



Appeal Decision

Inquiry held on 13, 14 and 29 January 2026¹

Site visits made on 12 and 15 January 2026

by **David M H Rose BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12th February 2026

Appeal Reference: APP/U2750/W/25/3371863

Highfield Meadows, Land East of Rainbow Lane, Peasey Hills Malton, YO17 7AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Commercial Development Projects and Fitzwilliam Trust Corporation against North Yorkshire Council.
 - The application Reference is ZE24/01683/MOUT.
 - The Application for Planning Permission described the proposed development as ‘Application for outline planning permission (with all matters reserved except access) for the construction of up to 200no. residential dwellings, open space, landscaping, habitat enhancement, drainage infrastructure and associated works’.²
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Decision

1. The appeal is allowed and planning permission is granted for ‘*Application for outline planning permission (with all matters reserved except the main points of access) for the construction of up to 200no. residential dwellings, open space, landscaping, habitat enhancement, drainage infrastructure and associated works*’ at Highfield Meadows, Peasey Hills Malton, YO17 7AF in accordance with the terms of the application, Reference ZE24/01683/MOUT subject to the conditions in the Schedule at Annex A.

Applications for Costs

2. Applications for costs are to be made by Commercial Development Projects and Fitzwilliam Trust Corporation against North Yorkshire Council; and by North Yorkshire Council against Commercial Development Projects and Fitzwilliam Trust Corporation. These will be the subject of separate Decisions post-dating this Appeal Decision.

Preliminary Matters

Application Description

3. The application description, as amended, is agreed to be ‘*Application for outline planning permission (with all matters reserved except the main points of access) for the construction of up to 200no. residential dwellings, open space, landscaping, habitat enhancement, drainage infrastructure and associated works*’.

¹ The Inquiry was closed in writing on 12 February 2026 following the receipt of the engrossed Planning Obligation and written closing submissions in accordance with a timetable agreed at the Inquiry

² Revised description set out below following validation of application

Case Management Conference

4. I held a Case Management Conference with the Council and the Appellant on 11 November 2025 to discuss and agree administrative and procedural matters for the Inquiry. The merits of the proposed development were not discussed.
5. I identified the preliminary draft main issues on the basis of the limited information available to me at that stage. These have been revised following the submission of the Noise Statement of Common Ground and Proofs of Evidence.

The Application for Planning Permission

6. The planning application was validated on 3 September 2024 with a target date for determination of 3 December 2024. The fourth agreed extension of time expired on 28 February 2025. The appeal against non-determination is dated 27 August 2025.
7. The Thirsk and Malton Area Planning Committee, at its meeting on 16 October 2025, considered that the application would have been refused for the following reasons:
 - (i) The development resulted in less than substantial harm to the setting of the Conservation Area.
 - (ii) The development had a harmful impact on the Visually Important Undeveloped Area.
 - (iii) The proposed emergency access onto a single carriageway, un-adopted road was considered unacceptable.
 - (iv) Harmful impact of surface water run-off and insufficient information on surface water attenuation and management.
 - (v) Lack of appropriate information with regard to the impact on the amenity of future occupiers of the development resulting from noise.
 - (vi) No information provided by the applicant on Land Classification and as such it was not possible to apply appropriate weight to this issue.
 - (vii) Insufficient capacity of the sewerage system to accept the proposed additional foul flows. Members raised concerns about both the cumulative impact from housing development on sewerage capacity along with concern about the weight to be given to new housing approvals, in light of housing land supply, and the deliverability of housing sites where Grampian style conditions were used owing to the uncertainty of the timescales for delivery.

Statements of Common Ground and Discussions between the Council and the Appellant

8. The Appeal Statement of Common Ground (October 2025)³ records a range of additional information that was submitted to the Council. The parties agree that the substituted/additional documents should form the basis for the determination of the appeal as they do not involve substantial or fundamental changes and procedural unfairness would not arise. I find no reason to disagree.

³ CD 6.5

9. Prior to the Inquiry, the Council indicated that putative reason for refusal (i) was not put forward as a freestanding reason for refusal. Reason (ii) was conceded and would not be pursued. Reason (v), following a topic specific Noise Statement of Common Ground, could be addressed by conditions.⁴ Further information on land classification had overcome reason (vi).
10. On reason (vii) the Council considered that the matter could be addressed by a suite of conditions, including a Grampian condition. The need to restrict occupation of any dwelling, prior to confirmation that sufficient capacity exists, was disputed by the Appellant.
11. The above matters are reflected in the updated Appeal Statement of Common Ground – Final (January 2026).⁵
12. The parties also considered that the highway putative reason (iii) was capable of being addressed by condition(s). The disagreement concerned the condition sought by the Council in relation to the location, specification and enforceability of the emergency access. Following a short adjournment on the second day of the Inquiry, I was presented with an agreed condition⁶ and the withdrawal of the Council's evidence on this matter. The Appellant's Highway witness was made available for questions from interested persons.
13. During consideration of the planning application the Lead Local Flood Authority (LLFA), in its consultation response dated 7 November 2024, indicated that further information was required on runoff destinations and peak flow control. It was also said that pollution control; designing for exceedance; and a maintenance/construction plan could be provided at the detailed design stage.
14. Ongoing exchanges between the Appellant and the LLFA in the lead up to the Inquiry, included technical notes; consultation responses; proofs of evidence and a rebuttal proof submitted by the LLFA. As a result a Pre-Inquiry Note invited further discussion between the parties before the Inquiry to determine the extent of common ground and whether the apparent differences could be narrowed.
15. A Statement of Common Ground on Flood Risk and Surface Water Drainage Matters followed on 16 January 2026. This set out the agreed scope of additional technical work, without prejudice to the Appellant's position that the matter could and should be dealt with by way of condition.⁷
16. Thereafter additional technical work was undertaken to quantify the impact of the proposed development on flood risk elsewhere (and specifically in Old Malton) arising from the potential increase in flood volumes.
17. The analysis presented in the Technical Note⁸, dated 22 January 2026, is based on the premise that a flood locking scenario exists i.e., that runoff is unable to discharge freely into the River Derwent due to the levels in the river and therefore 'backs-up' in Old Malton and that emergency pumps are either not deployed or are not operational.

⁴ CD 6.18

⁵ CD 6.26

⁶ INQ 8

⁷ INQ 16

⁸ INQ 14

18. The Technical Note concludes:

'The outputs from the modelling study indicate that the Proposed Development may increase the volume of surface water runoff in Old Malton by up to 5.4%, and that the increase in flood volumes would translate to a maximum increase in flood level in Old Malton of 4 mm.

The findings of the study also demonstrate that there is no requirement to provide additional flood storage in the Appeal Site as discussed in para's 4.38 – 4.40 of Dr Tilford's proof of evidence (CD6.11). It should be noted that the findings of the study confirm that the proposed design of the surface water drainage attenuation basic will, in effect, function in part as a flood attenuation scheme notwithstanding the fact that it is not required to do so and, therefore, the Proposed Development will result in a betterment.

The increase in the maximum flood level associated with the increase in flood volume is negligible and does not result in an increase in the extent of flooding in Old Malton.

Para. 7-001 of the Planning Practice Guidance (CD5.18) defines flood risk to be "a combination of the probability and the potential consequences of flooding". This definition is consistent with North Yorkshire Council's Local Flood Risk Strategy 2022-2027 which defines flood risk as "... the probability of a flood occurring combined with the consequence of the flood".

Based on the above definition of flood risk, and given that the negligible potential maximum increase in flood level does not increase the area of Old Malton affected by flooding, it is concluded that the Proposed Development would not increase flood risk in Old Malton in accordance with paragraphs 181 and 182 of the National Planning Policy Framework (CD4.5)'.

19. The Technical Note was reviewed by the LLFA who confirmed, in principle, that the LLFA's objection could be removed subject to a condition requiring a further assessment to be undertaken at the Reserved Matters / Discharge of Condition stage if the area of impermeable surfaces proposed in the final scheme layout exceeds the area used in the submitted assessment.
20. Further discussion, outside of the Inquiry, supported by the Appellant's Drainage Errata Note and Drainage Errata Note Annex,⁹ culminated in the Council confirming that it was satisfied with the further information and that the putative reason for refusal had been addressed.
21. As a result, the Council confirmed that there was now no basis to resist the proposal and it was no longer seeking the dismissal of the appeal.
22. Notwithstanding the position reached, I shall address the main issues as set out at the opening of the Inquiry in light of the written representations made by interested persons, the representations of Malton Town Council, Malton and Norton Area Partnership and those who spoke at the Inquiry.

