

To: Planning Committee
Date: 5 September 2018
Author: Paul Edwards (Principal Planning Officer)
Lead Officer: Ruth Hardingham (Planning Development Manager)

APPLICATION NUMBER:	2017/1295/FUL	PARISH:	Barlby Parish Council
APPLICANT:	Barratt Homes Yorkshire East	VALID DATE: EXPIRY DATE:	1st December 2017 2 March 2018
PROPOSAL:	Proposed residential development (partial replan of approval 2013/0478/FUL) for twenty-seven dwellings with associated infrastructure		
LOCATION:	Turnhead Farm, York Road, Barlby		

This application is to be determined by the Planning Committee as officers consider that although the environs of the site are already under development through previous consents, the development is not in accordance with the provisions of the Development Plan which brings it to Committee. It is considered that there are material considerations that would justify approving the application.

1. Introduction and Background

The Site and Context

- 1.1 The application site is an undeveloped, vacant tract of former agricultural land immediately behind (to the west of) properties fronting River View, west of York Road, Barlby. To the west across informal recreational paths and public rights of way are the wooded banks of the River Ouse and the on-going residential development by the applicants and David Wilson Homes known as 'Barley Fields' is approaching the site from the north. The application site is separated from this new development on Poplar Drive by a public right of way which runs west from York Road to the Ouse banks to join the north-south path along the west bank at Barlby Reach; past a small area allocated as Recreation Open Space.
- 1.2 The southern parts of the application site abut an allocated Site of Importance for Nature Conservation (SINC SE63-11) between the site and the River including ponds, footpaths and planting. This is designated for its assemblage of aquatic plants, indicating a high water quality and some water species. It is understood that the wildlife area is owned and managed by Barlby Parish Council. A low voltage

power line follows approximately the line of the embankment. The developable area of the site is located within Flood Zone 1.

The Proposal

- 1.3 Full permissions were given in 2015 and, later in 2017 for an amended total of 233 homes across 10ha of land which included this application site. This application now relates to 1.05ha of that site and the proposal for 27 bungalows is described by the applicant as a part replan of development already granted under a previous permission.
- 1.4 This is since previously this site has consent for 22 bungalows under both 2013/0478 and 2016/1314 that both relate to larger areas of land including all that land that is being developed to the north.
- 1.5 Thus this application is for 27 bungalows on a site that has consent for 22 bungalows. The applicant says that the revisions are to improve the design, the efficiency of the layout and alter the property types on offer. There is an increase over the existing consent of 5 bungalows and the mix remains mostly the same in terms of two and three bedroom bungalows. The eleven allotments and seventeen parking spaces further south remain as previously approved and are not within the current application site.
- 1.6 The application is accompanied by:
 - Geophysical archaeological survey and trial trenching evaluations
 - Geoenvironmental appraisal
 - Gas risk assessment
 - Evidence of agricultural land classification
 - Drainage Proposals (strategy) and update
 - Planning Policy Statement
 - Arboricultural Report
 - Flood Risk Assessment and update
 - Stage 1 Road Safety Audit
 - Landscape and Visual appraisal (LVIA)
 - Ecological assessment
 - Transport Assessment & addendum
 - Confidential viability affordable housing information update

Relevant Planning History

- 1.7 Application 2013/0478/FUL – Permission granted subject to conditions in July 2015 for the erection of 179 houses on 10.8ha of land. This included 22 bungalows on the land subject to the current application together with allotments, open space and a new roundabout at the A163 junction. The planning obligation concluded before that decision was released related to Recreational Open Space (ROS), affordable housing, an Education contribution and Waste and Recycling contribution.
- 1.8 Application 2016/1314- Permission granted in December 2017 for revisions including an increase in numbers from 179 to 233, with the current application site still accommodating 22 bungalows. A new planning obligation and an amendment of the original secured recreational open space (in the form of publicly accessible open

space, 'pocket orchards' and areas of allotments), nine affordable rented housing units plus either a contribution or 15 on site, ~£111,000 health contribution, ~£598,000 Education and waste and recycling contribution of ~£5,200 (its final form following a deed of variation concluded in December 2017). The variations, it is understood followed the introduction of CIL and the need to ensure against double counting of contributions

- 1.9 Although there have been a series of further approvals, these are condition discharge or non-material amendment applications which have enabled the development to commence and a number of the properties are already completed and occupied.

