

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

NOTICE OF PERMISSION FOR CARRYING OUT COUNTY COUNCIL
DEVELOPMENT

TO: Corporate Director, Business & Environmental Services
County Hall
Northallerton
North Yorkshire
DL7 8AH

C/o: Jacobs Engineering UK Ltd
Jacobs UK
1 City Walk
Leeds
West Yorkshire
LS11 9DX

Copy for information to: Corporate Director, Business & Environmental Services

The application dated 12 March 2010 in respect of the proposed development at Land to the north of Bedale, Aiskew and Leeming Bar for the purposes of Construction of a new road to effect a bypass (BALB) of the existing A684 Bedale-Aiskew-Leeming Bar Road has been considered and planning permission granted subject to the following conditions:-

Reason for Decision:

- (i) The proposal would represent development that is expressly proposed in and safeguarded within the Hambleton District Local Development Framework Allocations Document (December 2010) and policy DP16 of the Hambleton District Development Policies Document (2008) and would represent a much desired improvement to the local and strategic highway network that is strongly supported.
- (ii) The proposed development would have less than significant harm upon the designated heritage assets along the site and in particular at the north of Bedale, and any harm caused would be outweighed by the wider public, townscape, health and economic benefits of the development, in accordance with Chapter 12 of the NPPF.
- (iii) The design of the proposed road development and landscaping, would minimise the adverse impacts of the proposal upon the open character of the surrounding open countryside, in accordance with the National

Planning Policy Framework and policies CP1, CP2, CP17 and CP20 of the Hambleton District Core Strategy (2008) and policies DP10 and DP30 of the Hambleton District Development Policies Document (2008).

- (iv) The development has been the subject of a Flood Risk Assessment and proposes appropriate mitigation in the form of flow attenuation and holding capacity to ensure that there would be no adverse impact upon flood risk either at the site or downstream of it, in accordance with the aims of the National Planning Policy Framework and policy CP21 of the Hambleton District Core Strategy (2007) and policy DP43 of the Hambleton District Development Policies Document (2008).
- (v) The proposed mitigation measures as described and set out in the accompanying Environmental Statement and its addendum of June 2012, would ensure there are no undue adverse impacts upon the highway network, the environment or residential amenity, or other matters of acknowledged importance, in accordance with the NPPF and policies CP1 and CP21 of the Hambleton District Core Strategy (2008) and policies DP1, DP10, DP28, DP30, DP31, DP43 and DP44 of the Hambleton District Development Policies Document (2008).
- (vi) The imposition of appropriate conditions would ensure that adverse impacts would be minimised.

Date: 28 August 2012

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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.

Conditions:

1. The development hereby permitted shall be begun within five years of the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the application details dated 12 March 2010: the Planning Application Supporting Statement (dated September 2011); the Environmental Statement (received 12 March 2010); and, Environmental Statement Addendum (received 22 June 2012); the schedule of plans attached at appendix A; and, the following conditions which at all times shall take precedence.
3. Notwithstanding the details contained within the approved drawings, no development shall commence, until detailed drawings of the proposed lighting, signage and hard and soft landscaping (including materials proposed for the construction of the highway) for the for the construction of the Bedale roundabout and its approaches, have been submitted to and approved in writing by the County Planning Authority. The detailed scheme shall be informed by the further assessment of the impact of the proposed development upon heritage assets submitted on 15th August 2012 and the 'Bedale Conservation Area Appraisal Document (2010)', and shall include measures to further integrate the proposed highway development with the setting of the adjacent listed buildings and Bedale Conservation Area, demonstrably taking into consideration the impact of the proposed Gateway Car Park and Bedale Market Town Renaissance project. Once approved, the development shall be carried out entirely in accordance with the approved scheme.
4. The development hereby permitted shall not be commenced until such time as a scheme to construct the proposed balancing ponds on approved drawings B1055900/EGHI/4731 P1, 4735P1 and 4736 P1, has been submitted to, and approved in writing by, the County Planning Authority. Thereafter, the scheme shall be implemented as approved.
5. The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by the County Planning Authority. The scheme shall be implemented as approved.
6. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (ref. October 2009/B0714100/FRA/D02/Jacobs) and the following mitigation measures detailed within the FRA:
 1. Limiting the surface water run-off generated by the development so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. This is to be achieved by the use of Sustainable Drainage Techniques.
 2. Provision of compensatory flood storage on / or in the vicinity of the site to a 1 in 100yr standard.
7. No development shall commence until details of a maintenance regime to be put in place for the drainage scheme, for the lifetime of the development, have been submitted to and approved in writing by the County Planning Authority.
8. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compounds shall be at least equivalent to the capacity of the tank plus 10%. If there

