

COMMITTEE REPORT

Date: 17 August 2017 **Ward:** Acomb
Team: Major and **Parish:** No Parish
Commercial Team

Reference: 17/01072/FUL
Application at: The Old School Business Centre Low Poppleton Lane York YO26 6AZ
For: Construction of 2no. access roads onto Boroughbridge Road and Millfield Lane and a link road across the former Manor School Site in association with the redevelopment of the former British Sugar site, with associated demolition of former school buildings
By: British Sugar
Application Type: Major Full Application (13 weeks)
Target Date: 7 August 2017
Recommendation: Approve

1.0 PROPOSAL

1.1 The application relates to the former Manor School site and the former British Sugar site. Housing development is proposed on the latter and is the subject of other applications currently under consideration (14/02798/FULM & 14/02789/OUTM and duplicate applications 15/00523/FULM & 15/00524/OUTM).

1.2 The proposals within this application are for the vehicle access points into the British Sugar site only; the Millfield Lane access, the junction changes at Low Poppleton Lane/Beckfield Lane and the proposed road through the former school site. To facilitate the road demolition of the former school buildings are also proposed in this application.

2.0 POLICY CONTEXT

2.1 Section 38(6) of the Planning and Compensation Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise. There is no adopted Local Plan in York. In the absence of a formally adopted local plan the most up-to date representation of key relevant policy issues is the NPPF and it is against this Framework and the statutory duties set out below that the application proposal should principally be addressed.

National Planning Policy Framework ([NPPF](#))

2.2 Paragraph 14 of the NPPF says that at the heart of the NPPF is a presumption in favour of sustainable development for decision taking this means that where the

development plan is absent, silent or relevant policies are out-of-date granting planning permission unless specific policies in the framework indicate development should be restricted. (Foot note 9 indicates restrictions include Green Belt locations, flood risk areas, site protected under the Birds and Habitats directive and Sites of special scientific interest).

2.3 Most relevant sections of the NPPF to this application are as follows –

1. Building a strong, competitive economy
4. Promoting sustainable transport
7. Requiring good design
8. Promoting healthy communities
11. Conserving and enhancing the natural environment

“Development Control Local Plan” 2005 (DCLP)

2.4 Although there is no formally adopted local plan, the “City of York Draft Local Plan Incorporating the Fourth Set of Changes” was approved for development control purposes in April 2005. Whilst it does not form part of the statutory development plan for the purposes of S38, its policies are considered to be capable of being material considerations in the determination of planning applications, where policies relevant to the application are in accordance with the NPPF.

2.5 Policies considered to be compatible with the aims of the NPPF and most relevant to the development include

CYGP1	Design
CYED1	Primary and Secondary Education
CYED5	Further and Higher Education Institutions
CYT2	Cycle pedestrian network
CYNE6	Species protected by law
CYNE7	Habitat protection and creation
CYT5	Traffic and pedestrian safety
CYT18	Highways

Emerging Local Plan

2.6 The emerging Local Plan is progressing and the 2016 consultation on Preferred Sites ended on 12 September 2016. Recently, however, announced closures of Ministry of Defence Sites in the York administrative area have given rise to further potential housing sites that require assessment and consideration as alternatives. The emerging Local Plan policies can only be afforded limited weight at this stage of its preparation, in accordance with paragraph 216 of the NPPF. However, the evidence base that underpins the proposed emerging policies is capable of being a material consideration in the determination of the planning application.

2.7 The main draft policies that are relevant to matters raised by this application are:

DP2 Sustainable Development
DP3 Sustainable Communities
H1 Housing Allocations
D1 Landscape and Setting
D2 Place-making
T1 Sustainable Access

3.0 CONSULTATIONS

INTERNAL

Planning and Environment
Landscape

3.1 No objection to the design of the proposed road. Aesthetically the planting scheme is acceptable. It is noted other officers would need to be content with the planting proposed if the Council would be responsible for future maintenance.

Arboricultural Manager (responsible for maintenance of street trees)

3.2 Officers advise that if the Council were expected to maintain the landscaped areas, planting would have to be designed and shaped to accommodate large ride on mowers only and not require strimming or mulch top ups. The council has no funds for strimming so generally use weed killer once a year around fiddly sections where large mowers can't get in to cut grass. Large trees (30-35cm girth) will require at least a 5 year maintenance period to become established. The Council would not be able to fund replacements.

Ecology

3.3 The baseline ecology information collated for the whole British Sugar site outline applications is now over four years old.

