

Parish: Northallerton	Committee date:	04 August 2022
Ward: Northallerton North & Brompton	Officer dealing:	Mr I Nesbit
3	Target Date:	10 November 2020
	Extension of Time (if agreed):	30 November 2021

20/01687/OUT

Outline planning application with access to be considered (all other matters reserved) for residential development (Use Class C3) of up to 145 homes, engineering and site works, car parking, access, landscaping, drainage and other associated infrastructure.

At: Land North of Mowbray Road, East side of Stokesley Road, Northallerton

For: Church Commissioners for England

This application is referred to Planning Committee as the application is a major development.

1.0 Site context and proposal

- 1.1 Members will recall that this application was considered by Planning Committee at the 10th March 2022 meeting, where it was resolved to defer the application to allow for further investigation into alternative drainage solutions, and to allow the developer to provide further details of who will be the responsible body for the management and maintenance of the proposed pumping station, should it remain part of the proposed drainage scheme. Since the meeting in March, the agent has submitted a 'Drainage Summary' document (dated June 2022) which has sought to both summarise and assess all of the potential surface water drainage options for the proposals. Further details of the contents and conclusions of the Drainage Summary are provided within the 'Flood Risk and Drainage' section of this report. A 10 day re-consultation exercise has taken place on the Drainage Summary. All representations received have been summarised within section 4 (Consultations) of this report.
- 1.2 The site is located approximately 1.3km to the northeast of Northallerton Town Centre on the eastern side of Stokesley Road. The site covers approximately 4.8ha and is currently used for agriculture and grazing. The site is bordered to the west by a mature hedgerow and intermittent trees, to the north and east by open fields and to the south by hedgerow and residential properties. A further hedgerow and tree-line transects the site. The site slopes generally down from north-east to south-west towards Stokesley Road.
- 1.3 The surrounding area can be characterised as edge-of-settlement with established residential development to the south and newer residential development to the west. To the west is Stokesley Road which forms one of the main routes in and out of Northallerton and leads to the A19. A roundabout leads to the new link road which will bridge the railway line and link the west of Northallerton to the east.

- 1.4 The application site forms part of a larger site allocation within the Hambleton Local Plan (NOR1: Winton Road, Northallerton) With a total size of 31.4ha the NOR1 allocation is expected to provide approximately 485 homes (650 gross), and land for a primary school, open space, green infrastructure and an internal link road linking Stokesley Road and Bullamoor Road. The application site itself formed part of the North Northallerton Development Area contained within the now superseded Local Development Framework.
- 1.5 This application is seeking outline planning permission (some matters reserved) for the construction of up to 145 homes. The only matter for approval at this stage is access. The remaining reserved matters (i.e. appearance, landscaping, layout and scale) would be considered as part of subsequent reserved matters application(s) should outline planning permission be approved.
- 1.6 In terms of access, the submitted plans and supporting documents show that two access points are proposed: one off the new roundabout at North Moor Road and Stokesley Road, and the second directly from Stokesley Road at the southern end of the site, to the south of the new roundabout.

2.0 Relevant Planning History

- 2.1 20/00299/SCR - Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2017 - Request for an Environmental Impact Assessment screening opinion for confirmation that the site is not of the scale or type to necessitate the need for an Environmental Impact Assessment (EIA) – EIA Not Required

3.0 Relevant Planning Policies

As set out in paragraph 2 of the NPPF planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The law is set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990.

Hambleton Local Plan

The Hambleton Local Plan was adopted on 22 February 2022 and, along with the accompanying Proposals Maps is Hambleton District Council's Development Plan. The Local Plan policies relevant to the consideration of this application are as follows:

S 1 : Sustainable Development Principles
S 2: Strategic Development Needs
S 3: Spatial Distribution

HG 1: Housing Delivery
NOR 1 : Winton Road, Northallerton
HG 2: Delivering the Right Types of Homes
HG 3: Affordable Housing Requirements

E 1 : Design

E 2 : Amenity
E 3 : The Natural Environment
E 4 : Green Infrastructure
E 7 : Hambleton's Landscapes

IC 1 : Infrastructure Delivery
IC 2 : Transport and Accessibility
IC 3: Open Space, Sport and Recreation

RM 1 : Water Quality and Supply
RM 2 : Flood Risk
RM 3 : Surface Water and Drainage Management
RM 4 : Air Quality
RM 5 : Ground Contamination and Groundwater Pollution

Supplementary Planning Documents
Housing SPD
National Planning Policy and Guidance
National Planning Policy Framework (NPPF), July 2021
Planning Practice Guidance (PPG)

4.0 Consultations

- 4.1 Northallerton Town Council – The Town Council provided an initial response that they were in favour of the development, with one request that all drainage requirements be met.

The Town Council have subsequently submitted further detailed comments in a letter (dated 21.09.2021) following further consideration of the application. The Town Council have emphasised that they fully support the principle of residential development in this location and understand the need for the town to develop and grow. However, they did also express concerns in relation to the proposed connectivity of the proposed development with the existing residential areas to the east and, in particular, the lack of any direct connection to the 'green corridor' running around the north and east of the town...based on the submitted indicative layouts, the Town Council consider the proposals to be contrary to site specific requirements and other Local Plan policies on connectivity and in conflict with national guidance in relation to the integration of urban areas and the benefits of permeability... the lack of any such connection would be a missed opportunity to deliver a strategic green corridor connecting Stokesley Road with large residential areas of north and east Northallerton...The Town Council would therefore request that the District Council work with the applicant to ensure that a high quality and direct connection is provided between the proposed development and the existing green infrastructure to the east. In this regard, the Town Council have suggested that there is the potential opportunity of connecting the site to a new footway and/or cycleway that could be created within land owned by the Town Council to the east of the site (as per an accompanying plan submitted with their letter).

- 4.2 Local Highway Authority (LHA) – Having initially raised a number of specific highway-related and Travel Plan issues in respect of the proposals 'as submitted (see LHA responses dated 26.08.2020 and 07.09.2020), the LHA have engaged with the applicant's agent and highways consultants to seek to resolve these issues and

concerns. In addition to the Transport Assessment, Travel Plan and Design and Access Statement this has involved the submission of a range of technical submissions which are available for Members to view via Public Access.

Based on the above information and having received satisfactory clarification and responses from the highways consultation to their queries and questions (including those raised in their response dated 10.11.2020), the LHA have been able to confirm in their latest formal consultation response (dated 04.01.21) that they have no objection to the proposals, subject to the following planning conditions (as summarised below) being imposed:

- a) The submission and approval of full detailed engineering drawings of all aspects of the roads and sewers and a programme for their delivery prior to the commencement of any on-site works.
- b) The construction of the carriageway (and any footway/footpath) to minimum standards and its connection to the existing highway network prior to the development being first brought into use.
- c) The provision of visibility splays for both proposed priority junctions of 45 metres along both channel lines of the major road at a point of 2.4 metres down the centre line of the access road prior to any traffic movements between the highway and the site. Once created, the visibility splays are to be retained.
- d) Prior to occupation, several on-site and off-site highway mitigation measures are to be completed based on the General Arrangement drawings and other specified drawings/information, and in accordance with detailed engineering drawings to be submitted to and approved by the LPA prior to the commencement of any works:
 - i) The provision of a new roundabout arm, highway spine and enhanced crossing improvement works
 - ii) The creation of a new priority junction for a secondary site access point and enhanced crossing improvement works.
 - iii) The creation of a new priority junction for the proposed primary site access point and enhanced crossing improvement works.
 - iv) The provision of a 500m long segregated cycleway/footway along the A684.
 - v) The provision of additional bus stops and shelters along Stokesley/Northallerton Road (to increase patronage) in collaboration with NYCC.