2. CONSULTATION AND PUBLICITY

- 2.1 **Barlby and Osgodby Parish Council** replied that it has no comments to make other than advising that the applicant's statement that there is a Post Office in Barlby is incorrect.

- 2.2 **The Public Rights of Way Officer** has no objections and requests an Informative on any consent to protect the PROW

- 2.3 **The Highway Authority** has replied with no objection to the development subject to the conditions that were imposed on the original (2015) consent being imposed relating to details of construction access and the site access, specification of highways layouts, timing for their construction, York Road visibility splay detail, provision of the A19/A163 roundabout, piping or bridging of culverts, highway condition survey, parking for dwellings, no garage conversions, doors and windows opening over the highway, travel plan and construction traffic management plan.

- 2.4 **The Council's Contracts Team Leader** comments on the ability for service vehicles to manoeuvre and seeks clarification/ amendment to bin collection presentation points.

- 2.5 **The County Principal Ecologist** requests a more up to date ecology survey since this application relies upon the survey carried out for the originally consented application. Request up to date assessment so that these can be reviewed and any further necessary advice given. In considering the revised Ecological Survey, the Ecologist confirms that it takes into account the nearby SINC and although the development will increase the number of visitors to the site/area, it is not considered that this would impact upon the interest of the SINC. The Ecologist agrees with the need for a Construction Environmental Traffic Plan (CEMP), that the biodiversity measures should be incorporated into the landscaping plan and that a sensitive lighting scheme should be secured by condition.

- 2.6 **The County Development Archaeologist** recommends that, in the light of previous advice on the 2013 application (granted in 2015) and the results of intrusive evaluation which shows a Roman, perhaps military, site of high significance – particularly to the north of this site recommends a scheme of archaeological mitigation recording in the form of strip map and record controlled by condition on any approval to ensure a detailed record is made of deposits that may be disturbed.

- 2.7 **The North Yorkshire Bat Group** agrees with the applicants' assessment that bats are unlikely to be adversely affected by development and recommends the provision of bat and swift boxes within the development.
- 2.8 **Natural England** has replied that it has no comments to make and refers to their standing advice.
- 2.9 **The Lead Environmental Health and Housing Officer** advises that whilst the Environmental Protection Act 1990 allows for the abatement of statutory nuisance in respect of noise, dust and vibration, would nevertheless recommend a condition on any approval to address dust, noise and vibration on nearby residential amenity.
- 2.10 **The Environment Agency** has replied with no objection and gives advice on surface water drainage design.
- 2.11 **The Shire Group of IDBs** replies with the standard response that the application will increase the impermeable area and the applicant should satisfy himself that any surface water systems installed have the capacity to cope with any increase in surface water discharge from the site. There is a recommendation for a surface water discharge condition on any approval.
- 2.12 **The Ouse and Derwent Internal Drainage Board** recommends a series of conditions dependent upon the nature of the surface water discharge proposals.
- 2.13 **Yorkshire Water** requests a condition on any approval that the development is carried out in accordance with the submitted Flood Risk Assessment and that restrictions on surface water disposal might be imposed by others.
- 2.14 **The Lead Local Flood Authority** request conditions relating to detailed foul and surface water drainage design, rate of run-off and exceedance flow controls, and measures for maintenance of the SuDS.
- 2.15 **The City of York Environmental Consultancy** advises that the applicant's report on contaminated land is acceptable and recommends conditions to do with implementation and verification of gas protection measures and unforeseen contamination.
- 2.16 **The Canal and River Trust** has replied that it has no comment to make.
- 2.17 **The North Yorkshire Police Designing Out Crime Officer** makes detailed comments about surveillance and security concerning gate and boundary treatments, parking and secure cycle storage measures.
- 2.18 **The North Yorkshire Fire and Rescue Service** say that it has no objection/observations to make at this stage but will comment in detail when the building control body submits their statutory Building Regulations consultation.
- 2.19 No neighbour representations have been received.

