

**NORTH YORKSHIRE COUNTY COUNCIL**  
**TOWN AND COUNTRY PLANNING ACT 1990**  
**TOWN AND COUNTRY PLANNING GENERAL REGULATIONS 1992**

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NOTICE OF PERMISSION FOR CARRYING OUT COUNTY COUNCIL DEVELOPMENT

TO: Corporate Director, Children and Young People's Services  
North Yorkshire County Council  
County Hall  
Northallerton  
North Yorkshire  
DL7 8AH

C/o: Align Property Partners Limited  
Morgan House  
Mount View  
Standard Way  
Northallerton  
DL6 2YD

The application dated 13 December 2019 in respect of the proposed development at former agricultural land located to the east of the A167 Darlington Road forming part of the new Northallerton development area for the purposes of change of use from agricultural use to a non-residential institution (use class D1) for the erection of a new single storey primary school (1,520 sq. metres), creation of hard standing (8,830 sq. metres), two vehicular accesses, car parking and coach layby, sprinkler tank, refuse store, two cycle shelters, 6m Lighting columns and wall mounting lighting two-metre-high perimeter fencing and gates, removal of trees, associated earthworks and hard and soft landscaping has been considered and planning permission granted subject to the following conditions:-

(please see attached sheets for conditions)

Date: 1 September 2020

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Corporate Director, Business and Environmental Services

**NOTE:-**

No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed development is situated; or of obtaining approval under any other byelaws, local acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. C2/20/00328/CCC

Dated: 1 September 2020

Conditions:

1. The development to which this permission relates must be implemented no later than the expiration of three years from the date of this Decision Notice.

*Reason: To comply with Section 91 of Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*

APPROVED DOCUMENTS

2. The development hereby permitted shall be carried out in accordance with the application details dated 13 December 2019 and the following approved documents and drawings:

<u>Ref.</u>	<u>Date</u>	<u>Title</u>
Ref. 18035_APP_00_ZZ_DR_A_31050_S0 P02	11.12.19	Location Plan
Ref. 8035_APP_00_ZZ_DR_A_31051_S0 P03	16.6.20	Existing Site Plan
Ref. 18035 APP 00 ZZ DR A 31100 P9	2.7.20	Proposed Site Plan
Ref. 18035 APP 00 ZZ DR A 031300 S0_P05	17.6.20	Proposed Elevations
Ref. 18035 APP 031300 S0_P05	17.6.20	Proposed Elevations – North and East
Ref. 18035 APP 031311 P05	17.6.20	Proposed Elevations 2 - South & West
Ref. 18035 APP 00 RF DR A 031502 S2 P02	13.12.19	Proposed Roof Plan
Ref. 18035_APP_00_ZZ_DR_A_32120 P1	11.12.19	Sprinkler Tank Details
Ref. 18035/E/601 Rev P1	Dec 19	Proposed External Lighting
Ref. 18035_APP_ZZ_DR_A_34200 Rev P7	7.7.20	Proposed Fencing Layout
Ref. 18035_APP_00_ZZ_DR_A_34201 P01	13.12.19	Fencing and External Works Details Sheet 1
Ref. 18035_APP_00_ZZ_DR_A_34202 P01	13.12.19	Fencing and External Works Details Sheet 2
Ref. 18035_APP_00_ZZ_DR_A_34203 P02	29.5.20	Fencing and External Works Details Sheet 3
Ref. 18035_APP_00_ZZ_DR_A_34204 P01	29.5.20	Fencing and External Works Details Sheet 4
Ref. 18035 APP 00 01 DR A 031501 S0_P03	18.12.19	Proposed Floor Plan
Ref. 18035/E/601 Rev P2	June 20	Proposed External Lighting
Ref. BA9514LAN Rev G	8.7.20	Landscape Masterplan
Ref. 18035-APP-00-XX-DR-C-30001-S3 P02	9.7.20	Outline Drainage Strategy
Ref. 18035-APP-00-XX-DR-C-30002-S3 P02	9.7.20	Outline Surface and Level Strategy
Ref. BA9514TS rev B	23.10.19	Tree Survey and Constraints
Ref. LTP/19/3769	16.12.19	Transport Assessment
Ref. APP-19-10 Rev R3	22.10.19	Preliminary Ecological Appraisal
Ref. S190643	August 2019	Phase 2: Site Investigation
Ref. B6123 18035 P2	23.12.19	Design and Access Statement
No ref.	No Date	External Appearance Design Statement
No ref.	No Date	Landscape Design Statement
Ref. 18035_APP_00_ZZ_DR_A_31111 Rev P3	16.6.20	Contractor Compound Plan