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is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank or the combined capacity of the inter-connected tanks plus 10%. All filling points, vents and gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

9. Prior to the commencement of any development within the area of the Romano-British villa site (including ground preparation), as shown within the submitted 'Cultural heritage Desk Based Study' (dated November 2009), the applicant shall submit to the County Planning Authority a supplementary Desk Based Assessment to include the results of a review of the geophysical survey, detailed comparanda of the main enclosure and villa site, and consideration of the option for additional trial trenching at the villa site.
10. No development shall commence until a written scheme for a programme of archaeological investigation and/or recording has been submitted to and approved by the County Planning Authority in writing. The scheme shall include:
 - (i) site investigation in accordance with the agreed scheme and programme;
 - (ii) community involvement and outreach proposals;
 - (iii) proposals for post-investigation assessment and analysis of the results;
 - (iv) proposals for post-investigation analysis, submission of a publication report, preparation of site archive and deposition at a store approved by the County Planning Authority.

Thereafter, the investigations and analysis shall be carried out entirely in accordance with the approved written scheme of investigation.

11. The applicant shall formally notify the County Planning Authority in writing within 14 days of the completion of archaeological fieldwork.
12. Within 24 months of completing the archaeological field investigations required by condition 10 (above), a report which shall comprise of an assessment of the archaeological remains recovered from the site and an outline of the subsequent programme of analyses, publication (including a date for publication) and archiving, shall be submitted to and approved in writing by the County Planning Authority. The programme of analyses, publication and archiving shall thereafter be carried out in accordance with the details thus approved, and in accordance with a timetable agreed in writing with the County Planning Authority.
13. Prior to the commencement of any construction on site, including any ground preparation or clearance, pre-commencement surveys shall be carried out for protected species likely to be affected by the development as outlined in Appendix 15 of the ES (including bats, badger, otter and nesting birds), and submitted to the County Planning Authority for approval, with any recommendations to incorporate additional mitigation measures, should these be required. Work shall not commence on site until the submitted surveys have been approved in writing by the County Planning Authority.

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14. Prior to the commencement of any construction on site, drawings showing the detailed design of all infrastructure required to accommodate protected species, including all mammal tunnels, badger and otter fencing and the box culvert proposed for the crossing of Terry House drain (as shown on the Environmental Masterplan dated May 2012), shall be submitted to and approved in writing by the County Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
15. No vegetation clearance works shall take place during the bird breeding season (1 March to 31 August (annually) inclusive). Where works must take place during this period all vegetation should first be checked by a suitably qualified ecologist.
16. Prior to the commencement of any development (including ground preparation), a detailed habitat creation and establishment scheme for the initial post construction period, shall be submitted to the County Planning Authority for approval. The habitat creation and establishment scheme shall focus on the period when the proposed new habitats will be created and for the 5 year after care period when habitats will be establishing. Once approved, the scheme shall be implemented at the site in accordance with and agreed timetable.
17. Prior to the opening of the development, a detailed long term habitat monitoring and management scheme, which should provide a framework for the long term objectives of the areas along the scheme and set out in detail the necessary monitoring and management works needed for the period immediately following the 5 year after care period, shall be submitted to the County Planning Authority for approval. The long-term management scheme shall cover a 15 year period following the completion of the initial 5 year habitat creation and establishment period (refer to condition 16 above). The plan should include measures to review and update interventions on a rolling programme every 5 years for the life of the scheme, to allow flexibility in the management and monitoring. The plan shall include all areas of habitat created as well as all infrastructure designed to accommodate protected species including the mammal tunnels, badger and otter fencing, and box culvert, which will all require monitoring and maintenance to ensure they operate effectively in the long term. Thereafter, the development shall be implemented in accordance with the approved scheme.
18. The road shall not be opened to vehicular traffic until the agreed provisions for Non-Motorised Users, as shown on the Engineering Layout Drawings sheets 1-7 (dated 21/05/2012) have been provided and are available for use.
19. There shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until details of the routes to be used by HCV construction traffic have been submitted to, and approved in writing by, the County Planning Authority. Thereafter the approved routes shall be used by all vehicles connected with construction on the site.
20. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the County Planning Authority. These facilities shall include the provision of wheel washing facilities where considered