An independent Stage 2 Road Safety Audit should be submitted alongside the detailed engineering drawings. The design proposals should be amended to be in accordance with the Safety Audit recommendations prior to the commencement of any works. Furthermore, a programme for the delivery of that scheme (and its interaction with delivery of the other identified schemes must be approved by the LPA prior to the commencement of works.

- e) The development must be carried out and operated in accordance with the approved Travel Plan.
- f) The prior approval of a Construction Management Plan (to include 20 specific arrangements) to be adhered to during the construction phase of the development.

In addition, the LHA have requested that a requirement for the applicant to pay a £5,000 contribution towards the monitoring of the Travel Plan is included in any Section 106 agreement.

4.3 Yorkshire Water (YW) – Initially responding (dated 08.09.2020) to the application as submitted, YW commented that they endorsed the proposal (as per the original submission) to discharge of surface water to watercourse, although the landowner's consent would be required for the construction of any new outfall structure. YW also acknowledged in this initial response that as surface water from the site was not proposed to discharge to the public sewer network, no assessment of the capacity of the public sewers to receive surface water had been undertaken. However, should the surface water disposal proposals change, Yorkshire Water stated that further consultation would be required. YW also addressed foul drainage in this initial response (08.09.2020) that the public foul network within the vicinity of the site does not have adequate capacity available to accommodate the anticipated foul water discharge from the proposed development. The submitted Flood Risk Assessment doesn't specify any detailed foul water proposals, and full phasing details regarding the proposed foul water flows from all phases of the construction would be required. In this initial response, YW recommended the following conditions (as summarised):

- a) The site shall be developed with separate systems of drainage for foul and surface water on and off site.
- b) There shall be no piped discharge of surface water from the site until a satisfactory outfall has been provided/completed in accordance with details submitted to, and prior approved, by the LPA. The outfall shall not be to the existing local public sewerage.
- c) Full details of the proposed means of foul drainage (including both on and off-site works and any pumping mechanism and discharge rate) shall be submitted to and prior approved by the LPA. No buildings shall be occupied prior to the completion of the approved foul drainage works.

YW were formally reconsulted in October 2021 following the submission by the agent of the Drainage Strategy Addendum which identified potential alternative surface water drainage outfalls for the development other than to the unnamed watercourse to the west of the site (on the opposite side of Stokesley Road) which had been recommended as the discharge point within the Drainage Strategy (contained within the as submitted FRA and Drainage Strategy) YW confirmed in their response (dated 04.11.2021) that they had no additional comments to make in relation to the addendum, and that their previous comments and recommended conditions (of 08.09.2020) would still apply.

Following subsequent discussions between Yorkshire Water technicians and the agent, another formal response from YW was provided (dated 09.12.2021) acknowledging that it was now the applicant's intention to discharge surface water to the public surface water sewer adjacent to 87 Winton Road, 27m to the south of the site at a restricted rate. Providing the maximum discharge rate was limited to a maximum of 3.5 litres per second, YW confirmed that they would have no objection to the proposals. They did however reiterate that the public foul network within the vicinity of the site does not have adequate capacity available to accommodate the anticipated foul water discharge from the proposed development, and that full phasing details of foul water flows would be required. On this basis, they have recommended the following two conditions (as summarised):

- a) The site shall be developed with separate systems of drainage for foul and surface water on and off site, and that surface water from the entire site shall be

restricted to a maximum rate of 3.5 l/s, to the public surface water sewer network, and

b) Full details of the proposed means of foul drainage (including both on and off-site works and any pumping mechanism and discharge rate) shall be submitted to and prior approved by the LPA. No buildings shall be occupied prior to the completion of the approved foul drainage works.

Following a query from the agent regarding the restrictive nature of the maximum surface water discharge rate (of 3.5 l/s) to the public sewer (as per condition 9 of the Officer Report) and clarification sought by Members and Officers regarding future maintenance arrangement for any drainage infrastructure, Yorkshire Water have provided the following response (within two separate emails dated 07.03.22 and 08.03.22 respectively), as summarised below:

- a) Yorkshire Water would not support or recommend any increase in the maximum discharge rate above the recommended 3.5 l/s.
- b) In order for the surface water scheme to be adopted by Yorkshire Water, the applicant will be required to follow the Section 104 adoption process, separate from, and outside of, the planning process. This process will consider the technicalities of the surface water scheme, including pumping station specifications.
- c) Yorkshire Water have clarified that there is no obligation on the applicant/developers to go through the S104 process, and that they may decide to secure the future management and maintenance of the surface water scheme privately, usually bringing in a private company to maintain the infrastructure, with fee payable by house buyers.

4.4 Lead Local Flood Authority (LLFA) – In their first response to the application as originally submitted (dated 19.01.2021), the LLFA provided advice and sought clarification on a range of flood-risk and drainage issues, including run-off destinations; peak flow and volume control; pollution control; exceedance; climate change/urban creep and drainage maintenance. In summary, they confirmed that:

- a) The site is located in Flood Zone 1;
- b) That infiltration is 'clearly unviable' as noted within the submitted FRA.
- c) That the proposal to discharge surface water from the site into the unnamed watercourse to the west of Stokesley Road is 'satisfactory in principle.' However, further clarification as part of a detailed drainage plan/strategy on this connection should be submitted before any approval is granted.
- d) Confirmation should be provided that the IDB and the riparian owner of the watercourse (Taylor Wimpey) have no objections.
- e) Were satisfied with the peak flow and volume control proposed.
- f) Further information on pollution control measures will be required.
- g) An exceedance flow plan will be required 'at a later stage'.

The LLFA were formally reconsulted in October 2021 following the submission by the agent of the 'Drainage Strategy Addendum'. The LLFA made the following comments in November 2021 (as summarised):

- a) The LLFA note that the additional information submitted confirms that an alternative surface water discharge location of Turker Beck is proposed (which is within the applicant's ownership) due to the issues in gaining the landowner's

(Taylor Wimpey) permission to discharge to the unnamed watercourse as originally proposed. However, discharge to Turker Beck would require a 'pumped' 550m rising main, and the LLFA would object to the disposal of surface water from the site into Turker Beck on the grounds of mixing drainage catchments.

- b) LLFA also note from the submitted addendum that a partially 'pumped' discharge into the public combined sewer is also under consideration, as is a 'pumped' connection to the public surface water sewer in Winton Road. Pumped connections into the public sewer should only be used as an 'absolute last resort', having first explored all other preferable options, due to the potential additional maintenance and failure issues with pumping surface water.
- c) Connection to the open watercourse via a 3rd party connection would be the preferred option.

Following the submission of the above comments, Officers have sought clarification from the LLFA regarding their formal position in respect of the various surface water discharge connection options proposed within the Addendum. The LLFA duly clarified that:

- a) The only scenario LLFA strongly object to is discharge to Turker Beck.
- b) Discharge to the public combined sewer really should be the absolute last resort.
- c) Although the option for a pumped discharged into the public surface water sewer in Winton Road is not one the LLFA would object to, it is not an approach LLFA would encourage, particularly if there are 'better options' available in terms of connecting to the unnamed watercourse to the west, although they note the land ownership issues with this option.