3. SITE CONSTRAINTS AND POLICY CONTEXT

Constraints

- 3.1 The site is located outside the defined development limits of Barlby and is therefore defined as open countryside by the Local Plan. The site does not contain any protected trees and there is no Conservation Area for Barlby or local listed buildings that are affected. There are no statutory or local landscape designations but the area to the west of this site is an SIN. To the west of the site is the River Ouse and the application site is in Flood Zone 1.
- 3.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making.
- 3.3 The development plan for the Selby District comprises the Selby District Core Strategy Local Plan (adopted 22nd October 2013) and those policies in the Selby District Local Plan (adopted on 8 February 2005) which were saved by the direction of the Secretary of State and which have not been superseded by the Core Strategy.

Selby District Core Strategy Local Plan

- 3.4 The relevant Core Strategy Policies are:

SP1 - Presumption in Favour of Sustainable Development
SP2 - Spatial Development Strategy
SP8 - Housing Mix
SP9 - Affordable Housing
SP15 - Sustainable Development and Climate Change
SP16 - Improving Resource Efficiency
SP18 - Protecting and Enhancing the Environment
SP19 - Design Quality

Selby District Local Plan

- 3.5 Annex 1 of the National Planning Policy Framework (NPPF) outlines the implementation of the Framework. As the Local Plan was not adopted in accordance with the Planning and Compulsory Purchase Act 2004, the guidance in paragraphs 212 and 213 of the NPPF is relevant. The Framework should thus be taken into account in determining applications, and existing policies should not be considered out of date simply because they were adopted prior to the publication of the NPPF; due weight should be given to them according to their degree of consistency with the Framework. Thus the closer the policies in the plan are to the policies in the Framework, the greater the weight that may be given to them.
- 3.6 The relevant Selby District Local Plan Policies are:

Policy ENV1: Control of Development

Policy ENV2: Environmental Pollution and Contaminated Land
Policy T1: Development in relation to the Highway Network
Policy T2: Access to Roads

National Guidance and Policy – National Planning Policy Framework (NPPF), National Planning Practice Guide (NPPG)

- 3.7 The 2018 Framework replaces the first NPPF issued in March 2012.
- 3.8 Achieving sustainable development has three interdependent overarching objectives of social, economic and environmental. The previous para 14 presumption is now in para 11 but this is not triggered since the development plan is not 'out of date'. In addition, since there is a demonstrable five year supply the para 11 d) presumption in favour of granting housing applications similarly does not apply. However, that the authority can demonstrate a five year supply is not a reason for resisting sustainable development and para 38 says decision-makers should seek to approve applications for sustainable development where possible.

4. APPRAISAL

- 4.1 The main planning considerations to be taken into account when assessing this application are:
- Principle of Development and the weight to be afforded to the existing consent
 - Impact on Residential Amenity
 - Affordable Housing
 - Highway safety
 - Impact on Nature Conservation and Protected Species
 - Archaeology
 - Flood Risk and Drainage
 - Land Contamination
 - Planning obligation

Principle of Development and weight to be afforded to the existing consent

- 4.2 Policy SP1 of the Core Strategy outlines that "when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework" and sets out how this will be undertaken. Policy SP1 is therefore consistent with the guidance in paragraphs 11 and 12 of the 2018 NPPF.
- 4.3 Although the application site is outside of the development limits for Barlby and is therefore contrary to the spirit of Policy SP2 of the Core Strategy - which would presume against development in the countryside - there is an extant permission on the site and the principle of residential development is firmly established here which can amount to a 'special circumstance' envisaged in SP2 A (c).
- 4.4 The extant permissions can be afforded even more weight since those permissions referred to above are substantially implemented and thus the applicant can therefore demonstrate a 'fallback' position i.e. an existing consent which is being

implemented irrespective of the decision on this current application; this constitutes a material consideration to be taken into account in determining the application.

- 4.5 In this case there is an extant planning permission for 233 dwellings and which has already been included in the Council's land supply calculations. Although the proposals now for this smaller part of the larger consented site are different to that approval, the extant planning permission is nevertheless considered to be a clear fallback position that is a material consideration of sufficient weight to constitute a special circumstance (to allow development in the countryside) envisaged by Policy SP2 and since the previous decisions confirm that this is a sustainable location for development.

