

Annex A

APPLICATION NO: 6.93.663.B.DVCMAJ 18/00235/DVCMAJ
PROPOSAL: Variation of Condition 2 (Approved Drawings) of Planning Permission 16/01240/FULMAJ to allow for alterations to approved plans -
LOCATION: Land Comprising Part of Os Field 6228 Ripon Road Killinghall North Yorkshire
GRID REF: E 428621 N 458284
APPLICANT: Linden Homes (North) Ltd
PUBLIC ACCESS: <https://uniformonline.harrogate.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P2PMLUHYFSU00>

APPROVED subject to the following conditions:-

- 1 The development hereby permitted shall be begun on or before 02.08.2021.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans, as amended by Conditions of this consent, as listed below:
Planning Layout P17-2406.003 Rev N
Identification Plan P17-2406.004 Rev L
Location Plan P17-2406.008
Materials Plan P17-2406.009 Rev A
Mountford AS P17-2406.030
Mountford Opp P17-2406.031
Harcourt Semi P17-2406.010
Eveleigh Semi P17-2406.011
Eveleigh 3 Block 1:2 P17-2406.026
Eveleigh 3 Block 2:2 P17-2406.027
Goodridge P17-2406.013
Grainger P17-2406.014
Pembroke P17-2406.015
Fletcher P17-2406.016
A22 Semi P17-2406.028
120 Semi P17-2406.029A
304 Semi P17-2406.032
304:120 Block 1:2 P17-2406.033A
304:120 Block 2:2 P17-2406.034A
Single Garage P17-2406.023
Double Garage P17-2406.024
Twin Garage P17-2406.025

- 3 Notwithstanding the plans approved and listed in Condition 2 of this consent, the relevant approved plans shall be amended as detailed below and submitted for approval of the Local Planning Authority, in respect of the following:
- a) The provision of chimneys to the dwellings on Plots 1-5 that front onto Ripon Road. The development shall thereafter be implemented in accordance with the revised approved details.
- 4 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site, until the following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:
- (1) Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:
 - (a) the proposed highway layout including the highway boundary
 - (b) dimensions of any carriageway, cycleway, footway, and verges
 - (c) visibility splays
 - (d) the proposed buildings and site layout, including levels
 - (e) accesses and driveways
 - (f) bus infrastructure (including bus kerbs and bus stops)
 - (g) drainage and sewerage system
 - (h) lining and signing
 - (i) traffic calming measures
 - (j) all types of surfacing (including tactiles), kerbing and edging.
 - (2) Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:
 - (a) the existing ground level
 - (b) the proposed road channel and centre line levels
 - (c) full details of surface water drainage proposals.
 - (3) Full highway construction details including:
 - (a) typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
 - (b) when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
 - (c) kerb and edging construction details
 - (d) typical drainage construction details.
 - (4) Details of the method and means of surface water disposal.
 - (5) Details of all proposed street lighting.
 - (6) Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.
 - (7) Full working drawings for any structures which affect or form part of the highway network.
 - (8) A programme for completing the works.

The development shall only be carried out in full compliance with the approved drawings and details unless agreed otherwise in writing by the Local Planning Authority with the Local Planning Authority in consultation with the Highway Authority.

- 5 There shall be no movement by construction or other vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until that part of the access(es) extending 20 metres into the site from the carriageway of the existing highway has been made up and surfaced in accordance with the approved details and the published Specification of the Highway Authority. All works shall accord with the approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority. Any damage during use of the access until the completion of all the permanent works shall be repaired immediately.
- 6 Unless otherwise approved in writing by the Local Planning Authority, there shall be no access or egress between the highway and the application site by any construction vehicles other than via the A61 Ripon Road. The access shall be maintained in a safe manner which shall include the repair of any damage to the existing adopted highway occurring during construction.
- 7 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 90 metres in each direction, measured along both channel lines of the major road (Ripon Road) from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 8 No part of the development to which this permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access and those required to provide safe and convenient access to the wider highway network are constructed to binder course macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation. The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.
- 9 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing 3662/10 REV.V for that dwelling. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 10 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.
- 11 All doors and windows on elevations of the building(s) adjacent to the existing and/or proposed highway shall be constructed and installed such that from the level of the adjacent highway for a height of 2.4 metres they do not open over the public highway and above 2.4 metres no part of an open door or window shall come within 0.5 metres of the carriageway. Any future replacement doors and windows shall also comply with this requirement.