- 4.5 Swale and Ure Internal Drainage Board (IDB) – In response to the application as originally submitted (dated 09.09.2020) the IDB confirmed that the proposed discharge rate of 6.8 litres per second into the watercourse to the west of the site (within the IDB catchment) would be acceptable. However, the IDB confirmed that they would not take any responsibility for any related drainage assets or infrastructure.
- 4.6 North Yorkshire Police Designing Out Crime Officer – North Yorkshire Police have provided advice and recommendations based on the indicative layout, which should be incorporated into the reserved matters application. They have recommended a condition requiring measures to submitted with the reserved matters application.
- 4.7 North Yorkshire County Council Heritage – Having received a geophysical survey report with largely negative results. Taking this into consideration, along with the negative results on the opposite side of the roof, there is no justification for any further archaeological work.
- 4.8 Yorkshire Wildlife Trust – Requests Biodiversity Net Gain Metric to be completed. Alternative habitat creation is required to offset the loss of Skylark breeding habitat which cannot be replaced like for like within the development
- 4.9 Environmental Health Officer – The development is adjacent to a busy road. Whilst the site is suitable for residential development an environmental noise scheme will be required when the layout is finalised to demonstrate that the dwellings and amenity areas can meet required noise levels (BS 8233:2014). This should be the

subject of a condition. In addition, a construction management plan is recommended through condition to protect neighbouring amenity during construction.

- 4.10 Natural England – Refers to standing advice in relation to protected species and veteran trees.
- 4.11 Street Name and Numbering – A ‘street name and numbering’ application would not be required until ‘reserved matters’ stage.
- 4.12 The North Yorkshire Clinical Commissioning group (CCG) are seeking £58,185 for the development to part fund improvements and expansion works to Mowbray House and Mayford House surgeries regarded to accommodate increases in patients as a result of the proposed development.
- 4.13 North Yorkshire County Council Education Services – a representation has been received from NYCC Education that the proposed development is subject to a total financial contribution of £695,356.15 for the provision of special, early years and primary school places based on the new NYCC developer contribution policy from April 2021.
- 4.14 Public Comments – 15 representations have been received (more than one from the same person) raising the following issues, as summarised below:
- There is no pre-existing agricultural runoff into any local watercourse
 - The proposal does not take into account the wider site which should be considered as a whole
 - No information on the file regarding contributions to infrastructure, education, open space, community facilities etc
 - Inappropriate for surface water to discharge to the beck
 - Impact on traffic volume and pedestrian safety
 - Pedestrian crossing required on Stokesley Road
 - Traffic noise and air pollution
 - Impact on privacy of existing dwellings
 - Impact of increased traffic on ability of existing residents to access Stokesley Road...the development will exacerbate existing traffic issues in the locale... a mini roundabout at the junction of Stokesley Road with Mowbray Road to aid traffic flow on to Stokesley Road should be considered
 - The site does not currently drain to Stone Cross Stoll
 - The site is not located within the Swale and Ure Drainage Board Area
 - Additional flow to the Stoll would result in flooding and impact on local ecology
 - Applicants do not own the land required to facilitate drainage meaning the permission will not be implementable
 - All trees should be retained and protected by Tree Preservation Orders
 - Hedgehog habitat should be protected
 - Loss of trees would exacerbate flooding
 - Impact on existing dwellings
 - Inadequate public transport
 - Impact on character of approach into Northallerton
 - Loss of agricultural land
 - Impact on local infrastructure

- Veteran trees should be retained as habitat
- A footpath should be provided between Winton Road and the proposed green area
- There is no safe pedestrian crossing point along Stokesley Road...at least two pedestrian crossing points on Stokesley Road should be provided for.
- A footpath to and on Stokesley Road should be provided (e.g. along the eastern side of Stokesley Road)
- No safe route for cyclists into the site
- Bus stops at Stone cross no longer in use and should be replaced on Stokesley Road
- Limited buses to Northallerton and Darlington Stations
- Travel Plan not fit for purpose
- Prefer no open spaces between existing dwellings and development due to noise from gatherings and/or nuisance areas
- Layout should match Winton Road

Following a 10 day re-consultation on the Drainage Note (July 2022) supplied by the agent, an additional two representations have been received: one objecting and one commenting. The contents of the representations are summarised below:

- The application should be refused as it fails to make adequate provision for the disposal of surface water from the site...the latest submission [Drainage Note] does not fully address the concerns raised by the Planning Committee regarding the responsibility for the management and maintenance of the surface water infrastructure and a lack of detail regarding the height and depths of the attenuation basin relative to its surroundings.
- There is no certainty that Yorkshire Water will adopt the pumping station through the S104 process....there is no mention of the maintenance and management responsibilities of the proposed swales and attenuation basins shown on the indicative layout plan.
- The proposal to pump surface water into the Winton Road sewer should not be allowed...planning requires surface water to go to soakaways...the sewers are not large enough to accommodate the additional water and risks flooding the houses in Winton Road/Turker Lane.
- The traffic management and transport measures are 'window dressing'...Stokesley Road/Brompton Road is a very busy road and the footpath is not wide enough to accommodate an extra lane....bus services do not run often enough at useful times to make them a realistic option...the development will increase existing traffic problems in the route into the town centre via Brompton Road.
- Question about the responsibility for the completion and maintenance of footpaths and hedgerows along Stokesley Road.
- The development of this site would compromise the previously planned route of Northallerton Bypass allocated on land behind Thorntree Road, joining up with the A684.

5.0 Analysis

5.1 The main issues to consider are:

- Principle
- Affordable housing and mix

- Impact on the character of the area
- Amenity
- Design
- Flood Risk and Drainage (Surface Water and Foul)
- Highway safety
- Biodiversity

Principle

- 5.2 The site forms part of a larger housing site allocation in the newly adopted Hambleton Local Plan, NOR1: Winton Road, Northallerton. NOR1 includes this site and a further 58ha of land stretching to the east of the application site and turning south around the east of the existing settlement. NOR1 is allocated for some 680 dwellings as a whole with 3ha for education use and a green corridor.
- 5.3 Given the site's status in the Hambleton Local Plan as part of a specific housing site allocation, it is considered that the principle of development is already established, although it is important that the specific requirements within the Local Plan for the allocation are met through the submission and / or planning conditions.

Affordable housing and housing mix

- 5.4 Unlike the housing site allocations of the now superseded LDF, allocation NOR1 of the Hambleton Local Plan does not include a site specific requirement for affordable housing as this is covered by Policy HG3 (Affordable Housing Requirements) which states that 30% is required on all developments of 10 or more units. In accordance with the most up-to-date evidence on affordable housing need, and as reflected in Policy HG3 of the Local Plan, the proposal will require a 30% on-site affordable housing provision.
- 5.5 In terms of the housing mix for the proposed development, the Council's Housing Development Officer has recommended a housing mix based on the Council's newly compiled Housing SPD. The contents of the SPD are based on the most up-to-date evidence regarding housing need (including housing mix). Therefore, the housing mix for the proposed development should be provided in line with table 3.1 of the Housing SPD (reproduced below), as recommended by the Council's Housing Officers:

	1-bed	2-bed	3-bed	4+ bed
Market	5-10%	40-45%	40-45%	0-10%
Affordable	20-25%	50-60%	10-20%	0-5%

- 5.6 The predominance of 2 and 3 bedroom properties within the housing mix reflects the Council's objective to increase the number of 2 and 3 bed homes for the benefit smaller families and couples within the district. The Council's preference is for one-bedroomed properties to be made up of a small number of apartments, in blocks of a maximum of four dwellings, all with their own entrance, or for 'quarter houses'. This target for single bedroom properties is intended to meet the needs of young single people and couples. To assist older people to downsize and improve the offer of smaller accommodation the Council will seek bungalow provision where there is an evidenced need. Bungalows should normally be two bedroom. However, some three-bedroom bungalows of an appropriate size will also be supported where they meet an identified need.

