



NOTICE OF DECISION

TOWN AND COUNTRY PLANNING ACT 1990 FULL APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT

NORTH YORKSHIRE COUNCIL, THE LOCAL PLANNING AUTHORITY, HAS CONSIDERED THIS APPLICATION AND HAS DECIDED IT SHOULD BE APPROVED SUBJECT TO THE CONDITIONS STATED BELOW:

DECISION NO: ZE23/03520/MFUL
PROPOSAL: Erection of extension to existing factory building
LOCATION: Marshall Aerospace Ings Lane Kirkbymoorside YO62 6EZ
APPLICANT: Mr Stephen Brough
DATE: 6th December 2023

REASON FOR APPROVAL

The proposed development is in accord with the following development plan policies and there are no other material considerations that outweigh those listed development plan policies:

Local Plan Strategy - Policy SP1 General Location of Development and Settlement Hierarchy
Local Plan Strategy - Policy SP6 Delivery and Distributing of Employment Land and Premises
Local Plan Strategy - Policy SP13 Landscapes
Local Plan Strategy - Policy SP14 Biodiversity
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources
Local Plan Strategy - Policy SP18 Renewable and Low Carbon Energy
Local Plan Strategy - Policy SP20 Generic Development Management Issues
National Planning Policy Framework
National Planning Practice Guidance

CONDITIONS AND ASSOCIATED REASONS

01 The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

- 02 The development hereby permitted shall be carried out in accordance with the following approved plan(s):
Site Location Plan (Drawing no. MSA-AWP-ZZ-XX-D-A-0100 Rev P2.)
Site Plan As Proposed (Drawing no. MSA-AWP-ZZ -XX-D-A-0009 Rev P3.)
Proposed Elevations North and South (Drawing no. MSA-AWP-B1 -XX-D-A-0010 Rev P3.)
Proposed Elevations East and West and Section A-A (Drawing no. MSA-AWP-B1 -XX-D-A-0011 Rev P3.)
Plan-Proposed (Drawing no. MSA-AWP-B1 -GF-D-A-0006 Rev P3.)

Reason: for the avoidance of doubt and in the interests of proper planning.

- 03 The extension hereby approved shall be completed in materials that match those used within construction of the host building.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan, the Local Plan Strategy

- 04 Unless otherwise agreed in writing by the Local Planning Authority, prior to the extension hereby approved being brought into use, plans showing full details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of any new trees/hedging, show any areas to be grass seeded or turfed and indicate existing landscaping to be retained. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all new proposed plants. All planting, seeding and/or turfing comprised in the above scheme shall be carried out during the first planting season following the commencement of the development, and any trees or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To protect visual amenity and the character of the area and to ensure a satisfactory environment having regard to SP13 and SP20 of the Ryedale Plan, Local Plan Strategy.

- 05 Development shall not begin until an investigation and risk assessment of land contamination has been completed by competent persons and a report of the findings submitted to and approved in writing by the Local Planning Authority. This shall include an appropriate survey of the nature and extent of any contamination affecting the site, and an assessment of the potential risks to human health, controlled waters, property and ecological systems. Reports shall be prepared in accordance with Contaminated Land Report 11 and BS 10175 (2013) Code of practice for the investigation of Potentially Contaminated Sites

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 receptors in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 06 Where land affected by contamination is found which poses risks identified as unacceptable, no development or remediation shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the local planning authority. The scheme must include proposed remediation objectives and remediation criteria, an appraisal of remedial options and proposal of the preferred option(s), all works to be undertaken, and a description and programme of the works to be undertaken including the verification plan.

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 receptors in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 07 Unless otherwise agreed in writing by the local planning authority, the new extension hereby approved shall not be brought into use until the approved scheme of remediation has been completed, and a verification report demonstrating the effectiveness of the remediation carried out has been submitted to and approved in writing by the local planning authority. The verification report shall include a description of the works undertaken and a photographic record where appropriate, the results of any additional monitoring or sampling, evidence that any imported soil is from a suitable source, and copies of relevant waste documentation for any contaminated material removed from the site.

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 receptors in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 08 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 immediately to the local planning authority, and work must cease until an appropriate investigation and risk assessment must be undertaken. Where remediation is necessary, a remediation scheme must be prepared by competent persons and submitted to the local planning authority for approval. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by 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 receptors in accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy.

- 09 The Development shall be built in accordance with the following submitted designs:
- o Drainage Impact Assessment, Alan Wood & Partners, Reference MGC/AD/JR/49036-Rp002, Dated 04/09/2023.
 - o Hydraulic Calculations, Alan Wood & Partners, Reference File Network 1#, Dated 04/09/2023.
 - o Proposed Drainage Strategy, Alan Wood & Partners, Reference MSA-AWP-ZZ-XX-DR-C-3300, Revision P1, Dated 04/09/2023.

- o Proposed Surface Water Exceedance, Alan Wood & Partners, Reference MSA-AWP-ZZ-XX-DR-C-3400, Revision P1, Dated 04/09/2023.
- o Flood Risk Assessment, Alan Wood & Partners, Reference MGC/AD/JR/49036-Rp001, Dated 01/09/2023.

The flowrate from the site shall be restricted to a maximum flowrate of 14 litres per second. A 40% allowance has been included for climate change for the lifetime of the development. Storage will be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme includes a detailed maintenance and management regime for the storage facility.

Principles of sustainable urban drainage shall be employed wherever possible.

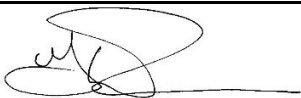
Reason: To ensure that the development is built to the submitted drainage design; to prevent the increased risk of flooding; to ensure the provision of adequate and sustainable means of drainage in the interests of amenity in accordance with Policy SP17 of the Ryedale Plan, Local Plan Strategy.

INFORMATIVE(S)

- 01 The NYC Ecologist has advised that "All work should be carried out in accordance with wildlife protection legislation, and if in doubt professional advice should be sought."

In dealing with and determining this application, the Local Planning Authority have sought to take a positive approach to foster the delivery of sustainable development in accordance with the requirements of the National Planning Policy Framework. As such, the Local Planning Authority has taken steps to work proactively with the applicant to seek solutions to problems that may have arisen in dealing with this application with a view to improving local economic, social and environmental conditions.

NO CONSENT OR APPROVAL HEREBY GIVEN REMOVES ANY REQUIREMENT TO SERVE NOTICES OR SEEK APPROVAL FROM THE COUNCIL WHERE SUCH ACTION IS REQUIRED BY THE BUILDING ACT 1984 OR OF ANY OTHER STATUTORY PROVISION. NO PART OF THE PROPOSED DEVELOPMENT SHOULD BE STARTED WITHOUT COMPLYING WITH SUCH REQUIREMENT.



Trevor Watson
Assistant Director – Planning

Date: 6th December 2023

Mr Stephen Brough
C/O Mr Simon Coupland (Alan Wood & Partners)
341 Beverley Road
Kingston Upon Hull HU5 1LD

NOTES

This is an approval under the Town and Country Planning Act only.

YOUR RIGHTS OF APPEAL ARE AVAILABLE AT www.northyorks.gov.uk/planning