- 12 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the Ripon Road access to the site has been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
- (i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.
 - (ii)(a) The access shall be formed with 4 metre radius kerbs, to give a minimum carriageway width of 4.8 metres, and that part of the access road extending 6 metres into the site shall be constructed in accordance with Standard Detail number A1.
 - (iii) Any gates or barriers shall be erected a minimum distance of 10 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
 - (iv) Provision of tactile paving in accordance with the current Government Guidance. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
- 13 There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.
- 14 No development for any phase of the development shall take place until a Construction Management Plan for that phase has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide but not be limited to the following in respect of the:
- a) design details of the construction access
 - b) the parking of vehicles of site operatives and visitors;
 - c) loading and unloading of plant and materials;
 - d) storage of plant and materials used in constructing the development;
 - e) wheel washing facilities;
 - f) measures to control the emission of dust and dirt during construction;
- 15 Unless otherwise approved in writing by the Local Planning Authority, there shall be no HCVs brought onto the site until a survey recording the condition of the existing highway has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- 16 Notwithstanding any details shown on the approved plans listed under Condition 2 of this Consent, samples of the materials it is intended to be used externally in the construction of the roof and walls of the development hereby approved, shall be submitted for the written approval of the Local Planning Authority and construction of the walls of the development shall not be started before any such approval. Development shall be carried out in accordance with the approved details.

- 17 A sample panel of the type of stone to be used to construct the dwellings, to be constructed of stone, showing the proposed coursing and pointing shall be erected on the site for the written approval of the local planning authority prior to the commencement of construction of the walls of the dwellings to be constructed in stone.
- 18 Notwithstanding any details shown on the approved plans listed under Condition 2 of this Consent, prior to construction of any boundary treatments within the site, details shall be provided to and approved by the Local Planning Authority, of all boundary treatments within the site. The development shall thereafter be implemented in accordance with the approved details.
- 19 Prior commencement of development details shall be submitted to and approved by the Local Planning Authority of security measures that will be implemented during construction of the development and details of how the General Recommendations raised in the Police Designing Out Crime Officers report dated 11th March 2016 will be addressed within the development. The development shall be implemented in accordance with the approved details.
- 20 The gable first floor windows on all house types (except the bedroom on the Mountford) shall be obscured to at least Level 3 of the Pilkington Scale of Privacy and retained for the life of the development;
- 21 Prior to occupation of any of the proposed dwellings the applicant shall provide and have approved in writing by the Local Planning Authority details of the provision of charging plug-in facilities for ultra-low emissions vehicles within the proposed development. The charging facilities shall be provided in accordance with the approved details and thereafter be retained for their intended use.
- 22 No development within each phase shall commence until the Local Planning Authority has approved in writing the details of, and arrangements for the setting out of any Public Open Space within the development, such arrangements shall address and contain the following matters:
 - (i) The delineation and siting of the proposed public open space.
 - (ii) The type and nature of the facilities to be provided within the public open space,
 - (iii) The arrangements to ensure that the Public Open Space is laid out and completed during the course of the development.
 - (iv) The arrangements for the future maintenance of the Public Open Space.The open space in that phase shall be completed in accordance with the approved scheme as agreed by the local planning authority.
- 23 Before any materials are brought onto the site or any development is commenced, the developer shall implement the agreed specification for root protection area (RPA) (as per Rosetta Landscapes Tree Survey 2520 and drawing 2520/2)) fencing in line with the requirements of British Standard BS 5837: 2012 Trees in Relation to Construction - Recommendations, or any subsequent amendments to that document, around the trees or shrubs or planting to be retained, as indicated on the approved plan and for the entire area as specified in accordance with BS 5837:2012. The developer shall maintain such fences until all development the subject of this permission is completed.