5.7 The supporting statement indicates that affordable housing can be provided and secured through a S106 agreement, although a suitable housing 'type and tenure' condition is likely to suffice to ensure that an appropriate housing mix is approved prior or alongside the consideration of any Reserved Matters application. The statement goes on to state that the level of provision would be subject to negotiation during Reserved Matters stage. Given that scale and layout are not being considered at this stage this approach is considered acceptable. The final layout will likely be subject to viability testing which will be considered at reserved matters stage. It is recommended that a policy compliant 30% affordable housing provision be required through a S106 agreement. The precise market and affordable housing mix for the site (based on the Council's housing mix expectations within the Housing SPD) can be required through a planning condition.

Impact on the Character of the Area

5.8 A Landscape Visual Assessment (LVA) was submitted in support of the application. In assessing the existing character of the site reference is made to Natural England's 'National Character Areas' and the Hambleton Landscape Character Assessment and Sensitivity Study (HLCASS). The assessment indicates that the local landscape around Northallerton is classified as 'Swale Lowlands' to the west and 'Bullamoor Farmland' to the east. This reflects the low-lying landform to the immediate west of the town and the rising landform to the east and north-east. The transition between these two landscapes is marked by the foot of the slopes to the east of the town. The site lies within the Bullamoor Farmland Landscape Character Area (LCA) which is described in the HLCASS as follows:

- 'A varied topography, comprising a localised west-facing, rounded ridge in the west, directly overlooking Northallerton, and the incised river valley of Cod Beck in the east, with an open and undulating dip slope separating the two.
- A predominance of intensive arable farmland in a large scale field pattern, with some smaller scale pasture, delineated by mature and semi-mature hedgerow trees.
- A settlement pattern of scattered farmsteads and villages, connected by a minor road network.
- Overall countryside setting with associated sense of tranquillity.
- The distinctive wooded scarp above Cod Beck, providing a localised sense of enclosure.
- A general pattern of small, dispersed woodlands, but with larger scale estate woodland west of Thornton-le-Street.'

5.9 The LVA states that the proximity of the site to Stokesley Road and the northern edge of Northallerton reduces the sense of rural tranquillity, especially in light of the main road and the recent residential developments. Visibility of the proposed development will be largely contained within the local area. The landform rises to the immediate north and east of the site, such that visibility will not notably extend beyond the close range ridgelines. To the south, existing residential development on the northern side of Northallerton will prevent visibility extending across the town, especially as the landform falls away towards the lower-lying centre. To the west,

new residential development has already formed enclosure along this opposing side of Stokesley Road.

- 5.10 While longer range visibility may occur from elevated hills within the wider landscape, the visual influence of the proposed development will be moderated by a combination of the separation distance, which will cause the proposed development to appear small in scale, and the fact that the proposed development will often be seen in the context of the existing settlement of Northallerton.
- 5.11 The LVA report concludes that while effects may arise as a result of the proposed development, these would be mostly moderate and minor and occur within the localised area of the site. These effects would be offset by mitigation measures.
- 5.12 Suitable screening and landscaping of the site would be required in order to minimise the visual impact of the development on the local landscape, particularly along site boundaries and frontages along A684. As landscaping is a reserved matter this matter and the mitigation suggested in the assessment, will be considered in detail at reserved matters stage.
- 5.13 Overall, it is considered that the LVA has provided an accurate assessment of the site. The site is on the edge of the settlement at the interface between open countryside and built form. Given the new development on the western side of Stokesley Road and the wider North Northallerton development the continuation of the built form in this area is considered acceptable. At this stage it is considered that the development would not have a significant detrimental impact on the character of the area that would warrant the refusal of planning permission.

Amenity

- 5.14 Policy E 2 (Amenity) expects all development to provide and maintain a high standard of amenity for all users and occupiers, including both future occupants and users of the proposed development as well as existing occupants and users of neighbouring land and buildings, in particular those in residential use.
- 5.15 Layout is not being considered at this stage. However, an indicative plan has been provided in support of the application. The plan shows how the number of dwellings could be accommodated within the site. An area of open space is indicated to the southern part of the site which allows the preservation of the existing veteran trees in that area. To the south-east of the site are existing dwellings at Winton Road. The indicative layout shows how new development would relate spatially to the existing dwellings. Based on the information provided it is considered that the new development could be accommodated within the site whilst preserving the amenity of existing residents. Matters relating to immediate height and distance relationships will be dealt with at the Reserved Matters stage, but there is no reason to suspect that an adequate level of residential amenity cannot be achieved through the development.

Design

- 5.16 Policy E 1 (Design) of the Hambleton Local Plan states that all development should be of a high quality, integrating successfully with its surroundings in terms of form and function, reinforcing local distinctiveness and helping to create a strong sense of place.

- 5.17 The National Planning Policy Framework supports this approach and, at paragraph 134, states that planning permission should be refused for development that is not well designed especially where it fails to reflect local design policies and government guidance on design.
- 5.18 The North Yorkshire Police Designing Out Crime Officer has been consulted on the application. The Officer acknowledges that the application is in outline. However, comments and makes suggestions based on the indicative layout. The officer has identified the following issues from the indicative layout: unnecessary permeability, rear garden adjacent to Public Open Space and remote parking. The officer recommends that the following be incorporated into the detailed design:
- Ensure affordable housing is “tenure blind”
 - Management plan for Public Open Spaces
 - Ensure play areas are appropriately located
 - Suitable enclosures of play areas for young children
 - Physical demarcation between public and private areas
 - Use of dual-aspect properties on street corners
 - Provision of appropriate rear boundary and sub-divisional treatments
 - Provision of secure external access to rear gardens of mid-terraced properties
 - Provision of visitor parking
 - Provision of secure cycle storage for each dwelling
 - Provision of security lighting for each dwelling
 - Provision of appropriate street lighting
 - Details of appropriate landscaping
- 5.19 If the Planning Committee is minded to approve outline planning permission, it is recommended that a condition be included requiring full details of the crime prevention measures that are to be incorporated into the development as part of any future Reserved Matters application. In terms of public open space there is a requirement in IC 3 of the Hambleton Local Plan (for development of 10 units or over) for development to incorporate or otherwise make provision for open space and sport and recreational facilities to meet the needs arising from the development in-line with the standards set out in Appendix E: 'Open Space, Sport and Recreation Standards'. Although little detail has been provided with the application or in the indicative layout plans regarding Public Open Space and play facilities, given the size of the site, there is no reason why a policy compliant POS cannot be provided and incorporated within the detailed layout. Details of POS should be conditioned if the Planning Committee is minded to approve this application.