Agreement pursuant to section 106 of the Town and Country Planning Act 1990 (as amended)

23. The Agreement is made between the Council; Commercial Development Projects Limited (the developer); Fitzwilliam Trust Corporation Limited (the 'first' landowner); and Broadacres Housing Association Limited (the 'second' landowner) and is dated 6 February 2026.

⁹ INQ 21 & INQ 21a

24. Provision is made for affordable housing reflecting Local Plan Strategy Policies SP3 and SP4 (35% of the total dwellings) of which 68% are to be affordable rented dwellings and 32% are to be intermediate dwellings (for example, shared ownership or relevant equity loans or other low cost homes for sale).
25. Public open space and green space is to be approved and provided and thereafter managed and maintained. A scheme of biodiversity net gain is also to be submitted and approved with ongoing monitoring and enforcement for a period of 30 years following the completion of the habitat creation and enhancement works.
26. The first occupation of any dwelling is to be precluded until a Travel Plan for the development has been approved and a related monitoring fee (£5,000) has been paid. Ongoing monitoring reports are to be provided at intervals as stated in the travel plan. A sum of £500 will also fall due for the monitoring of the Obligations in the Agreement.
27. All of the above are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. As such, the Obligations meet the statutory and policy tests and may be taken into account as a reason to grant a planning permission.
28. Finally, a bus service enhancement contribution is set out, in the sum of £47,958.26, to be used by the Council to upgrade bus stop infrastructure on Cherry Avenue. This is disputed by the Appellant and is a matter I return to in my consideration of Issue 4.

Main Issues

29. The main issues identified at the opening of the Inquiry were:
 - 1) The effect of the development on the character and appearance of the area having particular regard to its designation as a 'Visually Important Undeveloped Area' between the settlements of Malton and Old Malton.
 - 2) The effect of the proposal on the character and appearance of Old Malton Conservation Area.
 - 3) Whether it has been demonstrated that flood risk downstream from the site, resulting from additional surface water volumes entering a river locked system, can be adequately mitigated.
 - 4) Whether, and by what means, it is necessary to secure an emergency access to the site from Westgate Lane; and whether a financial contribution towards upgrading the Cherry Avenue bus stop is justified.
 - 5) As the policies which are most important for determining the application are agreed to be out-of-date, would the adverse effects of granting planning permission significantly and demonstrably outweigh the benefits of the development when assessed against the policies in the National Planning Policy Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Reasons

The Development Plan

30. The Development Plan comprises The Ryedale Local Plan Strategy (adopted September 2013); The Ryedale Plan: Local Plan Sites Document (adopted June 2019); and the Neighbourhood Plan for Malton and Norton 2020 – 2027 (made November 2024). All policy references are to the Local Plan Strategy unless stated otherwise.
31. The adopted policies which are the most important for determining the appeal are agreed and set out in the Statement of Common Ground.
32. By way of introduction, the appeal site is located in the countryside, albeit abutting the defined development limits of Malton. Policy SP1 sets a hierarchy for the distribution of new housing with Malton and Norton (including Old Malton) identified as a Principal Town – Primary Focus for Growth. All other settlements are identified to be of a lower order.
33. In all locations the allocation and release of development sites will give priority to developable brownfield land and areas with the lowest flood risk. In addition, as part of the site selection process, regard will be had to a number of criteria including those related to sustainability and to the character of the settlement and its setting.
34. In all other villages, hamlets and in the open countryside, development will be restricted to that which is necessary to support a sustainable, vibrant and healthy rural economy and communities; or justified to secure significant improvements to the environment (amongst other things); or is justified through the Neighbourhood Planning process.
35. In turn, Policy SP2 sets out the distribution of housing land allocations for the plan period, 2012 – 2027, with some 1,500 new homes directed to Malton and Norton. Failure to deliver the planned rates is to be rectified through The Review of Local Plan Sites Document and/or release of additional sites through the Development Management process.
36. Housing completions to date (2024/2025) amount to 1,313 homes with two planned allocations, totalling some 600 dwellings, which will fail to deliver within the plan period. Significantly, the Council's current 5-year housing land supply is no more than 0.8 years. The parties agree that the tilted balance under paragraph 11(d)(ii) of the Framework is engaged.
37. Whilst the appeal site is designated as a Visually Important Undeveloped Area, pursuant to Policy SD16 of the Local Plan Sites Document, Policy SP16 of the Local Plan Strategy admits new development where the benefits of the development would significantly outweigh the loss or damage to the character of the settlement.
38. Further, Policy SP19, Presumption in Favour of Sustainable Development, supports the three components of sustainable development. Where there are no policies relevant to the application, or relevant policies are out of date, the Council will grant permission unless material considerations indicate otherwise.
39. Other policies of primary significance to the main issues include Policy SP12 on Heritage; SP17 in terms of Flood Risk; and SP20, a generic development management policy.

40. The Neighbourhood Plan, through Policy TM6: Development on Non-allocated Sites, expects new development to avoid unacceptable highway impacts; mitigate any congestion impacts; avoids any measurable worsening of air quality in or around the Malton Air Quality Management Area (AQMA); and makes positive provision for sustainable transport modes.
41. Policy E7: Development Affecting the Malton AQMA, (mirroring Local Plan Strategy Policy SP17) indicates that major development in the Neighbourhood Area should contribute towards and sustain compliance with relevant limit values or national objectives for pollutants within the Malton AQMA; and developers promoting development which would result in an impact on air quality will be required to take into account cumulative impacts and demonstrate that the impact is acceptable and that mechanisms are in place to mitigate any adverse impacts.
42. The other policies referred to in the Statement of Common Ground will be referenced as appropriate in my consideration of the main issues and other material considerations.

Issue 1

The effect of the development on the character and appearance of the area having particular regard to its designation as a 'Visually Important Undeveloped Area' between the settlements of Malton and Old Malton.

43. Although the Council did not pursue this issue, the matter was raised in other representations.
44. The site itself takes the form of three large, generally open, fields bound to the west and south by existing residential development and to the east by the western edge of Old Malton. Further urbanising features include the Rainbow Equine Hospital to the north-west; the A64 dual carriageway on a partially screened low embankment to the north; and the electricity pylons and overhead lines which cross the western section of the site.
45. The proposed built development would be confined to the two western fields retaining 'The Flats' as an open edge to Old Malton with reinforced green infrastructure including new landscape and biodiversity features and surface water storage. Some 13.39 hectares, amounting to approximately 62% of the appeal site, would be dedicated to green infrastructure.
46. In terms of landscape and visual effects, the proposed built development would occupy that part of the site with the lowest sensitivity to new built form as it would be seen in the context of the existing settlement edge. The more sensitive parts, in terms of rural qualities and open views from the public right of way to the west of Old Malton, and also the rural setting of Westgate Lane, would largely be retained in open land use with the opportunity to create a high quality landscape setting to the development.
47. Inevitably, there would be some erosion of the Visually Important Undeveloped Area (VIUA) between Malton and Old Malton. It is evident that the designation is not a landscape protection policy as such. In this instance, the rationale for extending the original VIUA was to preserve settlement identity and to avoid coalescence between Malton and Old Malton.

48. In my opinion, the appeal scheme, based on the area indicated for development and the enveloping green infrastructure, would achieve the relevant objectives. Policy SP16 indicates that development may be permitted where the benefits significantly outweigh the loss or damage to the character of the settlement which I shall consider in due course.
49. Overall, the effects of the proposal on the character and appearance of the area would be localised and the loss or damage to the character of Malton and Old Malton would be limited.

Issue 2

The effect of the proposal on the character and appearance of Old Malton Conservation Area.

50. First of all it is necessary to record that the parties agree that there would be no harm to the significance of the Grade 1 Listed Priory Church of St Mary, Old Malton. In this regard, the layout of the proposed development, in terms of the location of built form and retention of open land, in the context of buildings within Old Malton in the foreground of the heritage asset, lead me to a comparable conclusion.
51. Turning to the Old Malton Conservation Area, the issue is one of the effect of the proposal on the setting of the designated heritage asset. The Council takes the view that there would be less than substantial harm at the lower end of less than substantial with the Appellant alleging no harm.
52. In addition, the Council confirms that heritage is not put forward as a freestanding reason for refusal on the basis that the developable area would be limited in broad accordance with Rev G Greenspace Masterplan.
53. The Old Malton Conservation Area is predominantly linear in form. It consists, in addition to its landmark church, principally of 19th and 20th century vernacular dwellings fronting the principal street interspersed with village farms. The designated area is complemented by a wider rural landscape which forms a positive attribute of the setting and significance of the Conservation Area.
54. The Old Malton Conservation Area Character Appraisal, produced by Malton Town Council in 2018, is agreed to be a robust assessment undertaken in accordance with best practice and guidance. It provides a brief summary of the main characteristics of value including *'an unspoilt rural/agricultural setting, with no detracting modern suburbs'*.
55. The appraisal records *'..... the roads and lanes leading off either side [of the main village street] add depth to the interest of the main street, and throughout there are views between buildings to the gardens, paddocks and fields beyond*'.
56. Nonetheless, the ability to experience the appeal site from within the Conservation Area is extremely limited. Having visited the narrow lane between 51 and 63 Town Street, where the allotments give way to the cemetery on the very edge of the designated area, there is a funnelled view towards part of the appeal site seen in the context of a recent housing scheme, Westgate Green, to the north of the lane. It should also be recorded that the public right of way, abutting very limited parts of the Conservation Area boundary, affords views across the site.