3.4 In particular the former Manor School will be demolished and bat surveys previously undertaken confirmed roosts in several parts of the buildings. This survey information needs to be up dated in line with current best practice guidance (Bat Conservation Trust, 2016) and a detailed mitigation scheme presented. As protected species are a material consideration we must assess the likely impact on them when determining an application and can not condition further surveys. This is set out in Government advice (ODPM Circular 06/2005, para. 98 & 99) which states that the presence or absence of protected species, and the extent to which they could be affected by the proposed development, should be established before

planning permission is granted, since otherwise all material considerations might not have been considered in making the decision. This approach is re-iterated in the British Standard BS 42020:2013 Biodiversity - Code of practice for planning and development.

3.5 It is not clear what extent of vegetation removal will take place, particularly at Millfield Road and no mitigation has been proposed - there would be a temporal impact between this application and the new landscape planting for the whole British Sugar site. Mature trees will need to be (re)assessed for their potential to support roosting bats.

Highway Network Management

3.6 Officers have no objection to the scheme and have recommended conditions for the final stages of a road safety audit, to approve the detailed engineering of the road and to manage the impact on highway network during construction.

3.7 The submitted application seeks approval solely for the creation of access points and initial means of access to serve the former British Sugar site. The suitability of the proposed highway and access works have been assessed from a design, operational and safety perspective, in conjunction with Transport Assessments submitted in support of the planning applications for housing. In itself, no trafficking implications would arise from this application other than those generated by the construction of the works themselves.

3.8 A condition is sought which will require the submission of a comprehensive package of details for the alterations to existing highways and the creation of a new piece of road connecting from Boroughbridge Road – Low Poppleton Lane prior to any works commencing on site. Such details would be considered by the Council as Local Highway Authority to ensure adequacy and appropriateness. These would be contained within a legal agreement (Highways Act 1980 Section 278 and 38) which would give lawful authority for such works to be undertaken.

3.9 A condition is also sought which requires the submission of details of how the access road and highway works would be planned and undertaken, such that the impacts arising (e.g. construction worker parking, materials delivery and temporary traffic management) are comprehensibly set down, clear and approvals in place, again prior to the commencement of activities. A further condition requiring a full safety audit process to be fulfilled is required in align with standard practise.

3.10 The traffic and transport implications which will arise from the development of the former British Sugar site for (primarily) housing, have been presented as part of planning applications 14/02798/FULM & 14/02789/OUTM and duplicate applications 15/00523/FULM & 15/00524/OUTM. These are supported by a Transport Assessment and Travel Plan. These submissions are under evaluation and

negotiations are ongoing. The implications and mitigation will be presented in the report for that application in due course.

Public Protection

3.11 This specific application involves the construction of two access roads, one across the former Manor CE School site and the other small access road from Low Poppleton Lane further to the north.

3.12 The primary issue is the potential noise, dust, vibration and lighting impact that may occur during the road construction process. Information submitted with the application identifies the potential for some impact but this could be mitigated through an appropriate noise management plan/construction environmental management plan. As a result of which officers request conditions requiring agreement of a construction management plan and for the times of works to be restricted.

3.13 Traffic noise - An updated noise assessment was provided by the applicant in pre-application discussions along with comments from their consultant AECOM on the impacts specifically on Millgates. Whilst there is likely to be some impact the revised noise assessment found that any impact would most likely be reduced by the barrier effect of any new building provided. In addition any noise increases would be gradual and occur over a number of years. However such an impact is not relevant to this application which only relates to the construction of the access roads rather than the overall development itself.

3.14 Land contamination - no objection to the proposal to build two new access roads into the former British Sugar site. Roads are not considered to be vulnerable/sensitive end uses and the proposed access roads are not located on parts of the site which have previously been used for landfill, so land contamination is not expected to be present in these areas. However, we would recommend that the following planning condition is attached to any planning consent, in case unexpected contamination is found during the development works.

EXTERNAL

Ainsty Drainage Board

3.15 No objection. Request a condition for surface water drainage works to be approved.

3.16 Where possible the risk of flooding should be reduced and that, as far as is practicable, surface water arising from a developed site should be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development.

3.17 This application is for the construction of 2 access points and a link road across the former Manor School site in association with the redevelopment of the former British Sugar site, including partial demolition of the existing school buildings on site. The works would appear to enlarge the impermeable area on site and therefore has the potential to increase the rate of surface water run-off from the site if this is not effectively constrained.

3.18 The current proposal will require effective drainage arrangements whether those form part of the scheme for the main site or a stand-alone solution is developed.

