required.
- 5.28 The Exception Test ensures that flood risk will be managed satisfactory, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. Essentially, the two parts of the Test require proposed development to demonstrate that it will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible, reduce overall flood risk.
- 5.29 The addendum demonstrates how flood alleviation works would result in the development being located within Flood Zone 2. This is because of the introduction of a flood compensation area along the beck's side. The FRA concludes that the development would not increase flood levels and would increase flood storage capacity, which would be of benefit to the surrounding area by decreasing the risk of flooding.
- 5.30 The Environment Agency has commented in respect of flood risk, confirming that it can only support the application subject to two factors. The first is that the measures set out in the Flood Risk Assessment and Addendum are implemented and secured by planning condition; and secondly, that the development meets the Sequential and Exception Test as required by the NPPF.
- 5.31 During the consideration of the application, the applicant submitted a Sequential and Exception Test. Key points in the Sequential Test include:
- Residential institutions such as residential care homes, children's homes, social services homes, prisons and hostels are classed as "More Vulnerable". Such a development is appropriate in Flood Zones 1 and 2;
 - Buildings used for shops, financial, professional and other services, restaurants and cafes, hot food takeaways, and assembly and leisure are classed as "Less Vulnerable". Such a development is appropriate in Flood Zones 1, 2 and 3a; and
 - There are no sequentially preferable sites, appropriate to the proposed development, available within or on the edge of Northallerton town centre.
- 5.32 Schemes that pass the Sequential Test are also required to respond to and effectively mitigate the risk of flooding on the site. This is done through a process of site specific Flood Risk Assessment and, in some cases, the application of the Exception Test. Key points in the Exception Test for this development include:

- The development at Finkills Way has been designed in accordance with the flood alleviation measures that had been modelled previously. This is in the form of a flood alleviation zone along the eastern boundary of the site;
- The report sets out how the development meets the economic, social and environmental dimensions of sustainable development.
- The report makes reference to the findings of the Flood Risk Assessment, which confirms that following the completion of the development, it would be safe and that any residual flood risk can be overcome.

5.33 Therefore it can be concluded that the Sequential and Exception tests have been passed.

Biodiversity

5.34 Several ecological surveys have been undertaken in and around the site over the last few years. An ecology report has been submitted in support of the application, which re-appraises all previous surveys and assesses likely impacts of the proposed development. The report concludes that the impacts upon existing ruderal habitats (i.e. plant species that have colonized the disturbed lands) would be offset by the proposed landscaping planting around the new development.

5.35 It is known that otters are present along the beck, although the ecology report notes that the presence within the development site appears to have reduced compared back with previous surveys. Further otter surveys are recommended with mitigation being tailored accordingly. It is also important that the landscaping scheme is developed to fully consider the ecology benefits. This can be best controlled through a condition requiring the submission of a landscape and ecology management plan. Other recommendations and mitigation are proposed in respect of breeding birds, bats and site enhancements.

5.36 It is concluded that the proposal accords with the requirements of the Development Plan, most notably policy DP31, which offers protection to sites and habitats of nature conservation, together with protected species.

6.0 RECOMMENDATION

6.1 That subject to (a) the satisfactory prior completion of a planning obligation to secure the agreed highway works/contributions; and (b) any outstanding consultations permission is **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered SL03, PL01, PL02, PL03, PL04, PL05, PL06, PL07, EL1, EL2, EL3, Landscape Masterplan P05 received by Hambleton District Council on 8 March 2017; and PL08A received by Hambleton District Council on 24 April 2017 unless otherwise approved in writing by the Local Planning Authority.
3. No above ground construction work shall be undertaken until details and samples of the materials to be used in the construction of the external surfaces of the development have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been approved in writing by the Local Planning Authority. The

development shall be constructed of the approved materials in accordance with the approved method.

4. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the recommendations sets out in the Ecology Report (January 2017) prepared by JBA Consulting along with the following: (i) risk assessment of potentially damaging construction activities; (ii) identification of "biodiversity protection zones"; (iii) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements); (iv) the location and timing of sensitive works to avoid harm to biodiversity features; (v) the times during construction when specialist ecologists need to be present on site to oversee works; (vi) responsible persons and lines of communication; (vii) the role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and (viii) use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.
5. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following: (i) description and evaluation of features to be managed; (ii) ecological trends and constraints on site that might influence management; (iii) aims and objectives of management; (iv) appropriate management options for achieving aims and objectives; (v) prescriptions for management actions; (vi) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period); (vii) details of the body or organization responsible for implementation of the plan; and (viii) ongoing monitoring and remedial measures. The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.
6. The development shall not be commenced until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs, has been submitted to and approved by the Local Planning Authority. The scheme shall adopt the following established in the submitted landscape masterplan P05 prepared by SLR, received by Hambleton District Council on 8 March 2017. The development shall not be occupied after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless those elements of the approved scheme situated within the site have been implemented. Any trees or plants which within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species.
7. No external lighting shall be installed other than in complete accordance with a scheme that has previously been approved in writing by the Local Planning Authority.
8. No development shall be commenced until an assessment of the risks posed by contamination, carried out in line with the Environment Agency's Model Procedures for the Management of Land Contamination CLR11, has been submitted to and approved by the local planning authority. A scheme for the remediation of any

contamination shall be submitted and approved by the local planning authority before any development occurs. The development shall not be occupied until the approved remediation scheme has been implemented and a verification report detailing all works carried out has been submitted to and approved in writing by the local planning authority.

9. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by JBA and FRA Addendum dated 24 January 2017 and the following mitigation measures detailed within the FRA: (1) Limiting the surface water run-off to 5l/s; (2) Provision of compensatory flood storage as detailed within the FRA and FRA addendum; (3) Finished floor levels are set no lower than 39.6m above Ordnance Datum (AOD). The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.
10. No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage design should demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change, will not exceed the run-off from the undeveloped site following the corresponding rainfall event (subject to minimum practicable flow control). The approved drainage system shall be implemented in accordance with the approved detailed design prior to completion of the development. The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document).
11. There shall be no access or egress between the highway and the application site by any vehicles other than via the existing access with the public highway at Finkills Way. The access shall be maintained in a safe manner which shall include the repair of any damage to the existing adopted highway occurring during construction.
12. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 45m measured along both channel lines of the major road Finkills Way from a point measured 2.4m down the centre line of the access road. The eye height will be 1.05m and the object height shall be 0.60m. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
13. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority: (a) tactile paving; (b) vehicular, cycle, and pedestrian accesses; (c) vehicular and cycle parking; (d) vehicular turning arrangements; (e) manoeuvring arrangements; and (f) loading and unloading arrangements.
14. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number 13 (a) have been constructed in accordance with the submitted drawing PL05. Once

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

15. During construction works there shall be no Heavy Goods Vehicles exceeding 7.5 tonnes permitted to arrive, depart, be loaded or unloaded on Sunday or a Bank Holiday nor at any time, except between the hours of 8:30am and 16:30 on Mondays to Fridays and 9:00 to 13:00 pm on Saturdays.
16. Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of: (a) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway; and (b) on-site materials storage area capable of accommodating all materials required for the operation of the site. The approved areas shall be kept available for their intended use at all times that construction works are in operation.
17. 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; and (h) HGV routing to avoid the A167 and the B1333 within the urban area of Northallerton.

The reasons for the above conditions are:

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policies CP17 and DP32
3. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole in accordance with Hambleton Local Development Framework Policy CP17.
4. To ensure that biodiversity is offered protection during the construction of the development in accordance with LDF Policy DP31.
5. In order to satisfactorily mitigate the visual appearance of the development and deliver biodiversity benefits in accordance with LDF Policies CP16 and DP30 and DP31.
6. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with LDF Policies CP16 and DP30.

7. In order that the Local Planning Authority can consider the impact of the proposed lighting scheme and avoid environmental pollution in accordance with Local Development Framework Policies CP1 and DP1.
8. In order to take proper account of the risks to the health and safety of the local population, builders and the environment and address these risks in accordance with Hambleton Local Development Framework CP21 and DP42.
9. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided; and to reduce the risk of flooding to the proposed development and future occupants in accordance with the NPPF.
10. To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity.
11. In accordance with Policy DP3 and in the interests of road safety.
12. In accordance with Policy DP3 and in the interests of road safety.
13. In accordance with Policy DP3 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
14. In accordance with Policy DP3 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
15. In accordance with Policy DP3 and to avoid conflict with vulnerable road users.
16. In accordance with Policy DP3 and to provide for appropriate on-site vehicle parking and storage.
17. In accordance with Policy DP3 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.