57. There is no doubt that the appeal site, as a component of the surrounding rural landscape, both physically and perceptually, contributes to the significance of the Conservation Area. Nonetheless, the primary interest of the designated area is in the special architectural and historic interest of its buildings which are generally experienced from within the Conservation Area.
58. The appeal scheme would inevitably increase the extent of modern residential development at the expense of the rural landscape. However, the immediate open aspect, experienced most notably from the public right of way to the west of the Conservation Area, would be maintained through the retention of the easternmost field as green infrastructure and restricting built development, in broad terms, to the existing edge of Malton.
59. Whilst it is accepted that new houses, in the form of 'Plots 1 and 2', would result in a measure of encroachment beyond the limits of Hawthorn Avenue, opportunity would remain to soften the interface with The Flats through an approved scheme of landscaping.
60. Importantly, as a result of the extensive green infrastructure forming part of the appeal proposal, I consider that the ability to experience or appreciate the rural landscape, in its widest sense, and its contribution to the setting and significance of the Conservation Area would not be undermined.
61. On this basis I conclude that the character and appearance of the Conservation Area and its setting would remain unharmed and there would be no conflict with Policy SP12.

Issue 3

Whether it has been demonstrated that flood risk downstream from the site, resulting from additional surface water volumes entering a river locked system, can be adequately mitigated.

62. Paragraphs 13 - 21 above record the agreement reached between the Lead Local Flood Authority (LLFA) and the Appellant on this issue; the removal of the LLFA's objection; and agreement on a condition to be imposed on any grant of planning permission.
63. Flooding in Old Malton, understandably, is a matter of great concern to the local community in terms of surface water backing-up behind the flood defence works that were installed in 2003 and the consequences of raw effluent being discharged into the sensitive habitats of the River Derwent.
64. The Technical Drainage Note¹⁰ submitted to the Inquiry, endorsed by the LLFA, confirms that the negligible potential maximum increase in flood level would not increase the area of Old Malton affected by flooding, and the proposed development would not increase flood risk in Old Malton. There is no technical evidence to the contrary and it has been demonstrated that the matter of flood risk has been addressed adequately.
65. The related topic of sewage disposal, and concerns raised by interested persons at the Inquiry, is reviewed below in my discussion on planning conditions.

¹⁰ INQ 14

Issue 4

Whether, and by what means, it is necessary to secure an emergency access to the site from Westgate Lane; and whether a financial contribution towards upgrading the Cherry Avenue bus stop is justified.

66. As indicated earlier, agreement was reached during the Inquiry for the provision of an emergency access along Westgate Lane. This is to be in accordance with an approved detailed scheme with clear reference to performance and geometry; visibility splays; measures to prevent unauthorised use from within the site; management, maintenance and winter resilience; and availability and notification.
67. I am satisfied that this is proportionate and necessary in terms of public safety and can be secured by the negatively worded condition agreed by the parties. I need not consider this part of the issue further.
68. Turning to the Cherry Avenue bus stop, this takes the form of a simple pole and 'flag' sign. The footway is relatively narrow; the stop is not equality compliant; and it is open to the elements. Upgrading would remedy these defects.
69. However, the nearest bus stop to the proposed development, by some 70 metres, is on Rainbow Lane. It does not require upgrading; it is a more direct walk; and avoids the steeper gradient of Cherry Avenue.
70. Whilst it was said that some residents from the development might prefer to avoid crossing Cherry Avenue at its junction with Rainbow Lane, the road would have to be crossed elsewhere, even though it was said, but not quantified, to be quieter. The opportunity to board earlier on Cherry Avenue, to secure a seat, could be a factor albeit this might be countered by a longer and slightly more strenuous walk.
71. Further, it was suggested that the stop on Cherry Avenue might be combined with school drop off on Highfield Road, by retracing one's steps. However, this would be a matter of choice as it would be possible to continue onward to the bus stop on Town Street, Old Malton.
72. Finally, the bus stop on Cherry Avenue is directly overlooked by residential properties. The stop on Rainbow Lane lacks comparable surveillance as it is backed by the recreation ground with allotments opposite. Nonetheless, it is well lit, lies on a straight piece of road and is clearly open to view. There is nothing to suggest that it would be an uncomfortable location awaiting the arrival of a bus.
73. In my view, the propensity for future residents to use the Cherry Avenue bus stop in enhanced form, with no direct access from the development site into the culs-de-sac on the northern side of Cherry Avenue, would be very limited. The upgrading works would undoubtedly be of benefit, but that benefit is likely to accrue to a significantly greater extent to existing residents in, or in the immediate vicinity of, Cherry Avenue.
74. On this basis, I find that the financial contribution is not necessary to make the development acceptable in planning terms; it would not be directly related to the development; and it would not be fairly and reasonably related in scale and kind to the development. It therefore fails the relevant statutory and policy tests including Local Plan Strategy Policy SP22.

75. Accordingly, in accordance with paragraph 12.1 of the Agreement, I attach no weight to the Planning Obligation (Bus Service Enhancement Contribution). It shall therefore cease to have effect and the landowners shall be under no obligation to comply with the relevant Planning Obligation.

Issue 5

As the policies which are most important for determining the application are agreed to be out-of-date, would the adverse effects of granting planning permission significantly and demonstrably outweigh the benefits of the development when assessed against the policies in the National Planning Policy Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Other Matters - Highways and Air Quality

76. It is apparent that traffic in and around Malton has been a longstanding concern of local representatives and residents. Criticism was made of earlier transport assessments (2010 and 2015); the number of houses actually built; and reference made to a local traffic survey challenging the 2015 report.
77. It was also set out that measures to improve infrastructure had not been implemented and the weight restriction on County Bridge had not been properly observed. Further, additional development has increased congestion and pollution with particular emphasis on Butcher Corner and the consequential effects of queues forming when the level crossing is closed to traffic. This will be compounded when train services between York and Scarborough are doubled.
78. My attention was also drawn to the alleged inadequacies of the Ryedale Plan and the direction of travel in the consultation version of the Local Plan Review for Ryedale (February 2022) to preclude new housing development in Malton and Norton until infrastructure was available to accommodate it.
79. The planning application, the subject of this appeal, was supported by a Transport Assessment that was updated in August 2025 in response to comments from the Council. The methodology and scope were informed by pre-application discussions with the Council as Local Highway Authority and National Highways.
80. The Statement of Common Ground records that *'..... the scale of residual impact cannot be considered to be severe when viewed in the context of the paragraph 115 of the NPPF¹¹, and the development is therefore acceptable from a transport perspective, in accordance with Policy SP20 (Generic Development Management Issues) and the NPPF'*.
81. For my part, it is evident that the Transport Assessment was both comprehensive and robust. Although undertaken outside the main tourist season, it was accepted that traffic surveys were carried out on 'neutral days' and there was no request to assess peak summer effects. All junctions within the study were found to be operating within capacity in both the morning and evening peak hours and capable of accommodating the development.
82. In terms of highway safety, reported personal injury collisions in the locality over a 25 year period are few in number and indicative of no material issues.

¹¹ National Planning Policy Framework

Although the presence of the recreation ground on Rainbow Lane, is referred to in a number of representations, its frontage is fenced (post and wire) and gated. The adjoining highway has a footway and is generally straight at this point with clear visibility.