Residential amenity

- 4.6 The existing consent envisages the estate access coming in from the north east corner and then encircling the western site boundary with a small central private court and a turning head in the south west corner. The nearest properties with their rear east facing gardens towards River View would be between 23m to 29m facing back to back relationships and where there are gable ends facing these existing neighbours, these would be blank.
- 4.7 The proposed alternative layout is a more efficient layout since the estate road enters down the middle of the site to enable development off both road frontages and with two small private drives to the west. The terraces of bungalows down the eastern boundary have a common 10m rear garden length and a minimum 27m separation from the rears of River View neighbours. The site has an overall impression of low density (26dph) and all relationships between existing and proposed and existing and existing are acceptable.
- 4.8 The western site boundary is defined by the existing tree-lined public footpath and the site will abut it with selective tree planting and, at the ends of the west facing private drive heads, short stretches of copper beech/hornbeam hedging protected by 450mm high knee rail to deter access across the planted hedge. The North Yorkshire Police, Designing Out Crime Officer's comments (para 2.17 above) have been shared with the applicant, and particularly in respect of these western fringes of the site, amendments have been sought. Further areas of planting to discourage access have been provided on the revised layout and landscaping plans to prevent the formation of areas hidden from view which could otherwise attract unneighbourly behaviour or escape routes. It has been confirmed that these areas outside of property curtilages will be managed by a management company.
- 4.9 There are no neighbour representations to report.
- 4.10 It is therefore concluded, subject to the receipt of the satisfactorily revised layout and landscape proposals drawings that this change to the approved layout still has the appearance of a low density scheme and the relationships to existing neighbours are not significantly different but better than the existing consent. The mix remains similar to that previously approved (consistent with SP8- Housing Mix) and complies with SDLP Policy ENV1.

Affordable Housing

- 4.11 Core Strategy Policy SP9 would seek 40% provision of affordable housing on major sites. The definition of affordable housing in the 2018 Framework has changed from the first (2012) issue and the Council's definition in the Core Strategy or the adopted Supplementary Planning Document (February 2014) is thus not up to date since, for example it does not include Starter Homes within the plan definition. Nevertheless, current Policy would seek 10 units on this application.
- 4.12 However, the Council's policy position would remain that the amount provided is a matter for negotiation having regard to cost, viability and other requirements associated with the development (Policy SP9).
- 4.13 The last revision of the larger site, to 233 dwellings in total, secured a ~10% contribution to affordable housing based upon viability information provided at that time secured through a new obligation (14 December 2017) and a variation to the original obligation from 30 July 2015 (dated 4 December 2017). These provide for 15 on site, or a contribution, plus 9 from the deed of variation. (15 + 9 = 24). This compares to a 5.5% contribution which was able to be achieved on the original, 179 house scheme.
- 4.14 Thus if the previously achieved 10% contribution was applied to the current scheme, an increase by 5 would result in a request for 0.5 of a unit. Neither the Council's development plan policy nor the SPD indicate whether requirements are 'rounded up' or 'rounded down' when part whole units are involved.
- 4.15 The applicant has provided some information to support his case that the scheme cannot viably provide any further affordable contribution. This has not been independently tested, given the very small implication of this increase, but costs per plot have decreased slightly (by about 6%) and there is an approximate 8% upturn in the difference between revenue and costs based upon the experience of the existing site and actual development costs for this part of the site.
- 4.16 It was accepted in September 2017 that the development had incurred additional costs as a result of the high water table. It is therefore considered that since any increased requirement is negligible and that contributions towards other facilities such as Health, Waste and Recycling and the previous affordable provisions were all previously reduced, it would not be reasonable and be disproportionate to engage in a viability exercise for 0.5 of a unit. Put another way, ten percent of 238 units is 23.8 and the site is already committed to provide 24. The applicant has agreed the way in which this confidential information has been summarised for this report.
- 4.17 The Framework speaks of maintaining the supply of housing and helping to ensure that consents are implemented in a timely manner (paras 75 and 76). The continuing development of 'Barley Fields' under the previous consents is approaching from the north and a timely decision here would assist in not interrupting this delivery.

Impact on the Highway Safety

- 4.18 The site has an approved vehicle access point and many of the Highway Authority requested conditions relate to the larger 233 dwelling scheme and the advanced off site road improvements which have since all been provided. The shared surface drive through the site has a number of multiple parking bays off it, albeit broken up with tree planting but given that the vehicle movements in the site will be low and there is no through traffic as such, these details are acceptable. All plots have two off street parking spaces.
- 4.19 The amended Transport Assessment concludes that there will be a small number of additional trips that would have a negligible impact on the network. It is considered that the only conditions that are necessary on any approval, given that the previous scheme has secured all the off-site highway improvements and other works relate to no occupation until constructed to basecourse level, surface water, and provision of parking before occupation. The Contract Manager's comments have been shared with the applicants and revisions to the layout plan have been received and some further clarifications on the ability of the turning areas to accommodate collection vehicles are expected to be available for Committee.
- 4.20 Thus the scheme, subject to conditions, is acceptable in highway terms and in accordance with policies ENV1(2), T1 and T2 of the Local Plan, Policy SP19 of the Core Strategy and the NPPF with respect to the impacts on the highway network.

