



Decision No ZB24/02089/OUT

Mr Jack Waugh  
One Park Row  
Leeds  
West Yorkshire  
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United Kingdom

## NOTICE OF DECISION

**Application No. ZB24/02089/OUT**

Date: 11th November 2025

**TOWN AND COUNTRY PLANNING ACT 1990**  
**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990**

**PROPOSAL:** Outline application to consider access (all other matters reserved) for the construction of 2No. self-build dwellings.  
**LOCATION:** Land Adjacent Telephone Exchange Back Lane Helperby North Yorkshire  
**APPLICANT:** C/o Agent .

North Yorkshire Council, being the Planning Authority for the purposes of the above Outline Planning Application which was received on 25 October 2024, having considered the following policies:

- Local Plan Policy S1: Sustainable Development Principles
- Local Plan Policy S3: Spatial Distribution
- Local Plan Policy S5: Development in the Countryside
- Local Plan Policy HG5: Windfall Housing Development
- Local Plan Policy HG2: Delivering the Right Type of Homes
- Local Plan Policy E1: Design
- Local Plan Policy E2: Amenity
- Local Plan Policy E3: The Natural Environment
- Local Plan Policy IC2: Transport and Accessibility
- Local Plan Policy RM1: Water Quality, Supply and Foul Drainage
- Local Plan Policy RM2: Flood Risk
- Local Plan Policy RM3: Surface Water and Drainage Management

and taken into account the following reasons:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including Local Development Framework Policies and the representations made and has subsequently determined that it is appropriate to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

have resolved that it should be **APPROVED**; subject to the following conditions:

1. Details of the appearance, landscaping, layout, and scale, ("the reserved matters") for each plot shall be submitted to and approved in writing by the local planning authority before any development within that plot takes place and the development shall be carried out as approved.
2. Application for the approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this decision and the development within each plot hereby permitted shall be begun on or before whichever is the later of the following dates: i) Five years from the date of this outline permission ii) The expiration of two years from the date of approval of the Reserved Matters for that plot, whichever is the later.
3. The development hereby approved, and the details submitted through the reserved matters applications shall be in accordance with the following approved plans: 1357.01 and 1357.05 Rev B insofar as it relates to access only, received by North Yorkshire Council on 25 October 2024 and 24 January 2025.
4. The dwellings hereby approved shall be single storey only and the size of each dwelling in the reserved matters submissions shall meet the size requirements as expressed in the Nationally Described Space Standards.
5. Prior to the commencement of development, details of the access onto Back Lane and the internal shared driveways serving Plots 1 and 2 shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to any above-ground works commencing on either plot.
6. Prior to construction of any building or regrading of land commencing within each plot detailed cross sections for that plot shall be submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development and the relationship to adjacent development. The levels shall relate to a fixed Ordnance Datum. The development within the relevant plot shall be constructed in accordance with the approved details and thereafter be retained in the approved form.
7. No development for the internal shared access or within each plot must commence until a Construction Management Plan for that plot has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development within each plot must be undertaken in accordance with the approved plan for that plot. The Plan must include, but not be limited to, arrangements for the following in respect of each phase of the works:
  - o details of any temporary construction access to the site including measures for removal following completion of construction works;
  - o wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
  - o the parking of contractors' vehicles;
  - o areas for storage of plant and materials used in constructing the development clear of the highway;
  - o contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

8. No part of the existing boundary hedge along the western boundary of the site shall be uprooted or removed other than in accordance with details that have been submitted to, and approved by, the Local Planning Authority.
9. Any approved works or pruning to the existing boundary hedgerow shall take place as to avoid the bird breeding season, which runs from March to the end of August. If this is not possible, then a check for active nests should be carried out immediately before any works to the affected areas begin. If active nests are found, works will be delayed until all chicks have fully fledged.
10. No above ground construction work shall be undertaken on each plot of development until details of the materials to be used in the construction of the external surfaces of the relevant plot have been submitted in writing to the Local Planning Authority for approval and samples have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been approved in writing by the Local Planning Authority. The development of each plot shall be constructed of the approved materials in accordance with the approved method.
11. Above ground construction for each plot shall not be commenced until details relating to boundary walls, fences and other means of enclosure for that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
12. There shall be no piped discharge of surface water from a particular plot prior to the completion of surface water drainage works for that plot, details of which will have been submitted to and approved by the Local Planning Authority in consultation with the statutory sewerage undertaker. If discharge to public sewer is proposed, the information shall include the means of discharging to the public sewer network at a rate of 1 litre per second for the entire development to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker.
13. The site shall be developed with separate systems of drainage for foul and surface water on and off site. No development of a particular plot shall take place until details of the proposed means of disposal of foul water drainage for that plot have been submitted to and approved by the Local Planning Authority in consultation with the statutory sewerage undertaker. If sewage pumping is required, the peak pumped foul water discharge shall not exceed 4 litres per second for the entire development. Furthermore, unless otherwise approved in writing by the local planning authority, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
14. No development shall be commenced until a Phase 2 assessment of the risks posed by contamination, carried out in line with the Environment Agency's Procedures for Land Contamination Risk Management (LCRM), has been submitted to and approved by the local planning authority.
15. Where contamination is identified, prior to any site preparation work, a detailed remediation scheme, if required by a Phase 2 assessment, to bring the site to a condition suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the

natural and historical environment) must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

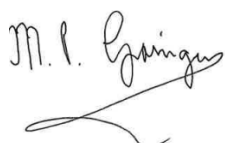
16. Prior to first occupation or use, the approved remediation scheme must be carried out in accordance with its terms and a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
17. 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.
18. There must be no access or egress by any vehicles between the highway and the application site until splays are provided giving clear visibility of 25 metres measured along the centre line of the major road in both directions from a point measured 2.0 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres, and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.
19. Development shall take place in accordance with the Mitigation and Recommendations set out on pages 19 to 23 of the Preliminary Ecological Appraisal prepared by Dryad Ecology and dated 2024.

***The reasons for the above conditions are:-***

1. To enable the Local Planning Authority to properly assess these aspects of the proposal, which are considered to be of particular importance, prior to the commencement of development.
2. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
3. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Local Plan Policies S1 and E1.

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5. To provide for an appropriate site access in the interests of highway safety and the general amenity of the development.
6. In the interests of the visual amenity of the surrounding area, as per the requirements of Policies E1 and E7 of the Local Plan.
7. In the interest of public safety and amenity.
8. In order that the development respects the character and appearance of the area and street scene.
9. In the interests of biodiversity and protected species.
10. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Local Plan Policies S1 and E1.
11. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings.
12. To ensure that no surface water discharges take place until proper provision has been made for its disposal.
13. In the interest of satisfactory and sustainable drainage.
14. 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.
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18. In the interests of highway safety.

19. In the interests of protected species.

A handwritten signature in black ink, appearing to read 'M. I. Grainger', with a long, sweeping horizontal stroke underneath.

Martin Grainger  
Head of Development Management

**DATE** 11 November 2025

**NOTES**

This is an approval under the Town and Country Planning Act only. It does not absolve the applicant from the necessity of obtaining Listed Building consent if necessary or approval under the Building Regulations, or of obtaining approval under any other Bye-laws, 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.

**YOUR RIGHTS OF APPEAL ARE AVAILABLE AT** [www.northyorks.gov.uk/planning](http://www.northyorks.gov.uk/planning)