83. As to Highfield Road, it is predicted that the proposed development would give rise to some 33 vehicles per hour during the morning peak and 26 vehicles per hour during the evening peak equivalent to approximately one additional vehicle every two minutes. There is nothing to suggest that this would materially compromise safety in the vicinity of its two schools.
84. My attention was drawn to Local Plan Strategy Policy SP22 and, by inference, to Policy SP11 which identified the need for improvements to A64/B1248 Brambling Fields junction and complementary town centre traffic management measures through developer contributions. However, development specific contributions by way of a Planning Obligation, have not been identified by the Council as essential in this case.
85. Air quality is also claimed to be *‘.....at dangerous levels for human health and risks getting worse the AQMA [Air Quality Management Area] is seeing an increase in pollution contrary to WHO [World Health Organisation] recommendations’*¹²
86. An Air Quality Assessment accompanied the application for planning permission. The assessment methodology was agreed by the Council’s Scientific Officer. The impact assessment demonstrates that *‘..... pollutant concentrations will be well below the relevant objectives at all existing receptors in 2026, with or without the proposed development, and that the emissions from the additional traffic generated by the proposed development will have a negligible impact on air quality conditions at all existing receptors along the local road network’*.¹³
87. The Air Quality Assessment was modelled using the traffic information set out in the Transport Assessment with Trip End Model Presentation Program software growth factors (TEMPRo) accounting for local development forecasts. This preceded the Updated Transport Assessment which noted lower traffic impacts than those originally assessed and, by inference, ‘headroom’ in the Air Quality Assessment.¹⁴ It has been confirmed that the Aldi development relates to an allocated site and the impacts have been taken into account.
88. There is no technical evidence, or conflicting position by the Council, to contradict the conclusion that the cumulative effects of traffic arising from the proposed development on air quality have been assessed appropriately. The Statement of Common Ground confirms that *‘..... the proposed development is acceptable [in] air quality terms’*.
89. Moreover, the Malton Air Quality Management Area was revoked, as instructed by DEFRA,¹⁵ on 4 October 2025 as there had been 7 consecutive years of compliance data within 10% of the nitrogen dioxide objective.
90. It is evident that there is much disquiet about traffic levels in Malton; the routing of HGVs; the absence of key pieces of highway infrastructure; and the desire to

¹² INQ 4A

¹³ CD 1.14 Paragraph 8.3

¹⁴ INQ 19

¹⁵ Department for Environment, Food and Rural Affairs

remove vehicles from residential streets, amongst other concerns. As important as these might be, there is nothing to suggest that these factors should lead to the dismissal of the appeal.

91. Overall, I find no material conflict with Neighbourhood Plan Policies TM6 and E7.

Miscellaneous

92. Some 36 local representations opposing the development were made at application stage, with further representations associated with the appeal. Most are embraced by the matters discussed earlier and subsequently in my decision.

93. In terms of general amenity, I am satisfied that the relationship of the development, through overlooking, with the Rainbow Equine Hospital would not amount to identifiable harm; measures can be taken by the imposition of conditions to minimise the impacts of the construction phase; consideration of the detailed layout will address the interface with existing dwellings; and it is to be anticipated that appropriate safety measures will be implemented around the flood alleviation pond.

94. Concerns about the capacity of schools, medical services and the emergency services have not been raised by the relevant authorities, other than to note from the Officer's Report to Committee that infrastructure provision falls to be funded through the Community Infrastructure Levy.

95. I am content that none of the additional points raised go to the substance of the case before me.

The Planning Balance

96. The relevant legislation requires that the appeal be determined in accordance with the development plan unless material considerations indicate otherwise.

97. Policies SP1 and SP2 provide a strategic framework for new housing with primary focus on Malton and Norton. Although the policies are grounded in allocated sites and development limits to meet housing need, the Implementation and Monitoring of Policy SP2 admits the release of additional sites through the Development Management Process where there is a failure to deliver at planned rates.

98. The appeal site accords with both the general location of development and settlement hierarchy; it has been demonstrated that there is no impediment arising from on-site or off-site flooding; and there is no apparent tension with the six bullet attributes that follow in the subsequent section of Policy SP1.

99. Whilst the proposal would lie outside the defined development limits for Malton, it is evident that the settlement boundary is out-of-date in light of the current significant deficiency in the 5-year housing land supply. It follows that very limited weight should be attributed to the conflict with the defined settlement boundary for Malton and Policy SP1.

100. Set against this, Policy SP16 admits new development where the benefits would significantly outweigh the loss or damage to the character of the settlement; and Strategy Policy SP19, reflecting the thrust of the Framework, supports the three components of sustainable development.

101. Given that the policies that are most important for determining the appeal are out-of-date, paragraph 11d) ii of the Framework indicates that permission should be granted unless *'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination'*.
102. It is evident that the proposals would deliver a range of important benefits that would be consistent with the Government's overarching aim to deliver sustainable development and to significantly boost the supply of new homes.
103. In terms of the economic objective of sustainable development, the proposals would provide employment opportunities during the construction phase and a new resident population would increase support for local facilities and services through additional spending. These are benefits of moderate positive weight.
104. The social objective of sustainable development would be fulfilled through the delivery of new market housing, providing a range of housing type and size to meet local needs as required by Strategy Policy SP4, in an area where there is a marked shortfall in the 5-year housing land supply. More emphatically, the project would deliver some 70 affordable homes, in accordance with Strategy Policy SP3, where there is an acute and growing shortfall with the related social implications. In this regard, there is an undisputed need for 1,396 affordable homes in the 5-year period from 2024/25. This translates to some 279 affordable dwellings per annum against an estimated annual supply of 13 affordable homes. These factors, individually, merit very substantial supporting weight.
105. Whilst good design is a legitimate expectation of local and national policy, the project would be capable of creating a high-quality environment most notably with the provision of enhanced publicly accessible green space amounting to some 62% of the appeal site. This merits moderate favourable weight.
106. In terms of the environmental objective of sustainable development, there would be an implicit erosion of edge of settlement rural character to which I attach moderate negative weight. The loss of part of the Visually Important Rural Area, at a very local level carries limited negative weight. Set against these, the proposal would present opportunities to enhance habitats and biodiversity net gain, amounting to significant positive weight. Reducing flood risk elsewhere, secured by reducing green field run-off rates, is a factor of moderate supporting weight.
107. In light of the lack of a 5-year housing land supply, the tilted balance in paragraph 11d) of the Framework is engaged. In view of my conclusions on heritage, none of these matters referred to in Footnote 7 to paragraph 11 d) i. provide a strong reason for refusal.
108. Bringing together all of the above, I find that the adverse impacts do not significantly or demonstrably outweigh the benefits when weighed against the policies of the Framework taken as a whole. The proposal therefore benefits from the presumption in favour of sustainable development and despite a measure of conflict with Strategy Policy SP1, I find that the proposal would be in accordance with the Development Plan read as a whole.
109. I shall therefore allow the appeal and grant planning permission.

Conditions

110. I therefore turn to consider the matter of conditions, based on those substantially agreed between the Council and the Appellant.
111. As this is an outline application with all matters reserved, other than the means of access to the site, detailed drawings are to be submitted to the Local Planning Authority and the development is to commence within the relevant periods specified in section 92 of the Town and Country Planning Act 1990 (as amended). **[Condition 1]**
112. The development is not to commence until all of the reserved matters have been approved, to ensure good design and amenity. The development is to be carried out in accordance with the approved plans as specified, supplemented by a phasing plan, for the avoidance of doubt and to ensure proper planning. **[Conditions 2 – 5]**
113. Detailed highway engineering drawings and phasing details are required to ensure that appropriate access is available before dwellings are occupied for highway safety reasons. An emergency access route, along Westgate Lane, is also to be provided for public safety. Appropriate parking facilities are aimed at minimising on-street parking; and a Travel Plan is required to promote sustainable travel. **[Conditions 6 - 10]**
114. It is important to ensure that construction proceeds in accordance with good practice for amenity, environmental and safety reasons through the implementation of an approved Construction Management Plan. **[Conditions 11 and 16]**
115. In terms of drainage, the total impermeable area for the site is to be limited to that assessed, unless a further technical assessment is undertaken, to ensure that flood risk, notably in Old Malton, is not increased by the proposed development. **[Condition 12]**
116. The parties disagree on whether it is necessary to impose a condition restricting occupation of the development until it has been demonstrated that there is adequate capacity within the public sewerage network.
117. Testimony was given by an interested person on the long standing and frequent sewage spills into the River Derwent and Yorkshire Water's timeline for future improvements with investigations to be completed by 2030 and implementation of capacity improvements by 2035.
118. Closing submissions and the helpful legal note provide clarity on the responsibilities of the relevant water authority and a developer's statutory right to connect into the public sewer. It is clear that there is no legal bar to imposing a restrictive condition where there is a capacity issue in the network. The principal test is whether such a condition is necessary to make the development acceptable.
119. In terms of legislation, section 94A(1) of the Water Industry Act 1991 imparts a statutory obligation on the Water Authority to *'plan for how the sewerage undertaker will manage and develop its drainage system and sewerage system so as to be able, and continue to be able, to meet its obligations under this Part'*. This is to be based on

current and future demands with an imperative to forward plan for developments to be delivered in accordance with its statutory duty.¹⁶