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necessary by the County Planning Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the County Planning Authority, agrees in writing to their withdrawal.

21. No development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the County Planning Authority. The approved Statement shall be adhered to throughout the construction period. The statement shall provide for:
- (i) the parking of vehicles of site operatives and visitors;
 - (ii) loading and unloading of plant and materials;
 - (iii) storage of plant and materials used in constructing the development;
 - (iv) erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate;
 - (v) wheel washing facilities;
 - (vi) measures to control the emission of dust and dirt during construction;
 - (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - (viii) advisory HGV routing.
22. Steps shall be taken in accordance with the details contained within the Environmental Statement (dated February 2010), to ensure that the site is operated at all times to minimise dust emissions, and in particular during periods of high winds. Such measures shall include the spraying of roadways and stockpiles and discontinuance of soil movements during periods of high winds.
23. Prior to any works commencing at the site, a Construction Environmental Management Plan shall be submitted to and approved in writing by the County Planning Authority. Thereafter the works shall be carried out entirely in accordance with the approved plan.
24. Prior to the commencement of any development at the site, a Detailed Design and Specification Scheme for the development hereby approved, shall be submitted to and approved by the County Council. The submitted scheme shall include details at an appropriate level of detail to demonstrate the following matters have been addressed:
- detailed specification of materials and finishes for the proposed road, including proposed kerbing and drains;
 - the detailed design of any other additional highways infrastructure required, including any barriers;
 - details of the design of boundary fencing and gates
 - the detailed design of proposed street lighting, including its location, height, operation, specification and finished colour; and,
 - the detailed design of all road signage, including its size and construction, location, operation and colour;

The above details shall be accompanied by a statement demonstrating how each element has been designed in a way to minimise its visual impact upon the

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surrounding landscape context. Once approved, the development shall be carried out in accordance with the approved scheme.

25. Prior to the commencement of any development at the site, a detailed landscape scheme that indicates the proposed schedule of planting on site and the relationship of existing planting to adjoining planting on the highway and on adjacent land, shall be submitted to and approved in writing by the County Planning Authority. The submission shall include a mitigation strategy that addresses the mitigation of the scheme including its integration to the wider landscape and shall also include details of new native tree species to be planted as part of the replacement planting scheme. Once approved, the replanting scheme shall be carried out in accordance with the approved details and no later than the first available planting season following completion of the development.
26. Prior to the commencement of development, a detailed 'Landscape Establishment and Management Plan' (including a delivery plan), shall be submitted to the County Planning Authority for approval. The detailed Establishment and Management Plan shall be based on the submitted 'Outline Management Plan' and shall include details of a proposed 5 year after-care period. Once approved, the landscape establishment and management plan shall be implemented on site in its entirety.
27. Works carried out in association with the construction of the development hereby granted planning permission, shall only take place between the hours of 0700 - 1900 hours (Mondays to Fridays) and 07:00-13:00 hours on Saturdays. No works shall be carried out on Sundays and Public Holidays. No night-time working shall be undertaken at the site without the prior written approval of the proposed works period by the County Planning Authority. Any request for such night –time working shall specify the type of works and the length of time for which the night-time works are required.
28. All soil handling activity at the site shall take place in line with the current best practice guidelines for soil handling as set out in the Defra Good practice guide for handling soils (MAFF 2000) and Draft Code of Practice for the sustainable use of soils on construction sites, 2008. Any soils removed from the site shall be used in a sustainable manner.
29. During the construction period, a copy of the planning permission and any agreed variations, together with all the approved plans and documents, shall be kept available in the site office at all times.

