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Stephen Hunt Head of Planning and Development Management

Cherry Burton Parish Council
114 The Meadows
Cherry Burton
BEVERLEY
East Riding Of Yorkshire
HU17 7SD

Date: 17 March 2020
Our Ref: 19/03661/OUT
Your Ref: PP-08250789
Case Officer: Mr Tim Williams
Telephone: (01482) 393731

Dear Cherry Burton Parish Council

TOWN & COUNTRY PLANNING ACT 1990

Proposal:	Outline - Erection of up to 37 dwellings (all matters reserved)
Location:	Land East Of 30 Canada Drive Cherry Burton East Riding Of Yorkshire HU17 7RH
Applicant:	PPH Commercial

You wrote to me about the above application, and I confirm that your views were taken into consideration when the application was discussed.

After taking all relevant issues into consideration, the Council has resolved to grant planning permission subject to the following conditions:-

1. Approval of the details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority in writing before any development is commenced and the development shall be carried out as approved:
 - a) the layout of the development
 - b) the scale of the development
 - c) the appearance of the development
 - d) the means of access to the site
 - e) the landscaping of the site

This condition is imposed as the application was made for outline planning permission and is granted to comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

This condition is imposed in order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and

Compulsory Purchase Act 2004.

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

This condition is imposed in order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. Notwithstanding the information and illustrative plans submitted with the application and the Supporting Document and Checklist statement, the details to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) shall include a supplement to the Design and Access Statement with regard to layout, scale, appearance, access and landscaping.

This condition is imposed in accordance with policies ENV1, ENV2 and ENV3 of the East Riding Local Plan as the information submitted with the outline application is not sufficient to cover future reserved matters applications.

5. The details required to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) shall include a scheme for the provision of affordable housing as part of the development within the site (unless the developers have previously entered into a binding agreement with the Council to secure the provision of all or part of the requirement elsewhere) to be submitted to and agreed in writing by the Local Planning Authority.

The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 25% of the housing units;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing] (if no RSL involved);
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

This condition is imposed in accordance with policy H2 of the East Riding Local Plan in order to secure the provision of affordable housing.

6. The details required to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) shall include a scheme for the provision of a mix of

housing types to be provided as part of the development, the type and number to be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

This condition is imposed in accordance with policies H1 and A1 of the East Riding Local Plan to ensure the development provides a mix of housing types to meet the housing need within the East Riding.

7. The details required to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) shall include a scheme for the provision of open space as part of the development within the site in accordance with policy C3 of the East Riding Local Plan Strategy Document and the Open Space Supplementary Planning Document (unless the developers have previously entered into a binding agreement with the Council to secure the provision of the required open space elsewhere in the area) which shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include details of the laying out and construction of the open space, the equipment to be provided on the open space, a timetable for its provision, and arrangements for its future maintenance. The open space shall then be provided and maintained in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning authority.

This condition is imposed in accordance with policy C3 of the East Riding Local Plan to ensure a satisfactory provision of open space is to be provided in the interests of the amenity of future residents.

8. The details required to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) above shall include details of the proposed finished floor levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land. The building(s) shall then be constructed in accordance with the approved levels.

This condition is imposed in accordance with policies ENV1 and ENV6 of the East Riding Local Plan and to reduce the risk of flooding to the proposed development and future users and ensure that there is a satisfactory relationship between the proposed development and existing properties/surroundings and avoid a potential conflict with existing residential amenities/privacy. Ground levels are required to ensure that neighbouring properties are not adversely affected by difference in levels and surface water run-off.

9. The details in relation to landscaping required to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) shall include:-
 - i) indications of all existing trees and hedgerows on land including species, spread and maturity
 - ii) details of any retained trees and hedgerows, together with measures for their

protection in the course of development

- iii) details of additional landscaping to the northern and eastern boundaries
- iv) planting plans with written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities.
- v) proposed finished levels or contours
- vi) means of enclosure
- vii) Incorporation of vehicle and pedestrian access, parking and circulation areas
- viii) hard surfacing materials
- ix) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.)
- x) a programme for the implementation of the landscaping works.
- xi) a scheme for the future maintenance of the areas not included within private curtilages.

This condition is imposed in accordance with policies ENV1, ENV2, ENV4 and CHER-B of the East Riding Local Plan because a well-designed landscaping scheme can enhance the living environment of future residents, reduce the impact of the development on the amenities of existing residents and help to integrate the development into the surrounding area.

10. Prior to commencement of development, or concurrently with the details to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) above, a Construction Emissions Management Plan to address the environmental impact during the development of all phases of the site shall be submitted to and approved in writing by the Local Planning Authority and thereafter adhered to during the course of the development. The Construction Emissions Management Plan shall identify the steps and procedures that will be implemented to minimise the creation and impact of air pollution and dust resulting from the site preparation, demolition, groundwork and construction phases of the development. Appropriate measures such as the use of agreed routes to and from site during the construction works and allocating arrival times for construction vehicles and suppliers shall be agreed with consideration given to the setting of minimum emission standards for construction vehicles operating on, and those delivering to, the site.