Nether Poppleton Parish Council

3.19 The parish council made the following comments -

- Where practical the hedgerow should be retained on the Millfield Lane side of the site to ensure that natural habitat is retained and to act as a visual and sound barrier.
- Access to the Tangerine Factory from Millfield Lane should be retained.
- Access through to Low Poppleton Lane should be restricted by the rising Bollard being repaired.
- Access through the Former British Sugar Site should be a controlled zone with speed limits of 20mph to ensure that the new development does not encourage vehicles to use it as a short cut.
- When the development is complete and the bus journey to York is through the site consideration should be given to permanently closing off Low Poppleton Lane to anything but residential traffic for safety and security reasons.
- A full traffic survey and planned vehicle movements should be submitted with the proposals for site development.

Publicity

3.20 Six objections have been made as a result of the public consultation. The objections have been as follows -

Highway safety grounds

- Boroughbridge Road is regularly congested without the addition of a further 1100 cars. There is not capacity to accommodate this development.
- Millfield Lane
- Works would introduce a busy access point which would be dangerous on the corner of Millfield and Low Poppleton Lane. Concern over the number of access points that would result into the British Sugar site.
 - Loss of lay-by which is used for lorries waiting to enter the Tangerine factory site.

Ecology / recreation

- Loss of part of the nature reserve along Millfield Lane to accommodate the access is unjustified.
- The aim should be to minimise the footprint of the link road to maximise retention of usable recreation green space to the south of the link road.
- Former Playing fields (southern side of the link road). It is not clear how public access to this area would be restricted or how it would be accessed for upkeep / maintenance.

Air quality / Pollution / Noise

- Concern over impact on existing residents in particular along Millgates as a consequence of cars using the link road.

4.0 APPRAISAL

Key Issues

- Highway network
- Amenity of surrounding occupants (traffic noise / air quality)
- Demolition of former school buildings
- Ecology

Impact on the highway network & suitability of the proposed access roads

4.1 In principle the highway works proposed accord with policy because they are required to enable housing development on a vacant site. Residential development of the British Sugar site accords with the core principles in the NPPF, specifically to

–

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value

4.2 Policy T18: Highways of the 2005 Draft Local Plan advises as to when it is considered that development to increase road capacity will be supported. This scheme accords with the criteria primarily because it would -

- facilitate the Council's economic programme;
- open up vacant land for development;
- reduce conflicts between vehicle and pedestrian / cyclists;
- incorporate public transport facilities.

4.3 Policy T18 is consistent with section 4 of the NPPF which states "transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives... The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel".

4.4 The impact of the proposed housing at British Sugar on the highway network is not material to this application; the impact will be assessed under the outline application for (predominantly) residential development at the British Sugar site. As part of the outline application a TA has been undertaken (the latest version being produced by DTA and dated January 2017) which has modelled the impact of the proposed development on the local network and proposed mitigation where necessary.

4.5 A stage 1 road safety audit of the proposals, including the junction works and access points has been undertaken and no concerns/issues were raised. Further audits will be secured through planning condition, as these would be undertaken as the detailed/technical design is progressed with officers under the Highways Act.

4.6 The proposed access roads are compliant with highway design advice in the NPPF (specifically paragraph 35). The scheme promotes the use of sustainable transport modes by being designed to reasonably give priority to pedestrian and cycle movements and would create a safe and secure layout which would minimise conflicts between traffic and cyclists or pedestrians.

4.7 The new access roads have been designed in accordance with Manual for Streets national guidance. The streets are designed to limit vehicle speeds to 20mph and encourage walking and cycling.

4.8 There would be a 3.5m wide shared pedestrian/cycle path alongside the proposed access road. There will be pedestrian/cycle routes through the development which will provide safe and efficient routes through the site and to the proposed community hub.

4.9 Each side of the road will typically be 3.5m wide along the FMS link. Vehicle speeds will be kept low by limiting driver forward visibility, by virtue of the road alignment and tree planting and other landscaping proposed for each side of the road and within the central reservation.

4.10 At Millfield Lane the extent of road proposed within this application is no more than the connection point onto Millfield Lane and provision for pedestrians to continue along the footpath.

Amenity of surrounding occupants (traffic noise & air quality)

4.11 The National Planning Policy Framework requires that developments always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. It states planning decisions should aim to -

- Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.
- Ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

4.12 DCLP policy GP1: Design requires that development proposals ensure no undue adverse impact from noise disturbance, overlooking, overshadowing or from over-dominant structures.