120. Subsequent paragraphs relate to the preparation and content of drainage and sewerage management plans and the powers of ‘the Minister’.
121. Yorkshire Water, in its consultation advice dated 14 October 2025, following its earlier response and discussions, confirmed its objection to the proposal as *‘the application site is not allocated in the Ryedale Local Plan for residential development and as such has not been considered in [the authority’s] current Asset Management Plan (AMP) reinforcement period’*.
122. It went on to say:
‘.....Our infrastructure in Malton is already at capacity and cannot accept any additional flows until necessary infrastructure works have been delivered. We are currently investigating the investment needed in this area, which due to the complexity of the system, and the impacts of the river flooding will take an extended period. Once investigations are complete, we will develop a solution to increase the capacity of our infrastructure. Allowing additional properties to drain to our network in the meantime will create further environmental damage, flooding and potential regulatory penalties’.
123. By a turn of events, on the final morning of Inquiry sitting, I was presented with a letter dated 28 January 2026 from Yorkshire Water. Of particular relevance it was said:-
‘..... as part of our day to day operations, Yorkshire Water has been reviewing potential solutions to support the development Due to the increased number of windfall schemes, and the impact on our infrastructure, we have been reviewing the options for Malton and consider that a circa 3 year period will provide sufficient time for Yorkshire Water to design and deliver a foul water only scheme to support the development.’
124. On this basis Yorkshire Water requested a planning condition to restrict the occupation of any dwelling until confirmation had been provided that sufficient capacity exists within the public sewerage network and wastewater treatment works to accommodate the foul drainage from the site.
125. The work is said to be *‘..... complex and time consuming due to the network, site conditions, scheme proposals and wider context, i.e. surface, groundwater and fluvial flooding’*.
126. Moreover, it is highly relevant to note that the position reached appears to be nothing more than Yorkshire Water’s acceptance of the need for works. There is no indication what those works might entail; no feasibility report; scheme design; or implementation programme other than a vague assertion of *‘circa 3 years’*. Moreover, Yorkshire Water did not appear at the Inquiry to clarify and reinforce its changed standpoint.
127. The Appellant’s Drainage witness confirmed that the site itself would be drained by separate systems, albeit I was told that the current infrastructure beyond Showfields Sewage Pumping Station is a combined outflow. Although he went on to suggest that a ‘bottleneck’ might exist in Rainbow Lane, which could be resolved by increasing the diameter of the pipe, this was largely supposition. It was his opinion that it was highly likely that Yorkshire Water could deliver any necessary improvements to increase the capacity of the foul sewer network well within the three year period proffered.

¹⁶ Section 94A(2)

128. Despite the Appellant's confidence, seemingly taking Yorkshire Water's position on its face, I take a justifiable more pessimistic view of the potential obstacles to be negotiated and the shortcomings of the evidence before me, such as it is, irrespective of the statutory obligation.
129. There is an inevitable dilemma here. The imposition of a condition could delay or wholly frustrate much needed housing development, with no mechanism within the Appellant's control to guarantee the improvements, or effective sanction against delay or non-fulfilment. On the other hand, the absence of a condition might be a stimulus to Yorkshire Water completing the necessary upgrade in a timely manner. However, even acting in good faith, there may be justifiable technical or performance issues which delay delivery.
130. The Appellant argues that the balance lies firmly in favour of requiring Yorkshire Water to comply with its statutory duties and ensure that the relevant upgrades are delivered as a matter of urgency. Whilst I recognise the risk that such a condition might cause, in removing the resolve of Yorkshire Water designing and delivering improvement works in the timescale it sets out, it is abundantly clear that connections from the development before the completion of the necessary works would likely exacerbate capacity constraints and result in further environmental damage. That cannot lightly be set aside.
131. Reference has been made to the development at Norton Lodge and Yorkshire Water Authority's stance in that regard. Irrespective of the position reached on conditions that might be imposed on that project, whether a condition is reasonable and necessary depends on the facts of the case. Here, without the necessary reassurance to support the anticipation of improvement works within three years or thereabouts, balancing the potential delay in facilitating the appeal development, and in light of the statutory duty, I consider that the condition sought is justified in all respects. **[Condition 13]**
132. Further conditions are required to provide and manage foul and surface water drainage from the site and provision is to be made for the protection of the public water main passing through the site. **[Conditions 14, 15 and 17 – 20]**
133. In the event that any contamination of the land is found during site preparation or construction, measures are to be put in place to safeguard those working on site and the general public. A scheme of mitigation, related to traffic noise from the A64, is to secure an appropriate living environment for future households. Additionally, agreed working methods and restrictions on hours of construction are to safeguard the amenity of neighbouring and future residents. **[Conditions 21 – 25]**
134. An Archaeological Management Plan and a Scheme of Investigation is required in light of an identified core of archaeological interest within the site. **[Conditions 26 – 29]**
135. Finally, measures need to be in place, related to ecology and biodiversity, and to ensure that approved measures for biodiversity net gain are secured through a long term habitat Management and Monitoring Plan. **[Conditions 30 and 31]**
136. I have made minor amendments to the conditions to improve clarity and/or precision; and I have added subject headings for ease of reference. The Appellant has confirmed that it accepts the imposition of the pre-commencement conditions as listed in the agreed list of conditions and that they are reasonable having regard to the circumstances of the case.

Conclusion

137. For the reasons given above the appeal is allowed and planning permission is granted subject to conditions set out in the Schedule of Conditions at Annex A to this Decision.

David MH Rose

Inspector

ANNEX A: SCHEDULE OF PLANNING CONDITIONS (1 – 31)

General

1. Application for the approval of all 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 hereby approved shall be begun on or before whichever is the later of the following dates: i) Five years from the date of this permission ii) The expiration of two years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.
2. No development shall commence until details of all the reserved matters have been submitted to and approved by the Local Planning Authority: (a) the siting, design and external appearance of each building, including a schedule of external materials to be used; (b) the landscaping of the site; (c) the layout of the proposed building(s) and space(s) including parking and any external storage areas; and (d) the scale (including the number) of buildings overall.
3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No PEASE-WBA-SI-XX-DR-A-PL_002 Existing Site Location Plan
Drawing No PEASE-WBA-SI-XX-DR-A-SK10 P01 Proposed Coloured Site Plan
– in so far as the details for the Site Access and Emergency Access which are secured by this drawing.

Drawing No 22183-SK20251204.2 Emergency Access Point
Drawing No 22183-SK20251211.4 Emergency Access Route
Drawing No 22183-010 Proposed Site Access

4. The reserved matters submission in respect of landscaping shall be in broad accordance with 6038-L-01 G Greenspace Masterplan.
5. Prior to commencement of the development (excluding site investigation works, site preparation works, vegetation clearance, earthworks, stockpiles, and construction vehicle movements) a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include the phasing of various elements of the development, including associated infrastructure. Unless otherwise agreed in writing by the Local Planning Authority, the development of the site shall be carried out in accordance with the approved phasing plan.

Highways

6. Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road shall take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in compliance with the approved engineering drawings.

7. No part of the development to which this permission relates shall 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.

A programme detailing the phasing and completion of all road works shall be submitted to and approved in writing by the Local Planning Authority prior to any part of the development being brought into use. The development shall thereafter be carried out in accordance with the approved programme.

Emergency Access Route (Private, Non Adopted)

8. No dwelling shall be first occupied until a detailed scheme for a private emergency access route has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in broad accordance with the indicative route and visibility splays shown on plans 22183-SK20251204.2 and 22183-SK20251211.4 and shall include the following:

A: Performance and Geometry

A route available for emergency access that:

- Provides a bound surface with no loose material, or Grasscrete constructed to a specification suitable for emergency vehicles up to 17 tonnes, ensuring adequate traction in all weather conditions.
- Maintains adequate traction in all weather conditions (including wet, icy or snowy conditions) through appropriate maintenance.
- Has a minimum clear width of 3.7 metres along the entire route (passing places would be accepted).
- Provides bends designed to achieve a minimum 9.0 metre radius (or demonstrably equivalent swept-path performance for a 17-tonne fire appliance).
- Maintains a minimum clearance height of 4.0 metres over the route.

B: Surface Condition and Defect Thresholds

The surface shall be maintained in broad accordance with the North Yorkshire Council Highway Safety Inspection Manual, including:

- No potholes exceeding 40 mm in depth;
- No depressions/rutting exceeding 50 mm in depth;
- No standing water or obstructions that compromise safe passage.