- 24 No operations shall commence on site in connection with the development hereby approved (including any demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the root protection area (RPA) works required by the approved tree protection scheme are in place.
- 25 No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved root protection area scheme. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority.
- 26 Notwithstanding any details shown on the approved plans listed under Condition 2 of this Consent, a detailed scheme for landscaping, including the planting of trees and or shrubs and the use of surface materials, including a detailed Landscape Management Plan, including planned management and maintenance operations for both "soft" planted and "hard" paved spaces, shall be submitted to the Local Planning Authority and no development shall take place until the Local Planning Authority have approved a landscaping scheme and management plan; such a scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and the timing of implementation of the scheme, including any earthworks required. The Management plan shall include a statement of the overall design vision for the fully developed landscape which is to be maintained for the lifetime of the development. The approved scheme shall be carried out in accordance with the agreed details and timetable and the approved soft and hard landscaping maintained in accordance with the approved management plan.
- 27 No operations shall commence on site in relation to the landscaping plan approved under Condition 26 of this consent until a detailed scheme, for sustainable tree planting, has been approved. Such a scheme shall incorporate underground systems (e.g. Rootcell, Stratacell, Silva cell or similar products) and provide a sufficient area of growth medium for long term tree growth. Such systems are used to protect underground services and above ground surfaces while providing long term and sustainable tree cover. The trees shall be provided in accordance with the approved scheme.
- 28 In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to survive for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced by the developer with such live specimens of such species in such number as may be approved by the Local Planning Authority.
- 29 Prior to construction of the proposed electricity sub-station to be provided on the northern boundary of the site and the proposed pumping station on the southern boundary details of the construction of, including noise assessments of any machinery to be used in both facilities, shall be provided and approved in writing by the Local Planning Authority. The sub-station and pumping station shall be provided in accordance with the approved details and retained as such.
- 30 Intentionally left blank, condition duplication from 16/01240/FULMAJ not required.

- 31 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no further windows, including dormer windows and rooflights, shall be inserted in the elevations or roofs of the dwellings hereby approved, without the prior written approval of the Local Planning Authority.
- 32 Works shall be undertaken strictly in accordance with the recommendations of the ecological reports of September 2015 (as amended in March 2016) by Brooks Ecological which have been submitted in support of the application (Ecological Appraisal, Bat Survey and NERC Act Species). A detailed scheme of how these recommendations and proposals are to be implemented, including timing of implementation, (including the provision of a small number of integrated bat and swift bricks and a revised location for the hedgehog homes away from the A61) shall be submitted for the written approval of the local planning authority prior to the commencement of works on site. The development shall thereafter be implemented in strict accordance with the approved details.
- 33 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until sections A to C have been complied with.

A. SITE CHARACTERISATION

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- * human health,
- * property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- * adjoining land,
- * groundwaters and surface waters
- * ecological systems
- * archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

B. SUBMISSION OF REMEDIATION SCHEME

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the

natural and historical environment must be prepared, and 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 scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise approved in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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, and is subject to the approval in writing of the Local Planning Authority.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirement of section A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with section C.

- 34 If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until the requirements below have been complied with in relation to that contamination.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Section A of Condition 33 of this consent, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section B of Condition 33 of this consent, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with section C of Condition 33 of this consent.

- 35 No phase of the development shall take place until a detailed design of the surface water drainage strategy, including a timetable for its implementation, for the site based on

sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to, and approved in writing by the Local Planning Authority. Any proposed discharge of surface water from the development site shall be restricted to a maximum of 5l/s. The overall strategy should demonstrate that there is sufficient on site attenuation to accommodate all storm scenarios up to & including a 1 in 100 year event + a 30% allowance for climate change & a further 10% for urban creep. The design shall also include a site plan showing the exceedence flow routes during extreme storm conditions over the 1 in 100 year event. The approved drainage system shall be implemented in accordance with the approved detailed design and timetable prior to completion of the development.

- 36 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
- 37 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage , for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority (proposed within the Statement on Flooding and Surface Water Drainage prepared by ARP Associates - Report 1158/07 dated March 2016).
- 38 The development shall be constructed in accordance with the Statement on Flooding and Surface Water Drainage (prepared by ARP Associates - Report 1158/07 dated March 2016) whereby foul water will discharge to the existing foul sewer located within Ripon Road a point approximately 35 metres from the site . If sewage pumping is required , the peak pumped foul water discharge must not exceed three litres per second . Furthermore, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works .
- 39 No phase of the development shall take place until detailed drawings have been submitted to, and approved by the Local Planning Authority showing how surface water will be managed during the construction phases.
- 40 Construction activity shall only take place between the hours of 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturdays and not at all on Sundays and Bank Holidays.

Date Decision Issued: 2 August 2018