4.13 Policy GP4b: Air Quality requires this proposal for development, although outside an AQMA, to assess their impact on air quality due to the likely -

- cumulative impact of traffic generation
- the significant number (300 or more spaces) of additional parking to be provided

4.14 The impact of noise and on air quality will be fully assessed in the application to re-develop the former British Sugar site. The applicants have detailed methodology and assessed the impact in their Environmental Statement. Mitigation is not required as a consequence of the construction of the access roads in isolation; any required mitigation would be required within the application(s) for residential development and the site remediation.

4.15 As residents have made representations about noise and air quality, the impact of the proposed housing development is explained below.

Noise

4.16 Traffic noise modelling showed a gradual impact on Millgates (8 dB increase) over the 20 years it is envisaged to take for the development of the British Sugar site to be completed. The 8 dB increase was a worse case scenario, predicted at the dwelling closest the proposed link road and did not factor in either development of the community hub buildings or development of the FMS playing field. The latter is envisaged as the FMS site, including the former playing fields are currently allocated as housing sites in the emerging Local Plan. Such developments would act as a barrier and reduce the noise from traffic to a negligible level (a maximum of 2dB measured at 1st floor level, which would be 'just perceivable' as defined in BS: 4142) which would be compliant with WHO recommended noise levels for within dwellings and resident's gardens..

Air Quality

4.17 The operation of the proposed development was shown to lead to a small increase in annual mean nitrogen dioxide concentrations at a number of receptors - along the A59, A19 and Water End. However, in the current and future baseline scenarios and the future 'with-development' scenario, concentrations of nitrogen dioxide and particulate matter are predicted to remain below the national air quality objective values.

Demolition of former school buildings

4.18 NPPF section 8: Promoting healthy communities states that to deliver the social, recreational and cultural facilities and services the community needs, decisions should:

- plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments;
- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

4.19 The proposals do not conflict with section 8 of the NPPF, as there would be no loss of community facilities.

4.20 The site formerly accommodated Manor School and its associated playing fields. Since the school closed there has been no official access to the playing fields. The school facilities have been replaced on Millfield Lane. The buildings have since accommodated a nursery (Muddy Boots) which is due to move to a new site further west along Boroughbridge Road (The Gardens, permission granted under application 15/01836/FUL).

4.21 The land to each side of the proposed FMS link road is council owned and not currently the responsibility of the applicants. The issues of access, upkeep and security of the sites adjacent are not material to the application.

Ecology / Bats

4.22 Section 11 of the NPPF: Conserving and enhancing the natural environment states that the planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;

- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

4.23 Previous bat surveys undertaken in 2014 identified bat roosts within the former school buildings. A more recent survey was carried out in July 2017, which found bats still to be present in the building. The latest survey recommends mitigation measures. Mitigation needs to be secured through condition. A condition will be provided as a committee update as council's ecology officers are yet to consider the content of the surveys and associated reports carried out late July.

4.24 Along Millfield Lane only a short stretch of the existing hedge would be removed to accommodate the access road. A planning condition is proposed to require the protection of the remaining vegetation during the works and that a bat survey be undertaken, and any required mitigation agreed before any vegetation is cleared. There would also be replacement planting at this access point. A more comprehensive planting scheme is proposed for this area, which will be undertaken following the required remediation and proposed re-profiling of the site the subject of the main applications for re-development.

5.0 CONCLUSION

5.1 The scheme will facilitate a necessary access through the Former Manor School site which will assist in facilitating re-use of a large brownfield site in the urban area. As such the proposals accord with the NPPF core principles - to proactively drive and support sustainable economic development to deliver needed homes and encourage the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value. The road, considered in isolation would have no undue harmful impact on highway safety or amenity. It is proposed approval be granted subject to conditions to cover ecology, road safety, visual amenity and landscaping, drainage and construction management.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 TIME2 Development to start within three years
- 2 Approved Plans

The development hereby permitted shall be carried out in accordance with the following plans:-

Application Reference Number: 17/01072/FUL

Item No: 4e

Site Plan - 04084 REV A

DTA technical drawings

17424-37H-DIMS REV I – Boroughbridge Road Access Dimensions

17424-37H-TRACK REV I – Boroughbridge Road Access Vehicle Tracking

17424-37H-VIS REV I - Boroughbridge Road Access 60m Forward Visibility

17424-40-DIMS REV C – Millfield Lane Access Dimensions

17424-40-VIS REV C – Millfield Lane Access 60m Forward Visibility

17424-40- TRACK REV C – Millfield Lane Access Vehicle Tracking

AECOM landscaping plans

60531863_BS_LS_004 – REV F - Main Entrance Soft Landscape Design

60531863_BS_LS_005 – REV D – Main Entrance Soft Landscape Design

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Construction Environmental Management Plan

A site specific Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration and dust during the demolition, site preparation and construction phases of the development and procedures for dealing with any complaints shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. All works on site shall be undertaken in accordance with the approved CEMP, unless otherwise agreed in writing by the Local Planning Authority.