This condition is imposed in accordance with policies ENV1 and ENV6 of the East Riding Local Plan to prevent both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of pollution.

11. Prior to commencement of development, or concurrently with the details to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) above, a scheme showing the location of any external plant including generators and groundwater pumps to be used during the demolition and construction phases shall be submitted to and approved in writing by the Local Planning Authority and thereafter adhered to during the course of the development. The scheme shall address their sound

output, and any measures to be taken to prevent noise and vibration problems to neighbouring residential properties.

This condition is imposed in accordance with policies ENV1 and ENV6 of the East Riding Local Plan and to ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

12. No construction work shall take place, no machinery shall be operated, no process shall be carried out and no construction traffic shall enter or leave the site outside the following times:

08:00 hours to 18:00 hours daily Monday to Friday

08:00 hours and 13:00 hours on any Saturday

nor at any time on Sundays or Public Holidays

This condition is imposed in accordance with policies ENV1 and ENV6 of the East Riding Local Plan and to ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

13. Means of vehicular access to the development hereby approved shall be from Canada Drive only.

This condition is imposed in accordance with policies ENV1 and EC4 of the East Riding Local Plan in the interests of road safety.

14. No building on the site shall be occupied until that part of the service road which provides access to it has been constructed from the junction with the public highway, in accordance with details to be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition no. 1 (details of reserved matters) above.

This condition is imposed in accordance with policies ENV1 and EC4 of the East Riding Local Plan in order to secure the provision of an adequate access to occupied buildings in the interests of road safety.

15. No dwelling shall be occupied until the vehicular and pedestrian access has been provided and space has been laid out for cars to be parked in accordance with details to be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition no. 1 (details of reserved matters) above. The approved access and vehicle parking facilities shall thereafter be retained.

This condition is imposed in accordance with policies ENV1 and EC4 of the East Riding Local Plan in order to ensure satisfactory vehicular access and parking facilities are provided, whilst avoiding the need for vehicles to park on the highway where they could adversely affect the safety of other highway users.

16. Notwithstanding the provisions of Class A of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and subsequently re-enacting that Order, no gates, fences, walls or other means of enclosure shall be erected or constructed within any service strip so identified in the approved plans without the prior express consent in writing of the Local Planning Authority.

This condition is imposed in accordance with policies ENV1 and EC4 of the East Riding Local Plan because the service strip will eventually form part of the adopted public highway. If gates, walls, fences or other means of enclosure are erected or constructed within a service strip it is unlikely that the Council will be able to adopt the road as a public highway. This will deny residents the opportunity to have their dwelling served by an adopted highway.

Note; The service strip will eventually form part of the highway. No planting works should be carried out without the specific consent of the Council. However, the Council is prepared to allow appropriate planting within the limits of the public highway and early discussion with the Council is advisable. Until such time as the road is adopted the Council is unable to prevent planting taking place. However, the use of inappropriate species could prevent the road from being adopted.

17. Prior to commencement of development, or concurrently with the details to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) above, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be implemented in accordance with the approved CTMP. The CTMP is to include the following measures:-

- (i) Routing agreement for deliveries and construction traffic
- (ii) Timings of deliveries and construction traffic movements
- (iii) Signage and traffic management details
- (iv) Measures to rectify any damage caused to the public highway as a result of construction vehicles associated with this development

This condition is imposed in accordance with policies ENV1 and EC4 of the East Riding Local Plan in the interests of highway safety and amenity.

18. Prior to commencement of development, or concurrently with the details to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) above, details of wheel cleaning facilities to be provided within the curtilage of the site shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place until the approved wheel cleaning facilities have been provided, and the approved facility shall be retained and used for the duration of the works.

This condition is imposed in accordance with policies ENV1, ENV6 and EC4 of the East Riding Local Plan in order to ensure that vehicles leaving the site do not drag mud and other debris onto the public highway to the detriment of road safety and visual amenity.

19. The development shall be carried out in accordance with the submitted flood risk assessment (compiled by East Riding Consultants Ltd dated 27 July 2019) and the following mitigation measures it details:

a) All dwellings shall be constructed clear of flood zones 2 and 3 on the Environment Agency's flood map for planning.

b) A scheme of compensatory floodplain storage shall be provided to account for any and all volume lost due to any ground raising within flood zone 3, in accordance with details which have been submitted to and approved in writing by the Local Planning Authority prior to commencement of development, or concurrently with the details required to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) above. The compensation shall be provided on a level for level basis, such that the floodplain rises and falls in the same way as existing.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

This condition is imposed in accordance with policy ENV6 of the East Riding local Plan to reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

20. The site shall be developed with separate systems of drainage for foul and surface water on and off the site.

This condition is imposed in accordance with policies ENV1 and ENV6 in the interests of ensuring satisfactory and sustainable drainage provision.