C: Visibility Splays

Visibility splays at the emergency access point shall be provided in accordance with the dimensions shown on plan 22183-SK20251204.2 and shall thereafter be kept clear of any obstruction above 0.6 metres in height for the lifetime of the development.

D: Measures to Prevent Unauthorised Use from within the Site

Physical measures (such as removable/lockable bollards or a fixed barrier system) shall be installed at the connection to the internal site road network to prevent unauthorised use by development traffic, while not impeding emergency access.

E: Management, Maintenance and Winter Resilience

A Maintenance and Winter Resilience Plan shall be submitted to and approved by the Local Planning Authority as part of the scheme. The plan shall:

- Identify the party responsible for the route (e.g., management company);
- Set inspection and intervention procedures using the NYC Highway Safety Inspection Manual thresholds cited above;
- Include winter resilience measures (e.g., gritting and snow clearance) to prevent the route from becoming impassable due to ice or snow;
- Provide a procedure and timescales for rectifying defects and restoring compliance.

The route shall remain private (non-adopted) and be maintained in accordance with the approved plan for the lifetime of the development.

F: Availability and Notification

- The emergency access route shall be available for use by emergency services at all times except for the duration of a period of closure that has been first agreed by the Local Planning Authority.
- The developer or management company shall notify the relevant emergency services prior to closure of the emergency access route.

All elements of the approved scheme shall be implemented in full prior to the first occupation of any dwelling and retained and maintained thereafter for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Parking Facilities

9. No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas shall be retained for their intended purpose at all times. Secure Cycle Storage shall be provided at each dwelling in accordance with NYC's Minimum Parking Standards where there are no garage facilities associated with the dwelling.

Travel Plan

10. Prior to the first occupation of the development, a Travel Plan shall be submitted to and approved in writing by the Local 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 future occupiers of the development, and incorporate the sustainable aspects of 'The Vision' as stated in section 1.6 of the Transport Assessment:
 - 'Accessible by a range of transport modes and does not detrimentally affect the surrounding road network', and:
 - 'Its location means that future residents will be able to benefit from living within walking or cycling distance of Malton town centre, Old Malton, and Norton on Derwent meaning that an active and sustainable lifestyle for future residents is feasible and realistic'
 - effective mechanisms to achieve the objectives of the Travel Plan by future occupiers of the development.

The development shall 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 shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Construction Management Plan

11. No development for any phase of the development shall commence until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development shall be undertaken in accordance with the approved Construction Management Plan.

The Plan must include, but not be limited to, the arrangements for the following in respect of each phase of the works:

1. Details of any temporary construction access to the site including measures for removal following completion of construction works;
2. Wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
3. The parking of contractors', site operatives and visitor's vehicles;
4. Areas for storage of plant and materials used in constructing the development clear of the highway;
5. Measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;

6. Details of the routes to be used by HGV construction traffic on the public highway from the A64 to the site and number of trips per day;
7. Highway condition surveys on Rainbow Lane and its junction with Highfield Road / Pasture Lane, Cherry Avenue, Hawthorn Avenue and its junction with Highfield Road, Pasture Lane from Rainbow Lane junction to the Pasture Lane Roundabout and Westgate Lane;
8. Protection of carriageway and footway users on proposed roads within the site and during any proposed utility works on Rainbow Lane and/or Westgate Lane, at all times during demolition and construction;
9. Erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway and carriageway and facilities for public viewing where appropriate;
10. There shall be no burning of materials on site at any time during construction;
11. Removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;
12. Details of the measures to be taken for the protection of trees within highway works;
13. Details of external lighting equipment to be used during construction, whether portable or fixed, demonstrating that it will not cause glare or distraction to users of the public highway;
14. Details of ditches to be piped during the construction phases;
15. A detailed programme for the building works;
16. Contact details for the responsible person (site manager/office) who can be contacted in the event of any public highway issue;
17. Details of proposed temporary directional signage; and
18. Details of proposed utility connections affecting the highway.

Drainage

12. Unless supported by further assessment of the impact of additional volumes downstream in accordance with the Weetwood Technical Note 6778/BN/Final/v1.0/2026-01-22 and subsequent errata note 6778/TN-Errata/Final/v1.2/2026-01-28, the total impermeable area for the site shall not exceed 4.101ha.
13. No dwelling hereby permitted shall be occupied until confirmation has been provided to and agreed in writing by the Local Planning Authority that either sufficient capacity exists within the public sewerage network and wastewater

treatment works to accommodate the foul drainage flows from the development or that there is an alternative foul drainage solution that is acceptable to the Local Planning Authority. The confirmation shall include details of any necessary infrastructure improvements between the site and the point of connection within the public highway and a timetable for their completion. Occupation of dwellings shall only proceed in accordance with the approved phasing.

14. The site shall be developed with separate systems of drainage for foul and surface water. These shall extend to the points of discharge which shall be the subject of prior agreement with the Local Planning Authority. The maximum foul water pump rate shall be restricted to four point seven five litres per second (4.75l/s). The development shall be implemented and operated in accordance with the approved details.
15. No development shall take place until details of the proposed means of disposal of foul drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority. Furthermore, occupation of any phase of the development shall not commence until the approved drainage works for that phase have been constructed in accordance with the approved plans and there shall be no temporary storage of foul sewage.

Construction Environmental Management Plan (CEMP)

16. Prior to commencement of development a Construction Environmental Management Plan shall be submitted to and approved by the Local Planning Authority outlining the mitigation techniques and pollution prevention measures necessary that will be implemented to protect the groundwater source from risks posed both by the construction phase and final development. Furthermore, no phase of development shall commence until the recommendations of the CEMP for that phase have been implemented.

Surface water Drainage

17. Development shall not commence until a scheme detailing surface water drainage has been submitted to and approved in writing by the Local Planning Authority. 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 and the National standards for sustainable drainage systems (SuDS)(or any subsequent update or replacement for those documents). The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. Principles of sustainable drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed.
18. No development shall take place until the maintenance arrangements of the proposed SuDS drainage scheme, which has been submitted to and agreed in writing by the Local Planning Authority, and has been demonstrated to be in accordance with C753 The SuDS Manual (CIRIA) and North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for

those documents). Details of the maintenance and management of the approved scheme shall include; drawings showing any surface water assets to be vested with the statutory undertaker/highway authority and subsequently maintained at their expense, and/or any other arrangements to secure the operation of the approved drainage scheme/sustainable drainage systems throughout the lifetime of the development. If the drainage system is to be adopted by Yorkshire Water a maintenance plan should be included up to the date at which it is vested.

19. No development shall take place until an Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority. Site design must be such that when SuDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site.

Public Water Main Protection

20. No building or other obstruction including landscape features shall be located over or within 3 metres either side of the centre line of the public water main within the site boundary i.e. a protected strip width of 6 metres. Furthermore, no construction works in the relevant area(s) of the site shall commence until measures to protect the public water main infrastructure have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory water undertaker is retained at all times. In the event that the required stand-off or protection measures are to be achieved by diverting the public water main (in part or in full), detailed plans and written confirmation from the relevant statutory water undertaker shall be provided to the Local Planning Authority prior to the implementation of the works.

Environmental Health

21. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported immediately to the Local Planning Authority, and work must cease until an appropriate investigation and risk assessment has been undertaken. Where remediation is necessary, a remediation scheme shall be prepared by competent persons and submitted to the Local Planning Authority for approval. The remediation scheme shall be implemented as approved and following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.
22. Prior to the approval of the detailed layout scheme, a Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Noise Impact Assessment shall provide details to demonstrate how the proposed

dwelling will be protected against noise impacts from all existing noise sources (the Noise Scheme).

The Noise Scheme shall ensure that indoor ambient noise levels in living rooms and bedrooms meet the standards set out within BS 8233:2014 and Professional Practice Guidance on Noise (ProPG) as follows:

- a. Bedrooms shall be designed to achieve an 8-hour LAeq (23:00h to 07:00h) of 30dB(A) and an L_{Amax} of no more than 45dB(A) (15 times max per night);
- b. Living rooms and dining rooms shall be designed to achieve a 16-hour LAeq (07:00h to 23:00h) of 35 dB(A); and
- c. Amenity spaces shall be designed to achieve a 16-hour LAeq (07:00 to 23:00) of 50dB(A).

Any noise mitigation required to achieve the standards shall be implemented before each dwelling is occupied.