Flood Risk and Drainage

- 5.20 As confirmed by the FRA, the application site is located in Flood Zone 1 of the EA's flood maps and is therefore at the lowest risk of fluvial flooding.
- 5.21 Policy RM3 relates to surface water and drainage management and includes the requirement (in accordance with the NPPF) that SuDS be incorporated in the drainage design.
- 5.22 Yorkshire Water (YW), the Lead Local Flood Authority (LLFA) and the Internal Drainage Board (IDB) were formally reconsulted in October 2021 following the submission by the agent of the 'Drainage Strategy Addendum' which has identified potential alternative surface water drainage outfalls for the development other than

to the unnamed watercourse to the west of the site (on the opposite side of Stokesley Road) which being within the natural catchment of the site was recommended to be the surface water discharge point within the Drainage Strategy (contained within the 'as submitted' FRA and Drainage Strategy) The need to consider an alternative surface water discharge point has arisen from the inability of the applicant to be able to gain permission from Taylor Wimpey as the riparian owner of the watercourse to the west of Stokesley Road, for a surface water connection to be made. The applicant has confirmed that contact with Taylor Wimpey had been made, but there's been no indication from Taylor Wimpey that an agreement regarding a surface water connection would be agreeable. This has forced the applicant into having to consider alternative (if less 'policy preferable') surface water discharge connection, hence the reason for the submission of the addendum. Officers are satisfied at this stage that this investigation has been exhausted.

- 5.23 As detailed within the above responses within section 4 ('consultations') above, several alternative discharge connection points (and their various merits) have been considered in the submitted addendum, and by YW, LLFA and the IDB in their responses to the re-consultation. The option to discharge to Turker Beck was strongly objected to by the LLFA primarily as it would involve discharging surface water to a different catchment area. Discharge options to the combined and surface water public sewers were not considered by LLFA to be ideal due to the requirement to have to pump surface water in both options, although they have not formally objected to these proposed alternatives. Nevertheless, following the principles of the drainage hierarchy, discharge of surface water to a public surface water sewer should be prioritised over discharge to a combined sewer.
- 5.24 Following re-consultation and subsequent discussions with the agent and Officers, YW has updated their recommendation to include conditions, which have removed the previous recommended requirement for the approved surface water drainage scheme not to discharge to the public sewer. Instead YW recommend a condition which permits the discharge of surface water into the public surface water sewer, i.e. as proposed in Winton Road, but at a maximum (restricted) discharge rate of 3.5 litres per second.
- 5.25 The submitted LLFA and Drainage Assessment has confirmed that infiltration (e.g. via use of soakaways) is unlikely to be a suitable SuDS option due to the characteristics of the site's soils. This is supported by LLFA in their initial response. In terms of connection to a watercourse, and as mentioned above, agreement with the relevant landowner to connect to the watercourse to the west hasn't been achievable despite the efforts of the applicant. The alternative option to discharge to the watercourse of Turker Beck has been discounted due to the strong objection from the LLFA. Therefore, the most feasible and sustainable surface water drainage option in the circumstances is a pumped connection to the public sewer in preference to a connection to the combined public sewer. In the circumstances, the amended surface water proposals are considered to be acceptable, although precise details of the surface water connection and a restriction on the discharge rate of 3.5 l/s should be required by condition if outline planning permission is granted.
- 5.26 Following the March 2022 Planning Committee meeting where Members resolved to defer the application to allow for the developer to explore further potential surface

water drainage options, a 'Drainage Summary' document (dated June 2022) has been produced to be read alongside the original FRA and drainage strategy documents. Its purpose (as explained within section 2 of the document) is to seek to address comments that have been raised in relation to drainage matters and to incorporate (in a single document) further information that has been forthcoming since the application was originally submitted to the Council. The main points raised and clarified within the document are summarised below:

- Due to geology and ground deposits, soakaways are unlikely to be suitable for the discharge of surface water run-off from the development.
- The 'unnamed IDB watercourse' which runs parallel to Stokesley Road, approximately 60m to the west of the application site is recognised as the natural watercourse, currently serving the undeveloped site and is identified as the preferred destination for surface water disposal from the proposed development...the IDB have accepted in principle discharge into the watercourse, however without the formal agreement of the neighbouring landowner (Taylor Wimpey) a connection would not be possible. It is confirmed that discussions with Taylor Wimpey have taken place, and it is also clarified in the note that an agreement hasn't been able to be reached between the owner and Taylor Wimpey.
- It is understood that no utilities wayleave exists within the adopted highway which passes through the neighbouring site and over the IDB watercourse, and there is no agreement to utilise the existing highway drainage as an outfall for the surface water from the development.
- An alternative discharge (to watercourse) is identified as being available and feasible to Turker Beck with note confirming that the applicant controls the land between the site and Turker Beck. However, due to the topography, a rising main and pumped discharge solution would be required. A proposed restricted discharge rate would ensure that there would be no detrimental impact on the operation of the EA's flood alleviation scheme. However, this proposed solution has been objected to by the LLFA as a result of mixing catchments, and is not considered to be an acceptable option.
- In light of the proposed discharge to the unnamed IDB watercourse and discharge to Tucker Beck not being viable options, a connection to the public sewer system is noted as 'the final consideration', and the 'preferable surface water discharge option' for the site that has the support of the LLFA, IDB and Yorkshire Water.
- Public sewer records show that there is a 300mm diameter combined sewer located beneath the verge adjacent to the Stokesley Road carriageway approximately 50m to the south-west of the site, with a review of local topography indicating that the combined sewer is lower than the lowest part of the site meaning that a gravity-fed (discharge restricted) connection is achievable. However, consultation has shown that this is not the preferred option of Yorkshire Water, who, in accordance with the drainage hierarchy prefer surface water sewers to be considered ahead of combined sewers and to keep separate foul and surface water flows.
- The closest existing surface water sewer is located in Winton Road directly to the east of the site. Topographical records show that Winton Road is elevated to approximately 54m AOD, therefore discharge to the

surface water sewer at Winton Road would require a pumped solution. It is confirmed that a pumped connection to the Winton Road surface water sewer (at a restricted rate) is considered to be achievable (and given the unfeasibility of the other aforementioned options) would fully accord with the drainage hierarchy and government guidance. It is clarified that this is the surface water drainage solution now proposed by the applicant.

- The Drainage Note confirms that a pumped (drainage) solution is something that is readily applied on developments across the country and is a reliable and safe means to discharge surface water, confirming that Yorkshire Water within their email correspondence from March 2022 (as summarised in paragraph 4.3 of this report) confirmed that adoption of pumping stations will be considered through the S104 process.
- It is noted that without the development of the site and a surface water solution being in place, surface water will continue to discharge off the agricultural site, at higher rates than will be controlled by the development, towards Stokesley Road.
- It is also stated that the adjacent (Taylor Wimpey) development did not consider the need for the proposed development site to drain naturally from east to west, which contributed to surface water on Stokesley Road. However, they understand that this issue has now been mitigated through the laying of a new pipe to the north.

5.27 The Drainage Note helps to clarify that for various topographical, geological, wayleave, ownership and planning policy/guidance reasons, there are no other feasible surface water drainage solutions, and that the proposed pumped solution into the surface water sewer at Winton Road is sustainable when considered in light of the drainage hierarchy and the recommendations/advice of the IDB, Yorkshire Water and the LLFA.

5.28 In a recent email (dated 22.07.2022) the agent has sought to further clarify matters regarding the pumping of surface water, including adoption and maintenance, having sought further advice from a flood risk engineer. The main points within the email are summarised below:

- It is intended for Yorkshire Water to adopt any (surface water) pumping station as the relevant statutory undertaker by entering into a Section 104 adoption agreement...this agreement process would be stringent and require agreement of the pumping station specification, servicing and maintenance requirements to avoid system failure and also provide mitigation measures in the rare event of any such failure, including back-up power systems and containment measures.
- The Section 104 adoption process is inherently robust (particularly in respect of design, functions and longevity of the system) because upon adoption Yorkshire Water would be liable for any failures and any resulting environmental issues...therefore any potential shortcomings would be resolved prior to adoption and operation.
- Pumping stations and their contained technology are regularly installed across the country and are not novel or unknown forms of drainage installation with applicable best practice, minimum standards and adoption criteria...risk of failure is therefore considered low.