21. Prior to commencement of development, or concurrently with the details required to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) above, a scheme for the discharge of surface water from the site, incorporating a sustainable drainage system and associated management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The management and maintenance plan should also include details for inspection of the surface water drainage system, during its construction and at the end of a minimum 12 month maintenance period by a suitably qualified party. There shall be no piped discharge of surface water from the site and the development shall not be first occupied until surface

water drainage has been constructed in accordance with the approved scheme, and it shall be managed and maintained in accordance with the approved plan.

This condition is imposed in accordance with policy ENV6 of the East Riding Local Plan to prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal.

22. Prior to commencement of development, or concurrently with the details required to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) above, details of the works for the disposal of foul sewerage shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied/brought into use until the approved sewerage details have been fully implemented in accordance with the approved plans.

This condition is imposed in accordance with policy ENV6 of the East Riding Local Plan to prevent pollution by ensuring the provision of a satisfactory means of foul water disposal.

23. Prior to commencement of development, or concurrently with the details to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) above a site survey shall be undertaken to determine if there are any piped land drainage systems within the site in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. If such drainage systems are found to be present, mitigation works shall be carried out to preserve the flow from any adjacent affected sites before the development commences.

This condition is imposed in accordance with policies ENV1 and ENV6 of the East Riding Local Plan to ensure any existing drainage systems within the site are not adversely affected by the development.

24. Prior to commencement of development, or concurrently with the details to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) above, a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall be compiled by a suitably qualified ecologist, include a timetable for implementation and a detailed plan. The scheme shall provide full details of all ecological mitigation and management measures along with a programme for implementation. The scheme shall include:

- a) A risk assessment of potentially damaging construction-type activities;
- b) Full details of practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, including action to be taken if any protected species are found during construction works;
- c) Use of protective fences, exclusion barriers and warning signs;
- d) Details of a lighting strategy which secures dark corridors for foraging bats and

nesting birds on the boundaries of the site;

- e) Protocols to demonstrate that the site work force will be briefed about potential ecological issues on the site prior to commencement of construction shall be provided;
- f) Details of personnel responsible for over-seeing the implementation of measures detailed in the CEMP.
- g) Responsible persons and lines of communication.

Upon commencement of development all aspects of the approved construction environmental management plan (CEMP: Biodiversity) shall be implemented in full.

This condition is imposed in accordance with policy ENV4 of the East Riding Local Plan to ensure that protected species and priority habitats would not be harmed by the development of this site having regard to the Wildlife and Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2017(as amended).

25. Prior to commencement of development, or concurrently with the details to be submitted in accordance with the requirements of condition no. 1 (details of reserved matters) above, a Wildlife Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include:

- a) A timetable for implementation;
- b) A detailed plan showing the locations and specifications of the enhancement measures;
- c) A 25% bird box to dwelling ratio;
- d) A 25% bat box to dwelling ratio;
- e) Details of the means of enclosure to demonstrate that boundary treatments will not result in a loss of habitat connectivity through the development, by creating 'hedgehog highways' which provide holes under boundary features for hedgehogs to pass through.
- f) A minimum of two hedgehog houses, two insect boxes and two log piles to increase the habitat for local biodiversity.
- g) Provision of foraging opportunities and connective habitat for bats;
- h) Provision of foraging opportunities for birds;
- i) Provision of wildlife friendly planting that utilizes British native species of local provenance wherever possible.

The development shall be carried out in accordance with the approved details and the enhancements measures thereafter retained.

This condition is imposed in accordance with policies ENV1 and ENV4 of the East Riding Local Plan in the interests of nature conservation, to comply with the National Planning Policy Framework (NPPF), and the Natural Environment and Rural Communities Act (NERC) 2006.

26. In the event that contamination that was not previously identified is found at any time

when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An appropriate investigation and risk assessment must be undertaken, and 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.

This condition is imposed in accordance with policy ENV6 of the East Riding Local Plan and 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.

27. The development hereby permitted shall be carried out in accordance with the following approved plans, but only in respect of those matters not reserved for later approval:

019/049/TP/A - Title plan - received 02.01.2020

This condition is imposed in accordance with policies ENV1 of the East Riding Local Plan and for the avoidance of doubt and to ensure that the development hereby permitted is carried out in accordance with the approved details in the interests of the character and amenity of the area and the provisions of the development plan.

Please inform me if you require further details or an explanation of this decision.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Stephen Hunt', with a stylized flourish at the end.

Head of Planning and Development Management