The CEMP shall include the following measures –

For noise details on hours of construction, deliveries, types of machinery to be used, use of quieter/silenced machinery, use of acoustic barriers, prefabrication off site etc, should be detailed within the CEMP. Where particularly noisy activities are expected to take place then details should be provided on how they intend to lessen the impact i.e. by limiting especially noisy events to no more than 2 hours in duration. Details of any monitoring may also be required, in certain situation, including the location of positions, recording of results and identification of mitigation measures required.

For vibration details should be provided on any activities which may results in excessive vibration, e.g. piling, and details of monitoring to be carried out. Locations of monitoring positions should also be provided along with details of standards used for determining the acceptability of any vibration undertaken. In the event that excess vibration occurs then details should be provided on how the developer will deal with this, i.e. substitution of driven pile foundations with auger pile foundations. Ideally all monitoring results should be recorded and include what was found and

mitigation measures employed (if any).

For dust details should be provided on measures the developer will use to minimise dust blow off from site, i.e. wheel washes, road sweepers, storage of materials and stock piles, used of barriers, use of water bowsers and spraying, location of stockpiles and position on site. In addition I would anticipate that details would be provided of proactive monitoring to be carried out by the developer to monitor levels of dust to ensure that the necessary mitigation measures are employed prior to there being any dust complaints. Ideally all monitoring results should be measured at least twice a day and result recorded of what was found, weather conditions and mitigation measures employed (if any).

For lighting details should be provided on artificial lighting to be provided on site, along with details of measures which will be used to minimise impact, such as restrictions in hours of operation, location and angling of lighting.

A complaints procedure, so that in the event of any complaint from a member of the public about noise, dust, vibration or lighting the site manager has a clear understanding of how to respond to complaints received. The procedure should detail how a contact number will be advertised to the public, what will happen once a complaint had been received (i.e. investigation), any monitoring to be carried out, how they intend to update the complainant, and what will happen in the event that the complaint is not resolved. Written records of any complaints received and actions taken should be kept and details forwarded to the Local Authority every month during construction works by email to the following addresses public.protection@york.gov.uk and planning.enforcement@york.gov.uk

Reason: The condition is necessary prior to commencement of development to protect the amenity of local residents.

4 Highways – method of works

A detailed method of works statement identifying the programming and management of site clearance/preparatory and construction works shall be submitted to and approved in writing by the Local Planning Authority prior to the highway and access works commencing. Construction shall be carried out in accordance with the approved details.

The statement shall include the following information;

- measures to prevent the egress of mud and other detritus onto the adjacent public highway
- a dilapidation survey jointly undertaken with the local highway authority
- the routing for construction traffic that will be promoted
- a scheme for signing the promoted construction traffic routing

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users.

5 Bats - Millfield Lane

No development shall take place until a bat survey, has been submitted to and approved in writing by the Local Planning Authority. Should bats be found, the survey shall include a mitigation strategy to avoid impacts on bats. Any approved bat mitigation strategy shall be implemented in its entirety in accordance with the approved details.

Reason: To ensure no bats have colonised the trees since previous surveys and to approve any mitigation if necessary to ensure minimising impacts on biodiversity and providing net gains in biodiversity where possible in accordance with the section 11 of the NPPF.

6 Bats – Former Manor School Buildings

A scheme of mitigation is required prior to the demolition of buildings as bats are present. Members to be informed of the wording of condition at committee.

7 Restoration following demolition of Former Manor School (FMS)

A scheme for making good of the Former Manor School (FMS) site shall be submitted to and approved in writing by the Local Planning Authority prior to demolition of the FMS. The approved scheme shall be fully implemented within, or before the end of, the first planting season following demolition. The landscaping shall be reasonably maintained at all times. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to provide net gains in biodiversity where possible, in accordance with paragraphs 58 and 109 of the NPPF.

8 Detailed road design

Comprehensive highway engineering details, together with a phased programme of delivery, shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the access roads hereby approved.