Impact on Nature Conservation and Protected Species

- 4.21 The consultees agree that the updated reports are acceptable and that the need for biodiversity enhancement measures, referred to in the proposals, can be controlled by conditions. A Construction Environmental Management plan has been submitted with the application so there is no need to condition its submission. No external lighting is proposed as part of the application so it is also not necessary to condition its submission.

Archaeology

- 4.22 There has already been intrusive evaluation of this site and the County archaeologist is content with a strip, map and record approach to the investigation of this site, controlled by condition on any approval. This is the subject of discussion with the applicants, over the reasonableness of this request given the previous intrusive works and the Committee will be updated on the agreed solution.

Flood Risk and Drainage

- 4.23 The application site is entirely in Environment Agency Flood Zone 1 but the site size requires the application to provide a site specific flood risk assessment. Minimum finished floor levels are to be above any maximum flood event and surface water is to be discharged to the River Ouse and discharge rates restricted to the greenfield rate through oversize pipes and storage. Soakaways are unlikely to be suitable for this site; the site to the north has a positive piped system which also discharges to the River.
- 4.24 Foul will be drained to the south and then pumped to the existing combined sewer in York Road. This will be controlled through the existing and to-be-adopted foul pumping station, located in the northern site which would also take flows from this

application site. Yorkshire Water find this discharge to the public sewer acceptable and there is thus no reason to condition any further details of this since the commissioning and adoption of that system will be controlled by other means

- 4.25 The consultees all concur that surface water disposal can be dealt with by condition on any approval.

Land Contamination

- 4.26 The applicants' assessment concludes that the site is free from contamination in the topsoil, which is thus suitable for re-use. A number of foundation solutions are suggested and initial gas monitoring seems to suggest that with the construction of floor slabs, sub floor ventilation and gas membranes will be necessary. The Council's Contaminated Land Consultant confirms that the applicants' report is acceptable and the recommended conditions are reflected at recommended conditions numbers 5 and 6.

Planning obligation

- 4.27 On the face of it this revision application (which is really a new application in its own right for twenty seven bungalows) should raise the question of whether a further or revision of the existing planning obligations is required. If the same suggested approach to affordable housing is acceptable to Committee, then this application should not raise the need for further obligation preparation or variation.
- 4.28 The applicants have agreed to provide a unilateral undertaking to confirm that any approval here does not alter the obligations they are already bound to, as set out in paragraphs 1.7 and 1.8 of this report above. This would ensure that the necessary benefits negotiated for the larger site (which includes the current application site) remain in place and will continue to be delivered; it is also a more efficient method than seeking a new obligation or further revisions to the existing obligations. The undertaking will be submitted in draft in order that your officers may seek legal opinion that it achieves what it is intended to.

5. CONCLUSION

- 5.1 This application site is part of a larger committed site outside of development limits where significant housing construction and occupation is well advanced.
- 5.2 Development plan policy, like the spirit of the plan and national guidance, would presume against development in the countryside and Policy SP2 would limit development in the countryside to ones only of specific descriptions including 'other special circumstances'. It is concluded that the existing consent(s) and the advancement of that permitted development (which includes this application site) towards this part of the site from the north is, together with the 'fall-back' a 'special circumstance' which would clearly support this application.
- 5.3 In order to facilitate and not unreasonably delay the delivery of housing, and given the small scale of the change compared to the committed consent, it is concluded that no further affordable housing (0.5) should be sought. By the same token, since the applicants are agreeable to committing to the existing obligations for the larger site, it would be disproportionate to seek any further contributions.

- 5.4 There are no outstanding consultee objections, or comments that may not be addressed by condition on any approval, and subject to the receipt of satisfactorily revised drawings, the conclusion on archaeology and a satisfactorily concluded unilateral undertaking, updates upon all of which will be presented to Committee, the application will be recommended to be approved.