- The LPA has the option to impose a planning condition requiring full and detailed specifications of the surface water drainage system to be provided prior to the occupation of the development, including details of the maintenance and servicing strategy (in the unlikely event that the system is not adopted by Yorkshire Water).
- 5.29 This additional clarification (based on the professional advice of the applicant's drainage engineer) supports the advice previously provided by Yorkshire Water (and as summarised in paragraph 4.3 above) regarding adoption and future maintenance. Although adoption by Yorkshire Water (as the statutory undertaker) cannot be guaranteed or required through the planning process (as it would be subject to the section 104 process in due course), there's no reason to conclude that adoption is either not possible or unlikely, and as such it is reasonable to expect that the pumped surface water drainage solution would be subject to the stringent adoption specification and maintenance requirements referred to above. However, if outline planning permission is granted, it is considered both necessary and reasonable in the circumstances to impose a detailed planning condition requiring details of the surface water drainage scheme (including management and maintenance for the lifetime of the development) to be approved prior to the commencement of the development, including the submission of details of any bodies or individuals with maintenance and management responsibilities for the surface water drainage scheme should Section 104 adoption by Yorkshire Water not be possible.
- 5.30 In respect of foul drainage, it is stated in the FRA and Drainage Strategy that a connection is proposed to the public sewer to the south-west of the site. Yorkshire Water have confirmed in their responses that there is no capacity within the local foul sewerage system to accommodate the foul flows from the proposed development and have therefore requested that details are submitted and approved (via condition) regarding the means of foul drainage from the proposed development along with any related phasing of the development.
- 5.31 Although Yorkshire Water's response in terms of foul drainage capacity issues are acknowledged, it is important to remind Members that the site has been a long standing housing allocation within the current LDF and also forms part of a larger site allocation within the emerging Local Plan. Therefore, the issue of foul drainage has already been assessed (and considered acceptable by the Planning Inspector) as part of the site allocation process. Yorkshire Water were a consultee in this process and didn't raise any objections to the site being allocated in the emerging Local Plan. Therefore, while it is important to ensure that the timing and phasing of the development is agreed (by condition) prior to any connection to the public sewerage system, Yorkshire Water's comments regarding capacity do not merit the refusal of the application.
- Highway Safety
- 5.32 Policy IC 2 of the Hambleton Local Plan indicates that a proposal will only be supported where it is demonstrated that the development can be satisfactorily accommodated within the network, can be well integrated with footpath, cycling and public transport networks, provides proportionate contributions towards improvements where necessary, maximises opportunities for walking, cycling and public transport, provides safe access for both users and emergency vehicles and adequate parking. The application is in outline with access considered. Allocation NOR1 indicates that the main vehicle, cycle and pedestrian accesses will be taken

from Stokesley Road to the west and Bullamoor Road to the south (bearing in mind that NOR1 includes additional land to the east and south east).

- 5.33 It is proposed that access be taken from two points on Stokesley Road. The first at the northern end of the western boundary via a fourth arm on the newly built roundabout serving the North Moor Road. This is the first phase of access that will ultimately link to Bullamoor Road. The second access is proposed at the southern end of the western boundary with Stokesley Road. The supporting statement indicates that this access point will improve accessibility to the centre of Northallerton.
- 5.34 A Travel Plan was submitted in support of the application which includes measures to encourage the use of sustainable travel options. Following clarification from the agent and the applicant's highways consultants, the Local Highway Authority are satisfied with the Travel Plan proposals, although they have recommended that a £5,000 contribution is made by the applicant towards the future monitoring of the Travel Plan (i.e. through inclusion within the S106 agreement). Overall, the Local Highway Authority have confirmed that they have no objections to the application in relation to highway safety and the impact on the local highway network, subject to the conditions as summarised in paragraph 4.2 above. It is considered that the proposed development will have no significant impact on highway safety and that the development is compliant with policy in those terms.
- Biodiversity and the Green Infrastructure Network
- 5.35 In accordance with paragraph 180 of the NPPF, Policy E3 (The Natural Environment) of the Hambleton Local Plan expects all development to demonstrate the delivery of a net gain for biodiversity, with paragraph 6.46 of the supporting text stating that the latest DEFRA guidance and relevant metric tool should be used to demonstrate compliance with the policy. Policy E3 also states that harm to biodiversity should be avoided, but where unavoidable, should be appropriately mitigated. A very small part of the southern application site is within an area designated in the Proposals Map of the Hambleton Local Plan as a green infrastructure corridor. The area in question is within the area of public open space as shown on the indicative site layout plan. Policy E4 (Green Infrastructure) states that the Council will seek to protect existing green infrastructure and secure green infrastructure net gains by, amongst other things, incorporating green infrastructure features as integral parts of a development's design and landscaping, while also enhancing links and functionality between the site and any surrounding or adjacent areas of green infrastructure.
- 5.36 An Ecological Assessment of the site was carried out by Ecology Solutions. The initial assessment found potential for bat roosts within the veteran trees to the south of the site. Additional bat emergence surveys were subsequently carried out which confirmed Common Pipistrelle emergence from tree T4 which was identified as a small summer roost. The veteran trees to the south of the site are to be retained, showing that the Common Pipistrelle roost will not be directly impacted. The installation of bat boxes around the site would offer greater roosting opportunities and achieve an enhancement for this species group.
- 5.37 The site is known to support hedgehog, with suitable habitats present on site, it is also possible that a variety of other small mammals occupy the site. The presence of Hedgehog warrants a precautionary approach when removing ground vegetation

that may present hibernation opportunities for this species. As such, significant ground vegetation should be removed outside of the hibernation period for this species. A series of 'Hedgehog Gateways' will be established within boundary fences to facilitate movement through the new development and ensure continued permeability.

- 5.38 An assemblage of common bird species was recorded using the site during survey work. During the walkover of the site, Skylark was observed in the arable fields within the northern section of the site. Due to the availability of suitable habitat within the wider area, it is considered that the removal of this small section of arable land will have a minimal impact for this species group. The trees, hedgerows and semi-improved grassland present within the site will offer nesting and foraging habitat to a variety of common species.
- 5.39 Landscaping of the proposed development would include areas of new planting based around native fruit bearing plant species and species of known wildlife value that are known to benefit bird species to ensure the impact of the loss of part of the site is offset and foraging opportunities for bird species are enhanced post-development. A series of bird boxes will be installed within the site in areas of suitable habitat.
- 5.40 During the site preparation phase, it is recommended that any suitable bird nesting habitat be cleared outside of the nesting season (typically March to July inclusive) to avoid a potential offence under the relevant legislation. Where this cannot be achieved a check survey for nesting birds should be undertaken by an ecologist, with any confirmed nests left in situ until the young have fledged.
- 5.41 Since the application has been submitted, the Environment Act (2021) has come into force, while the Hambleton Local Plan has been adopted (February 2022), both of which require development proposals to demonstrate a quantitative net gain in biodiversity. The Local Plan also requires development to protect and enhance green infrastructure corridors. It is acknowledged that there are likely to be notable biodiversity gains available from the proposed planting within the site as referred to in the application submission. However, as an outline application, only, limited and indicative landscaping proposals have been submitted (landscaping is a reserved matter). However, there would be opportunities for relatively extensive additional tree and hedgerow planting alongside garden boundaries to supplement, enhance and link to the existing trees and hedgerows within and adjacent to the site. Although indicative, the proposed site plan shows a relatively large area for public open space which would provide further opportunities for tree planting and other potential habitat creation and enhancement features, while also providing potential enhanced connections and improvements to both the immediate and wider green infrastructure network. If outline planning permission is approved, it is important that a planning condition is imposed requiring the applicant to demonstrate biodiversity net gains (in accordance with current DEFRA guidance and metric) and enhancements to the green infrastructure network.
- 5.42 Northallerton Town Council have raised concerns that the proposed development does not have adequate connections and permeability with the wider green infrastructure network, requesting that Officers liaise with the applicant regarding the potential to ensure that there is a footpath/cycleway connection between the site and immediate surroundings, particularly the housing development and land to the