The details shall include the following:

- The proposed alterations to the Boroughbridge Road – Beckfield Lane – Low Poppleton Lane junction, associated works within the highway together with the provision of a new access road as indicatively shown on drawings 17424-37H-DIMS & 17424-37H-VIS
- The proposed means of access from Millfield Lane and associated works within the highway as indicatively shown on drawings 17424-40-DIMS & 17424-40-VIS

The works shall be implemented in accordance with the approved details to the complete satisfaction of the Local Planning Authority, prior to first use of the development hereby approved.

Reason: In the interests of the safe and free passage of highway users and to ensure the comprehensive completion of appropriate transport infrastructure.

9 Surface water drainage

Prior to commencement of the relevant part of the development the Local Planning Authority (in consultation with the Internal Drainage Board) shall approve a scheme for the provision of surface water drainage works. The approved scheme shall be implemented in accordance with the approved details prior to the development being brought into use.

Reason: To ensure the development is provided with satisfactory means of drainage and to reduce the risk of flooding.

INFORMATIVE: The following criteria should be considered:

- Any proposal to discharge surface water to a watercourse from the redevelopment of a brownfield site should first establish the extent of any existing discharge to that watercourse.
- Peak run-off from should be attenuated to 70% of any existing discharge rate (existing rate taken as 140lit/sec/ha or the established rate whichever is the lesser for the connected impermeable area).
- Discharge from "greenfield sites" taken as 1.4 lit/sec/ha (1:1yr storm).
- Storage volume should accommodate a 1:30 yr event with no surface flooding and no overland discharge off the site in a 1:100yr event.
- A 20% allowance for climate change should be included in all calculations.
- A range of durations should be used to establish the worst-case scenario.
- The suitability of soakaways, as a means of surface water disposal, should be ascertained in accordance with BRE Digest 365 or other approved methodology.

10 Landscaping - Millfield Lane Access

Prior to the commencement of construction of the Millfield Lane access (as shown

on AECOM drawing 60531863_BS_LS_005) details of the following shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details -

a) A plan showing trees/vegetation to be retained and details of the protection measures to be employed during construction.

The landscaping scheme for the area, as shown on the approved AECOM drawing, shall be carried out before the end of the planting season following completion of the approved works. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to provide net gains in biodiversity where possible, in accordance with paragraphs 58 and 109 of the NPPF.

11 Tree protection measures (FMS)

Trees within the Former Manor School site which are to be retained, as detailed within the Arboricultural Statement by Ian Keen reference IJK/6810/WDC dated May 2017 and the associated Tree Protection Plan drawing 6810/02 rev B, shall be protected in accordance with the aforementioned report and plan during construction.

Reason: In the interests of visual amenity and to provide net gains in biodiversity where possible, in accordance with paragraphs 58 and 109 of the NPPF.

12 Replacement planting scheme and subsequent upkeep (FMS link road)

The hard and soft landscaping, as shown on approved AECOM drawing 60531863_BS_LS_004 – REV D, shall be fully implemented within (or before) the end of the first planting season following completion of the Boroughbridge Road access / FMS link road. Prior to the removal of any trees a schedule for implementing the approved landscaping scheme shall be approved in writing by the Local Planning Authority and the development carried out in accordance with the approved details.

The landscaping shall be reasonably maintained at all times. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to provide net gains in biodiversity where possible, in accordance with paragraphs 58 and 109 of the NPPF.

13 Road Safety Audit

A full 4 stage road safety audit, carried out in accordance with guidance set out in the DMRB HD19/03 and guidance issued by the council, shall be carried out for the works as indicatively shown on the approved DTA drawings or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority. All required stages of the audit shall be carried out prior to first use of the development hereby approved unless otherwise approved by the Local Planning Authority.

Reason: To minimise the road safety risks associated with the changes imposed by the development.

14 Reporting of Unexpected Contamination

In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The approved remediation scheme must be carried out in accordance with its terms and timetable. Following completion of measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be produced, which is subject to the approval in writing of the Local Planning Authority.

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

7.0 INFORMATIVES:

Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome: sought revised plans & through the use of planning

conditions.

2. INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (Works in the highway - Section 38 & 278).

3. INFORMATIVE:

You are advised that this proposal may have an affect on Statutory Undertakers equipment. You must contact all the utilities to ascertain the location of the equipment and any requirements they might have prior to works commencing.

Contact details:

Author: Jonathan Kenyon Development Management Officer

Tel No: 01904 551323