6. RECOMMENDATION

- 6.1 That, subject to an appropriate planning obligation to secure contributions as set out in paragraphs 1.7 and 1.8 of the report above, this application is recommended to be APPROVED subject to the following conditions:

01. The development for which permission is hereby granted shall be begun within a period of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

02. The development hereby permitted shall be carried out in accordance with the plans/drawings listed below:

Site layout plan Dwg no P17:5118:01 G

Landscaping Plans. Dwg No P17:5118106-D.

External Works Dwg and topographical layout (to be inserted)

Flood Risk assessment prepared by BWB LDH/2020/FRA revision dated 02/04/2013)

Geo Environmental Assessment prepared by Lithos Consulting Report No 1416/1 dated October 2013

Construction Mgt Plan dated (to be inserted)

List the House types (to be inserted)

Reason: For the avoidance of doubt and in accordance with policy ENV1 of the Selby District Local Plan.

03. Prior to the commencement of work above foundation level, details of all external materials to be used in the construction of the exterior walls and roofs of the development hereby approved shall be submitted to and approved in writing by the local planning authority, and only the approved materials shall be utilised.

Reason: In the interests of visual amenity and in order to comply with Policy ENV1 of Selby District Local Plan.

04. No parts of the surface water drainage system shall be commenced to be constructed until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The surface water drainage design should demonstrate that

the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change and urban creep, will not exceed the run-off from the undeveloped site following the corresponding rainfall event.

Reason: To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity, in accordance with Policies

05. Foundation design shall include proposed gas protection measures, the details of which shall have been submitted to and approved by the local planning authority prior to their installation.

Reason: To ensure that risks from landfill gas to the future users of the site are minimised in accordance with Selby District Local Plan Policy ENV2.

06. 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. 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.

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.

07. All hard and soft landscaping works shall be carried out in accordance with the approved landscaping plans during the first available planting season following the substantial completion of the development.

Reason: In accordance with the details of the application to comply with s.197 of the Act in respect of the preservation and planting of trees, in the interests of visual amenity and in order to comply with PolicySP19 of the Core Strategy and Policy ENV1 of Selby District Local Plan.

08. The first dwelling shall not be first occupied until the details of the management company and how it will ensure for the long term and continuing maintenance and management of those areas of hard and soft landscaping and planting outside of private property curtilages have been submitted to and approved by the local planning authority.

Reason: In accordance with the details of the application to comply with s.197 of the Act in respect of the preservation and planting of trees, in the interests of visual amenity and in order to comply with PolicySP19 of the Core Strategy and Policy ENV1 of Selby District Local Plan.

09. No dwelling shall be occupied until that part of the service road and any footways that provide access to it have been constructed up to at least base course level in accordance with the approved plans.

Reason: In accordance with Policies ENV1 and T1 of the Selby District Local Plan and to provide for adequate and satisfactory access to properties from a highway in the interests of safety and the general amenity of the development.

10. No dwelling shall be occupied until the related parking facilities have been constructed in accordance with approved drawing no P17:5118:01 – G. Once created, these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In accordance with Policies ENV1 and T1 of the Selby District Local Plan and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interests of safety and the general amenity of the development.

11. A scheme for the provision of bird boxes shall be implemented in accordance with detail that have previously need submitted to and approved by the local planning authority prior to the substantial completion of the development.

Reason: In order to provide for the retention and enhancement of biodiversity in accordance with the details of the application and in the interests of ensuring that protected species are not significantly impacted by the development and to accord with Policies SP18 and SP19 of the Core Strategy and Policies ENV1 and ENV10 of the Selby District Local Plan.

12. The development hereby approved shall proceed in accordance with the approved Construction Environmental Management Plan (ref xxx) received by the local planning authority on (to be inserted)

Reason: In order to protect the general and residential amenities of the area and the Site of Importance for Nature Conservation in accordance with development plan policies ENV1, ENV10, SP18 and SP19.

Informative: The existing Public Right of Way which crosses the access to the site must be protected and kept clear of any obstruction at all times until such time as any alternative route has been provided and confirmed under an Order made under the Town and Country Planning Act 1990.

Contact Officer: Paul Edwards, Principal Planning Officer
pedwards@selby.gov.uk
01757 292 135

Appendices: None