east, with a suggestion that the site could connect to a new footpath/cycleway to the east which could utilise land owned by the Town Council. The Town Council's concern and suggestions have been passed onto the agent. The feasibility and future potential for the proposed development to link directly to a new footway/cycle path potentially created within Town Council land would need to be comprehensively explored in time. The agent has recently confirmed in writing that the applicant has no objections to the principle of allowing a connection between the application site and any future pedestrian/cycleway link to the east of the site, and would be receptive to the imposition of a planning condition that would require the detailed layout, landscaping, scale and/or appearance of any approval (to be agreed through subsequent reserved matters application(s)) to allow for such a connection, although they have indicated that they are not willing to enter into a legal obligation requiring a contribution to the construction and maintenance of a new pedestrian/cycleway on land beyond the application site.

- 5.43 It is recognised that the indicative layout as submitted within this outline application is not conducive to the provision of such a link, although the agent has indicated that 'slight adjustments' to the layout could accommodate the link which would be dealt with through the detailed layout of a future reserved matters submission (should the Committee approve outline planning permission) The agent has also given a written commitment to engage with the Town Council on this matter (should outline permission be granted).
- 5.44 It is therefore recommended that if outline planning permission is approved, a condition is added to the decision notice requiring the precise layout, landscaping, appearance and scale of the development (to be submitted as part of any subsequent reserved matters application(s)) to facilitate a pedestrian and/or cycleway link between the development and the Town Council's land to the east of the site.
- 5.45 Subject to the imposition of the aforementioned condition, the proposed development would comply with criterion (f) of Policy E1 (Design) which supports proposals that are accessible for all users by maximising opportunities for pedestrian, wheelchair and cycle links within the site and with the surrounding area, and criterion (c) of Policy IC 2 (Transport and Accessibility) which supports proposals that seek to minimise the need to travel and maximise sustainable travel options, including walking and cycling.

Other issues

- 5.46 The North Yorkshire Clinical Commissioning group (CCG) are seeking £58,185 (through S106 contributions) for the development to part fund improvements and expansion works to Mowbray House and Mayford House surgeries regarded to accommodate increases in patients as a result of the proposed development. While the comments from CCG are noted, the development would be subject to Community Infrastructure Levy (CIL) which can be used to fund a range of community-related infrastructure, including healthcare facilities.
- 5.47 As noted in paragraph 4.13 above, the NYCC Education Services are requesting a financial contribution of £695,356.15 for the provision of special, early years and primary school expansion places based on the new NYCC developer contribution policy as from April 2021. Members are reminded that education contributions are dealt with through the Community Infrastructure Levy (CIL). Therefore, there is no

additional requirement (beyond the requisite CIL contributions for the proposed development) for any additional financial contribution in respect of education places.

Planning Balance

- 5.48 The principle of the development of this site for housing is well established through the Local Development Framework and now through inclusion as part of the NOR1 allocation in the Local Plan. Matters pertaining to housing mix can be dealt with through condition and a policy compliant 30% affordable housing is to be provided through the S106 agreement. Matters pertaining to drainage of the site have proven problematic and the proposed disposal of surface water to the existing surface water sewer in Winton Road is not ideal. However, the pertinent agencies have now agreed that subject to conditions limiting the rate of flow to this infrastructure, that the proposals are acceptable and the proposed surface water scheme is considered to be sustainable and in accordance with Policy RM2 of the Hambleton Local Plan and the requirements of the NPPF. Matters pertaining to residential amenity and highway safety in terms of the layout will be considered in more detail at the time of the Reserved Matters submission. However, there is no reason to expect that these matters could not be fully compliant with policy.

6.0 Recommendation

- 6.1 That subject to the satisfactory prior completion of a planning obligation to secure the 30 percent affordable housing provision and the £5000 contribution towards the monitoring of the Travel Plan that the development be **GRANTED** subject to the following conditions and informative:
1. Application for the approval of all of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this decision and the development hereby approved shall be begun on or before whichever is the later of the following dates: i) Three years from the date of this permission ii) The expiration of two years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.
 2. The development shall not be commenced until details of the following reserved matters have been submitted to and approved by the Local Planning Authority: (a) the siting, design, scale and external appearance of each building, including a schedule of external materials to be used; (b) the landscaping of the site.
 3. Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority. The development must only be carried out in compliance with the approved engineering drawings.
 4. No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved)

and kerbed and connected to the existing highway network with any street lighting installed and in operation. The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

5. There must be no access or egress by any vehicles between the highway and the application site via the approved accesses (completed in accordance with the requirements as specified within all other relevant planning conditions of this planning permission) until splays are provided for both priority Junctions (detailed in off-site works), giving clear visibility of 45 metres measured along both channel lines of the major road from a point measured 2.4 metres 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.
6. The following schemes of highway mitigation measures must be completed as indicated below:
 1. Works in accordance with indicative General Arrangement drawing number 102631-T-003 (Rev D) for a new roundabout arm, highway spine and pedestrian infrastructure works carried out prior to occupation/opening.
 2. Works in accordance with indicative General Arrangement drawing number 102631-T-003 (Rev D) for a new priority Junction for a secondary site access point and enhanced crossing improvement works carried out prior to occupation/opening.
 3. Works in accordance with indicative General Arrangement drawing number 102631-T-013 for a new priority Junction for primary site access point and pedestrian infrastructure works carried out prior to occupation/opening.
 4. Provision of a segregated cycleway/footway installed along the A684 (From coordinates; 437274 to 497274 - approx. 500m), in accordance with LTN 1/20 and indicative drawing detailed in Response to Officer comments received 10.11.2020, illustrated in Figure 1. Improvement works to be carried out prior to occupation/opening.
 5. In collaboration with NYCC's Public Transport Officer/s, provide additional bus stops and shelters along Stokesley Road/Northallerton Road shall be provided to help increase patronage rates. The specific number of additional bus stops and shelters and their respective locations shall be provided as part of a scheme (including a programme of works) for off-site mitigation to be submitted to and approved in writing by the Local Planning Authority, as referred to below

For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including

any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.

An independent Stage 2 Road Safety Audit carried out in accordance with GG119 - Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site.