Dated: 1 September 2020

Ref. 18035_APP_00_ZZ_DR_A_31125 P1	28.5.20	Vehicle Access Plan
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*Reason: To ensure that the development is carried out in accordance with the application details.*

**ECOLOGICAL MANAGEMENT PLAN**

3. The development hereby approved, must, at all times, proceed in accordance with Section 5 of the Preliminary Ecological Appraisal (ref. APP-19-10 Rev R4 dated 10 March 2020).

*Reason: In the interests of protecting biodiversity and ecological sensitive areas.*

**CONSTRUCTION OF ADOPTABLE ROADS AND FOOTWAYS**

4. No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation.

The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the County Planning Authority before any part of the development is brought into use.

*Reason: To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.*

**PROVISION OF APPROVED ACCESS, TURNING AND PARKING**

5. No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users have been constructed in accordance with the details approved in writing by the County Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

*Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.*

**TRAVEL PLAN**

6. Prior to the first occupation of the development, a Travel Plan must be submitted to and approved in writing by the County Planning Authority. The Travel Plan will include: -
  - agreed targets to promote sustainable travel and reduce vehicle trips and emissions within specified timescales and a programme for delivery;
  - a programme for the delivery of any proposed physical works;
  - effective measures for the on-going monitoring and review of the travel plan;
  - a commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development, and;
  - effective mechanisms to achieve the objectives of the Travel Plan by both present and future occupiers of the development.

Dated: 1 September 2020

Thereafter, the development must be carried out and operated in accordance with the approved Travel Plan. Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation must be implemented in accordance with the timetable contained therein and must continue to be implemented as long as any part of the development is occupied.

*Reason: To establish measures to encourage more sustainable non-car modes of transport.*

#### DISCHARGE OF SURFACE WATER

7. The Development shall be built in accordance with the Outline Drainage Strategy (Ref. 18035-APP-00-XX-DR-C-30001-S3 Rev P02, dated 9 July 2020) and Outline Surfacing and Level Strategy (Ref. 18035-APP-00-XX-DR-C-30002-S3 Rev P02, dated 9 July 2020). The flowrate from the site shall be restricted to a maximum flowrate of 5 litres per second. A 30% allowance shall be included for climate change and an additional 10% allowance for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change plus urban creep critical storm event. The scheme shall include 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.*

#### LANDSCAPE SCHEME

8. Prior to the commencement of the development, a detailed scheme of hard and soft landscaping shall be submitted to and approved in writing by the County Planning Authority. Such scheme shall include details of:
  - the playing field standard including details of pitch drainage;
  - boundary treatment, fences and gates.
  - soft landscape works (including planting plans; outline specification; schedule of plants noting species, planting sizes, proposed numbers / densities, means of protection; maintenance and aftercare).

Thereafter, the landscaping shall be implemented in strict accordance with the approved scheme. Soft landscape works shall be implemented within the first available planting season. Any plant failures within the first five years of being planted shall be replaced with species of the same size and maturity as previously specified in the approved scheme.

*Reason: In the interest of amenity of the area.*

#### Informative:

- LLFA: The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document).

Dated: 1 September 2020

**Statement of Compliance with Article 35(2) of the Town and Country Planning  
(Development Management Procedure) (England) Order 2015**

In determining this planning application, the County Planning Authority has worked with the applicant adopting a positive and proactive manner. The County Council offers the opportunity for pre-application discussion on applications and the applicant, in this case, chose not to take up this service. Proposals are assessed against the National Planning Policy Framework, Replacement Local Plan policies and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption. During the course of the determination of this application, the applicant has been informed of the existence of all consultation responses and representations made in a timely manner which provided the applicant/agent with the opportunity to respond to any matters raised. The County Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.