Reasons:

1. In order 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.
2. In to ensure that the development is carried out in accordance with the application details and in accordance with the National Planning Policy Framework and policies CP1 of the Hambleton District Core Strategy (2007) and DP1 of the Hambleton District Development Policies Document (2008).
3. In order to ensure that Heritage Assets and the approach to North Bedale and the Bedale Conservation Area are safeguarded at the detailed design stage, in

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accordance with policies CP16 of the Hambleton District Core Strategy (2007) and DP10, DP28 and DP30 of the Hambleton District Development Policies Document (2008)and the National Planning policy Framework.

4. In order to protect the groundwater associated with the Principal Aquifers beneath the balancing ponds, in accordance with policies CP16 of the Hambleton District Core Strategy (2007) and DP31 of the Hambleton District Development Policies Document (2008)and the National Planning Policy Framework.
5. In order to prevent the pollution of controlled waters, in accordance with policy CP16 of the Hambleton District Core Strategy (2007) and DP31 of the Hambleton Distract Development Policies Document (2008) and the National Planning Policy Framework.
6. In order to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, and in order to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, in accordance with policy DP43 of the Hambleton District Development Policies Document (2008) and the National Planning Policy Framework..
7. In order to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, and in order to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, in accordance with policy CP21 of the Hambleton District Core Strategy (2007), policy DP43 of the Hambleton District Development Policies Document (2008) and the National Planning Policy Framework.
8. In order to prevent pollution of the environment in accordance with policy CP16 of the Hambleton District Core Strategy (2007), policy DP31 of the Hambleton District Development Policies Document (2008) and the National Planning policy Framework.
9. In order to ensure the archaeological resources at the site are adequately investigated, understood, and where necessary, safeguarded, in accordance with policy CP16 of the Hambleton District Core Strategy (2007), policy DP29 of the Hambleton District Development Policies Document (2008) and the National Planning policy Framework.
10. In order to ensure the archaeological resources at the site are adequately investigated, understood, and where necessary, safeguarded, in accordance with policy CP16 of the Hambleton District Core Strategy (2007), policy DP29 of the Hambleton District Development Policies Document (2008) and the National Planning policy Framework.
11. In order to ensure the archaeological resources at the site are adequately investigated, understood, and where necessary, safeguarded, in accordance with policy CP16 of the Hambleton District Core Strategy (2007), policy DP29 of the Hambleton District Development Policies Document (2008) and the National Planning policy Framework.
12. In order to ensure the archaeological resources at the site are adequately investigated, understood, and where necessary, safeguarded, in accordance with

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policy CP16 of the Hambleton District Core Strategy (2007), policy DP29 of the Hambleton District Development Policies Document (2008) and the National Planning policy Framework.

13. In order to ensure adequate understanding and safeguarding of protected species at the site, in accordance with policy CP16 of the Hambleton District Core Strategy (2007), policy DP31 of the Hambleton District Development Policies Document (2008) and the National Planning Policy Framework.
14. In order to ensure essential mitigation for protected species is delivered successfully at the site, in accordance with policy CP16 of the Hambleton District Core Strategy (2007), policy DP31 of the Hambleton District Development Policies Document (2008) and the National Planning Policy Framework.
15. In order to protect breeding birds, in accordance with policies policy CP16 of the Hambleton District Core Strategy (2007), policy DP31 of the Hambleton District Development Policies Document (2008) and the National Planning Policy Framework.
16. In order to ensure the delivery of essential mitigation, compensation and enhancement set out in the approved Outline Landscape and Ecology Management Plan, in accordance with policy CP16 of the Hambleton District Core Strategy (2007), policy DP31 of the Hambleton District Development Policies Document (2008) and the National Planning Policy Framework.
17. In order to ensure the delivery of essential mitigation, compensation and enhancement set out in the approved Outline Landscape and Ecology Management Plan, in accordance with policy CP16 of the Hambleton District Core Strategy (2007), policy DP31 of the Hambleton District Development Policies Document (2008) and the National Planning Policy Framework.
18. In accordance with policy CP2 of the Hambleton District Core Strategy (2007), policies DP3 and DP4 of the Hambleton District development Policies Document (2008) and in the interests of safety of non-motorised users of the highway and general highway safety and the general amenity of the area.
19. In accordance with policy DP1 of the Hambleton District development Policies Document (2008) and in the interests of highway safety and the general amenity of the area.
20. In accordance with policy DP1 of the Hambleton District development Policies Document (2008) and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
21. In accordance with DP1 of the Hambleton District development Policies Document (2008) and to provide for appropriate on-site facilities during construction, in the interests of highway safety and the general amenity of the area.
22. In the interests of residential amenity and in order to prevent environmental pollution, in accordance with policy CP1 of the Hambleton District Core Strategy (2007), policy DP1 of the Hambleton District Development Policies Document (2008) and the National Planning Policy Framework.