A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

7. 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.
8. No development for any phase of the development must commence until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved Construction Management Plan. The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:
 1. unless construction access to the application site is to be via the completed approved accesses to the site (in accordance with the requirements specified in all other relevant planning conditions of this planning permission) then details of any temporary construction access to the site including measures for removal following completion of construction works;
 2. restriction on the use of access for construction purposes;
 3. wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
 4. the parking of contractors' site operatives and visitor's vehicles;
 5. areas for storage of plant and materials used in constructing the development clear of the highway;
 6. measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;
 7. details of the routes to be used by HGV construction traffic and highway condition surveys on these routes;
 8. protection of carriageway and footway users at all times during demolition and construction;
 9. protection of contractors working adjacent to the highway;
 10. details of site working hours;
 11. erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate;

12. means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
13. measures to control and monitor construction noise;
14. an undertaking that there must be no burning of materials on site at any time during construction;
15. removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;
16. details of the measures to be taken for the protection of trees;
17. details of external lighting equipment;
18. details of ditches to be piped during the construction phases;
19. a detailed method statement and programme for the building works; and
20. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

9. Development shall not commence until a scheme detailing surface water drainage (including a scheme detailing its future management and maintenance) has been submitted to and approved in writing by the Local Planning Authority, in consultation with Yorkshire Water and the Lead Local Flood Authority. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with any approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed. Note that further restrictions on surface water management may be imposed by Yorkshire Water and the Local Planning Authority.

Any surface water discharge from the approved development into the public surface water sewer network shall be restricted to a maximum flow rate of 3.5 (three point five) litres per second from the entire site.

A 30% allowance shall be included for climate change effects and a further 10% for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Where the surface water drainage scheme (in part or full) is not to be adopted by the relevant statutory undertaker (Yorkshire Water) through a Section 104 agreement, the details for future maintenance and management shall include full details of the name(s) and contact detail(s) of the body(ies) and/or individual whose responsibility it is for maintenance and management of all or part of the surface water drainage scheme throughout the lifetime of the development. Where this responsibility changes through the lifetime of the development, the Local Planning Authority shall be notified in writing within 14 days of the change occurring and provided with the full name and contact details of the body(ies) and/or individual(s) who subsequently have maintenance and management responsibilities.

10. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

11. No development shall take place until a suitable maintenance scheme for the proposed SuDS drainage scheme, including any storage and attenuation facilities, has been submitted to and approved in writing by the Local Planning Authority. Details with regard to the maintenance and management of the approved scheme to include; drawings showing any surface water assets to be vested with the statutory undertaker/highway authority and subsequently maintained at their expense, and/or any other arrangements to secure the operation of the approved drainage scheme/sustainable urban drainage systems throughout the lifetime of the development.
12. No development shall take place until an appropriate Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority. Site design must be such that when SuDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site.
13. Prior to commencement of the development hereby approved a biodiversity scheme shall be submitted to and approved in writing by the Local Planning Authority. In accordance with current DEFRA guidance and relevant metric, the scheme shall demonstrate how the development will achieve a measurable net gain for biodiversity including on site provision for habitats. The scheme shall also demonstrate the protection of, and enhancement to, the green infrastructure corridor within and adjacent to the application site. The development shall thereafter be carried out in accordance with the approved scheme.
14. The development shall be carried out in accordance with the recommendations, mitigation measures, working practices and timings within the approved Ecological Assessment, including mitigation for hedgehogs, bats and birds.

For the avoidance of any doubt, site clearance works including vegetation and building demolition shall be undertaken between September and late February to avoid the bird nesting season (March-August) unless otherwise approved in writing by the Local Planning Authority. Any nests identified during vegetation clearance shall be protected until the young have fledged.

15. No above ground construction work shall be undertaken until a scheme has been submitted and the Local Planning Authority has approved in writing the details of the Public Open Space within the site including: a) The type and nature of the facilities to be provided within the POS including street furniture, play equipment etc; b) The arrangements the developer shall make to ensure that the Public Open Space is laid out and completed during the course of the development; c) The arrangements the developer shall make for the future maintenance of the Public Open Space; d) The open space shall be completed in accordance with the approved scheme and retained thereafter

16. Prior to or alongside the submission of any relevant reserved matters application, a housing schedule shall be submitted to the Local Planning Authority detailing the housing size, type and tenure in accordance with the Council's current Housing SPD, or otherwise with an identified local need in the Northallerton, which has first been submitted and agreed in writing with the Local Planning Authority. The layout, appearance and scale of the reserved matters application shall thereafter be in accordance with the approved housing schedule.
17. Prior to or alongside the submission of any relevant reserved matters application, a detailed schedule shall be submitted to and agreed in writing by the Local Planning Authority stating how the development will comply with 'Secured by Design' principles having taken in account the recommendations of the North Yorkshire Police in their consultation response submitted in relation to the this outline planning permission. . The layout, appearance, landscaping and scale of the reserved matters application shall be in accordance with the approved housing schedule.
18. Prior to or alongside the submission of any relevant reserved matters application, a noise assessment shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the dwellings and amenity areas can meet required noise levels (BS 8233:2014) and ensure that:
 - Internal noise levels to be achieved in all habitable areas attributable to external noise sources with windows shut and adequate room ventilation provided.
 - 30dB LAeq, 16hr 07.00 -23.00
 - 30dB LAeq 8hr 23:00 – 07:00
 - 45dB LAmax 23:00 and 07:00
 - External recreational areas and gardens. 50 LAeq,T,dB 16 hrs 07.00 -23.00

Where noise levels cannot be met, designs or noise mitigation either through design or technology will be required to be submitted to and to be approved by the local planning authority prior to the development taking place. All works which form part of the scheme shall be completed before any of the proposed dwellings are occupied. The layout, appearance, landscaping and scale of the reserved matters application shall be in accordance with any recommended mitigation measures within the Noise Impact Assessment.

19. This application grants planning permission for no more than 145 dwellings.
20. The precise layout, landscaping, scale and appearance of the approved development (to be approved through any subsequent reserved matters application(s)) shall ensure that a suitable connection remains available and unobstructed between the application site and the Town Council-owned land to the east in order to facilitate a pedestrian and/or cycleway route/link between the application site and any pedestrian and/or cycleway created using Town Council-owned land.

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. To enable the Local Planning Authority to properly assess these aspects of the proposal, which are considered to be of particular importance, before the development is commenced.
3. To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.
4. To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.
5. In the interests of highway safety.
6. To ensure that the design is appropriate in the interests of the safety and convenience of highway users.
7. To establish measures to encourage more sustainable non-car modes of transport.
8. In the interest of public safety and amenity.
9. To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk.
10. In the interest of satisfactory and sustainable drainage.
11. In the interest of satisfactory and sustainable drainage.
12. In the interest of satisfactory and sustainable drainage.
13. In the interest of biodiversity and protecting and enhancing the green infrastructure network.
14. In the interest of biodiversity.
15. In order to comply with the requirements of IC 3 of the Hambleton Local Plan.
16. To ensure that the proposed development meets local need for housing in accordance with HG2 of the emerging Local Plan.
17. To ensure that the development is in accordance with Secured By Design Principles.
18. To ensure the amenity of residents.

19. To ensure an appropriate size and density of development is achieved in accordance with Policies S1, S2, S3, HG1 and allocation NOR1 of the Hambleton Local Plan.
20. To ensure that the final layout, landscaping, scale and appearance of the development (to be agreed at reserved matters stage) does not preclude a connection between the site and any future pedestrian/cycleway link on Town Council-owned land to the east of the site, in compliance with criterion (f) of Policy E 1 and criterion (c) of Policy IC 2 of the Hambleton Local Plan.