23. Prior to the site preparation and construction work commencing, a scheme to minimise the impact of noise, vibration, dust and dirt on residential property in close proximity to the site, shall be submitted to and approved in writing with the Local Planning Authority. The measures therein shall be implemented as approved.
24. No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 hours and 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank or National Holidays.
25. Should any of the proposed foundations be piled or ground compaction be required, no piling or ground compaction works shall commence until a schedule of works identifying those plots affected, and setting out mitigation measures to protect residents from noise, dust and vibration has been submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall thereafter be carried out in accordance with the approved schedule.

Archaeology

26. No works shall commence until an Archaeological Management Plan that defines an archaeological exclusion area within the proposed meadow has been submitted to and approved in writing by the Local Planning Authority. No works shall take place within the archaeological exclusion zone, and measures shall be taken to avoid damage, e.g. through the use of fixed fencing to prevent vehicle movements and toolbox talks to inform site personnel and contractors of the significance of the remains. The Archaeological Management Plan should be cross-referenced to the Construction Environmental Management Plan (CEMP) and overseen by a relevant clerk of works or construction manager.

27. No works shall commence until a Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:
- a) The programme and methodology of site investigation and recording;
 - b) Community involvement and/or outreach proposals;
 - c) The programme for post investigation assessment;
 - d) Provision to be made for analysis of the site investigation and recording;
 - e) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - f) Provision to be made for archive deposition of the analysis and records of the site investigation; and
 - g) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
28. No works demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 27 above.
29. No dwelling shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 27 above and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Ecology

30. Prior to the installation of any external lighting in Public Open Space, Greenspace or other public areas of the development, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate how light spill onto adjacent sensitive habitats will be avoided. The external lighting shall thereafter be installed and maintained in accordance with the approved details.
31. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the Biodiversity Gain Plan has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall include as a minimum:
- (a) a non-technical summary;
 - (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;

- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the Biodiversity Gain Plan for a period of 30 years from the completion of development, including the management of invasive species; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat.

The development shall be carried out in accordance with the approved details.

End of Schedule

ANNEX B: CORE DOCUMENTS

CD1	Application Submission Documents and Plans
1.1	Completed Application Form
1.2	Site Location Plan (ref. PEASE-WBA-SI-XX-DR-A-PL_002 P1)
1.3	Existing Site Plan (ref. PEASE-WBA-SI-XX-DR-A-PL_001)
1.4	Proposed Coloured Site Plan (ref. WBA-SI-XX-DR-A-SK10) (superseded)
1.5	Greenspace Masterplan (6038-L-01 Rev F) (Deleted)
1.6	Greenspace Masterplan (Whole Site) (6038-L-01 Rev F) (superseded)
1.7	Planning Statement (Freeths LLP, June 2024)
1.8	Five Year Housing Land Supply Review – Analysis of Sites (Freeths LLP, July 2024)
1.9	Five Year Housing Land Supply Review – Supporting Briefing Note (Freeths LLP, July 2024)
1.10	Design and Access Statement (Watson Batty Architects, Undated)
1.11	Landscape and Visual Appraisal (FPCR, 12 June 2024)
1.12	Transport Assessment (Connect Consultants, 10 May 2024)
1.13	Travel Plan (Connect Consultants, 10 May 2024)
1.14	Air Quality Assessment (Air Quality Consultants, June 2024)
1.15	Noise Impact Assessment (Dragonfly Consulting, 14 June 2024)
1.16	Flood Risk Assessment (ARP Associated Limited, June 2024)
1.17	Drainage Strategy (ARP Associates Limited, June 2024) (superseded)
1.18	Phase I Geo-Environmental Site Assessment (Ergo Environmental Ltd, October 2023)
1.19	Phase II Geo-Environmental Site Assessment (Ergo Environmental Ltd, October 2023)
1.20	Arboricultural Assessment (FPCR, June 2024)
1.21	Preliminary Ecological Appraisal (FPCR, July 2024) (superseded)
1.22	Biodiversity Net Gain Metric (June 2024) (superseded)
1.23	Heritage Settings Assessment (Cotswold Archaeology, June 2024)
1.24	Archaeological Significance and Impact Assessment (Prospect Archaeology, Undated)
1.25	Statement of Community Involvement (Pilgrim PR, May 2024)
CD2	Post-Validation Submission Documents and Plans
	<u>18 October 2024</u>
2.1	Butcher Corner Transport Data Results (Connect Consultants, Undated)
2.2	Junctions 9 Report (Connect Consultants, Undated)
	<u>07 April 2025</u>
2.3	Biodiversity Net Gain Report (FPCR, April 2025) (superseded)
2.4	Ecological Impact Assessment (FPCR, April 2025)
2.5	Biodiversity Net Gain Metric (December 2024)
	<u>28 April 2025</u>
2.6	Biodiversity Net Gain Report (FPCR, April 2025) (with Figure 1 Corrected)
	<u>02 July 2025</u>
2.7	Information to Inform a Habitat Regulations Assessment (iHRA) and shadow Appropriate Assessment (sAA) (FPCR, June 2025)
	<u>04 August 2025</u>
2.8	Email to Highway Officer (Connect Consultants, 4 August 2025)
	<u>13 August 2025</u>
2.9	Updated Transport Assessment (Connect Consultants, 5 August 2025)
	<u>15 August 2025</u>
2.10	Archaeological Evaluation (Phase 1) (CFA Archaeology Ltd, November 2023)
2.11	Archaeological Evaluation Phase 2 (WYAS Archaeological Services, January 2024)

	27 August 2025
2.12	Greenspace Masterplan (Whole Site) (ref. 6038-L-01 Rev G)
2.13	Updated Proposed Coloured Site Plan (ref. WBA-SI-XX-DR-A-SK10 Rev P01)
2.14	Noise Impact Assessment (Dragonfly Consulting, August 2025)
2.15	Flood Risk and Drainage Clarification Note (ARP Associates, August 2025)
2.16	Email to Case Officer (Freeths LLP, 27 August 2025)
	27 October 2025
2.17	Agricultural Quality Report (Land Research Associates, 6 October 2025)
	30 October 2025
2.18	Lead Local Flood Authority Response Note (ARP Associates, 30 October 2025)
2.19	Environment Agency Response Note (ARP Associates, 23 October 2025)
	9 December 2025
2.20	Errata Sheet (ARP, 2 December 2025)
CD3	Consultation Responses
3.1	NYC Ecology (16 September 2024)
3.2	NYC Public Rights of Way (26 September 2024)
3.3	NYC Public Rights of Way (26 September 2024)
3.4	Natural England (30 September 2024)
3.5	Natural England Annex A (30 September 2024)
3.6	NYC Conservation Officer (01 October 2024)
3.7	NYC Highways (04 October 2024)
3.8	Yorkshire Water (16 October 2024)
3.9	Yorkshire and Humber Drainage Boards (22 October 2024)
3.10	Humber and North Yorkshire ICB (23 October 2024)
3.11	Lead Local Flood Authority (07 November 2024)
3.12	NYC Highways (01 April 2025)
3.13	Environment Agency (03 April 2025)
3.14	NYC Highways (03 April 2025)
3.15	NYC Ecology (23 April 2025)
3.16	NYC Ecology (12 May 2025)
3.17	NYC Scientific Officer (11 June 2025)
3.18	NYC Ecology (06 July 2025)
3.19	Natural England (17 July 2025)
3.20	Designing Out Crime Officer (16 September 2025)
3.21	Yorkshire and Humber Drainage Boards (16 September 2025)
3.22	Archaeology (22 September 2025)
3.23	Lead Local Flood Authority (23 September 2025)
3.24	Environment Agency (29 September 2025)
3.25	National Highways (02 October 2025)
3.26	National Highways Technical Memorandum (02 October 2025)
3.27	Yorkshire Water (08 October 2025)
3.28	NYC Highways (09 October 2025)
3.29	Committee Update (inc email from Highways) (14 October 2025)
3.30	Environmental Health Officer (14 October 2025)
3.31	Yorkshire Water (14 October 2025)
3.32	Environmental Health Officer (27 October 2025)
3.33	NYC Highways (10 November 2025)
3.34	Housing (Undated)
3.35	Environment Agency (24 November 2025)
3.36	Malton Town Council (18 April 2025)
3.37	Malton Town Council (16 October 2025)
3.38	Malton & Norton Area Partnership (16 October 2025)
3.39	Natural England (28 Nov 2025)