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23. In the interests of residential amenity and in order to prevent environmental pollution, in accordance with policy CP1 of the Hambleton District Core Strategy (2007), policy DP1 of the Hambleton District Development Policies Document (2008) and the National Planning Policy Framework.
24. In order to ensure that adequate landscape mitigation, as proposed in the accompanying Environmental Statement, is delivered within the scheme in accordance with policies CP1, CP16 and CP17 of the Hambleton District Core Strategy (2007), policies DP1, DP30 of the Hambleton District Development Policies Document (2008) and the National Planning Policy Framework.
25. In order to ensure that adequate landscape mitigation, as proposed in the accompanying Environmental Statement, is delivered within the scheme in accordance with policies CP1, CP16 and CP17 of the Hambleton District Core Strategy (2007), policies DP1 and DP30 of the Hambleton District Development Policies Document (2008) and the National Planning Policy Framework.
26. In order to ensure that adequate landscape mitigation, as proposed in the accompanying Environmental Statement, is delivered within the scheme in accordance with policies CP1, CP16 and CP17 of the Hambleton District Core Strategy (2007), policies DP1, DP30 of the Hambleton District Development Policies Document (2008) and the National Planning Policy Framework.
27. In the interests of residential amenity in accordance with policy CP1 of the Hambleton District Core Strategy (2007), policy DP1 of the Hambleton District Development Policies Document (2008) and the National Planning Policy Framework.
28. In order to protect the local soil resource and to ensure that soils representing the best and most versatile land are used in accordance with the aims of policy CP16 of the Hambleton District Core Strategy (2007), policy DP31 of the Hambleton District Development Policies Document (2008) and the National Planning Policy Framework.
29. In the interests of clarity to ensure that all documents are readily available on site to all contractors and operatives, in order to ensure the development is delivered in accordance with policy DP1 of the Hambleton District Development policies Document (2008) and the NPPF.

Informatives:

1. Environmental Permitting Regulations
Under the Environmental Permitting (England and Wales) Regulations 2010 permitted sites should not cause harm to human health or pollution of the environment. The operator is required to have appropriate measures in place at the site to prevent pollution to the environment, harm to human health the quality of the environment, detriment to the surrounding amenity, offence to a human sense or damage to material property. The granting of planning permission does not guarantee the granting of a permit under the Environmental Permitting Regulations 2010. A permit will be granted where the risk to the environment is acceptable.

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Further information on environmental permits and exemptions can be downloaded from the following link : <http://www.environment-agency.gov.uk/business/topics/water/110593.aspx>

Or alternatively, please contact the National Customer Contact Centre on 08708 506506 and request to speak to a member of the permitting team.

2. The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate permitted facility and all relevant documentation is completed and kept in line with regulations.
3. The Environment Agency has stressed the importance of the applicant contacting all relevant landowners who are to be affected by the negligible increase in flood risk upstream of the new bridge at Rectory Wood.
4. Under the terms of the Water Resources Act 1991, the prior agreement of the Agency is required for discharging dewatering water from any excavation or development to a surface watercourse.
5. The Environment Agency requests that procedures are put in place to prevent the spillage of oil from fixed and mobile plant and storage facilities and that all spillages and pollution incidents are reported to us on the incident number 0800 807060 immediately.