3.40	Lead Local Flood Authority (2 December 2025)
3.41	Application Third Party Comments (Compiled)
3.42	Appeal Interested Party Comments (Compiled)
CD4	The Development Plan / Material Considerations
4.1	The Ryedale Local Plan Strategy (Sept 2013)
4.2	The Ryedale Plan Local Plan Sites Document (June 2019)
4.3	Neighbourhood Plan for Malton and Norton (Made Nov 2024)
4.4	Malton and Norton Policies Map
4.5	National Planning Policy Framework (Dec 2024)
CD5	Other Relevant Documents
5.1	Authority Monitoring Report 2024/25
5.1a	Email from LPA re. Net Completion Figures (2024/25 & 2023/24)
5.2	Authority Monitoring Report 2023/24
5.3	Authority Monitoring Report 2022/23
5.4	Authority Monitoring Report 2021/22
5.5	Authority Monitoring Report 2020/21
5.6	Authority Monitoring Report 2019/20
5.7	North Yorkshire Council's Housing Trajectory April 2025
5.8	North Yorkshire Council's Housing Land Supply Position April 2025
5.9	Conservation Area Appraisal Designation and Management - Historic England Advice Note 1 (Second Edition)
5.10	Historic England 2015 Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment
5.11	The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)
5.12	Statements of Heritage Significance - Analysing Significance in Heritage Assets - Historic England Advice Note 12
5.13	Historic England 2008 Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment
5.14	The Planning (Listed Buildings and Conservation Areas) Act 1990
5.15	Malton Town Council's Appraisal of the Conservation Area (2018)
5.16	Visually Important and Undeveloped Areas Background Paper (October 2017)
5.17	Inspector's Report on Local Plan Sites Document (04 June 2019)
5.18	National Planning Practice Guidance Section 7 - Flood Risk and Coastal Change (Updated on 17 September 2025)
5.19	North Yorkshire Council Local Development Scheme (March 2025)
5.20	Norton Lodge Committee Report (9 December 2025)
5.21	Norton Lodge Yorkshire Water Consultation Response (16 January 2025)
5.22	Section 94 and Section 94A of the Water Industry Act 1991
5.23	Manual for Streets (2007)
5.24	Manual for Streets 2: Wider Application of the Principles (Sept 2010)
5.25	Design Bulletin 32 Residential Roads and Footpaths
5.26	Building Regulations Approved Document B
5.27	North Yorkshire Council Residential Highway Design Guide
5.28	Appellant Transport Proof of Evidence for APP/P0240/W/24/3340777
5.29	NYCC Document Transport Issues & Development - A Guide (2003)
5.30	North Yorkshire Council SuDS Guidance 2022 Update
5.31	Pump plan for Malton, North and Old Malton
5.32	Malton, Norton and Old Malton Flood Study, October 2015
5.33	Highways Adoption Advice Note (August 2022)
5.34	NYC Specification Index (2025)

5.35	Inclusive Mobility - A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure (December 2021)
5.36	National Standards for Sustainable Drainage Systems (SuDS)
5.37	The TRL Junctions 9 (ARCADY and PICADY) User Guide
5.38	Highways Act 1980 Section 137
5.39	The Road Vehicles (Construction and Use) Regulations 1986, Regulation 75
5.40	The Road Vehicles (Construction and Use) Regulations 1986, Regulation 76
CD6	Inquiry Information and Evidence
6.1	Appeal Form
6.2	Appellants Statement of Case (Freeths, 27 August 2025)
6.3	Committee Report (16 October 2025)
6.4	LPA's Statement of Case (North Yorkshire Council, 28 October 2025)
6.5	Signed Statement of Common Ground (Freeths LLP, 31 October 2025)
6.6	Negative Screening Direction (Appeal to the Secretary of State without an ES) (17 October 2025)
6.7	Appellant - Proof of Evidence of Mr Nathan Blick of Cotswold Archaeology (Heritage Impact)
6.8	Appellant - Proof of Evidence of Mr Gary Holliday of FPCR (Landscape and Visual Impact)
6.8a	Appellant - Proof of Evidence of Mr Gary Holliday of FPCR (Landscape and Visual Impact) – Appendices
6.9	Removed
6.10	Appellant - Proof of Evidence of Mr Harry Flexman of Connect Consultants (Highways)
6.11	Appellant - Proof of Evidence of Dr Kevin Tilford of Weetwood Consulting (Drainage)
6.12	Appellant - Proof of Evidence of Mr Paul Brailsford of Freeths LLP (Planning)
6.12a	Appellant - Proof of Evidence of Mr Paul Brailsford of Freeths LLP (Planning) – Appendices
6.13	LPA – Proof of Evidence of Mr Richard Wood (Planning)
6.13a	LPA – Summary Proof of Evidence of Mr Richard Wood (Planning)
6.14	LPA – Proof of Evidence of Ms Niamh Iveson (Highways)
6.14a	Appendix 1 - Adoptable Standards Initial Request
6.14b	Appendix 2 - LinSig33_User_Guide_UK
6.14c	Appendix 3 -DC Plan - Revised Site Layout Plan Showfield Site 14-00427
6.14d	Appendix 4 - 14.00869.FUL Committee Report
6.14e	Appendix 4 - EQUINE HOSPITAL LOCATION PLAN 14-00856
6.14f	Appendix 5 - HSCOG 22183-SK20251204.2
6.14g	Appendix 5 - HSCOG 22183-SK20251211.4
6.14h	Appendix 5 - HSCOG 22183-SK20251211.5
6.15	LPA – Proof of Evidence of Mr Meirion Jones (Drainage)
6.16	LPA – Proof of Evidence of Ms Emma Woodland (Conservation)
6.16a	LPA – Summary Proof of Evidence of Ms Emma Woodland (Conservation)
6.17	Highways Statement of Common Ground
6.18	Noise Statement of Common Ground
6.19	Draft Conditions
6.20	Inspector's Post-CMC Note (12.11.2025)
6.21	Inspector's Pre-Inquiry Note (05.01.2026)
6.22	LPA – Rebuttal - Ms Niamh Iveson (Highways)
6.23	LPA – Rebuttal - Mr Meirion Jones (Drainage)
6.24	Agreed S106 Agreement
6.25	Updated Schedule of Conditions
6.26	Updated Main Statement of Common Ground (January 2026)
6.27	Inspector's Pre-Inquiry Note (09.01.2026)

6.28	Appellant Submission to PINS - Flood Risk and Drainage Evidence
6.29	Inspector's Pre-Inquiry Note (07.01.2026)
CD7	Relevant Appeal Decisions
7.1	Appeal Decision APP/P0240/W/24/3340777 Land North of Biggleswade
7.2	Appeal Decision APP/H2733/W/16/3163007 Farside Road, West Ayton
7.3	Extract of Appeal Decision APP/W0530/W/23/3315611 Cambridge North Station
CD8	Other
8.1	Yorkshire Water FOI Request (Freeths LLP, 14 November 2025)
8.2	Yorkshire Water FOI Response (11 December 2025)

ANNEX C: INQUIRY DOCUMENTS

- INQ01 Appearance List
- INQ02 Appellant's Openings
- INQ03 Council's Openings
- INQ04a Councillor Andrews (Town Councillor) Written Submission
- INQ4b Councillor Andrews Appendix
- INQ05a Note from Mr Thackray 13 January 2026
- INQ05b Mr Thackray Summary Note 7 January 2026
- INQ06a Mr Thackray Air Quality and Cumulative Impacts Written Submission
- INQ06b Mr Thackray Traffic Impacts
- INQ06c WSP Executive Summary Submitted by Mr Thackray
- INQ07a Photo Submitted by Resident (redacted)
- INQ07b Photo Submitted by Resident
- INQ08 Highways Proposed Condition Agreed on 14 January 2026
- INQ09 Highway Inspection Manual
- INQ10 Note on Drainage from Hemingbrough
- INQ11 Hemingbrough Appeal Decision
- INQ12 Pickering Appeal Decision
- INQ13 Site Visit Itinerary
- INQ14 Drainage Technical Note
- INQ15 Yatton Appeal Decision
- INQ16 Drainage Statement of Common Ground
- INQ17 Note from Mr Thackray 27 January 2026
- INQ18 Yorkshire Water Consultation Response
- INQ19 Air Quality Note
- INQ20 Land Ownership Note
- INQ21 Drainage Errata Note
- INQ21a Drainage Errata Note – Annex
- INQ22 Timetable for Closings and Costs
- INQ23 Updated Draft Conditions 26 January 2026
- INQ24 Legal skeleton submissions on Water Industry Act
- INQ25 Updated Draft Conditions 2 February 2026
- INQ26 Closing Submissions on behalf of the Local Planning Authority
- INQ27 Engrossed s106 Agreement
- INQ28 Appellant's Closing Submissions
- INQ29 Inspector's written closing of the Inquiry 12 February 2026

ANNEX D: APPEARANCES

For Commercial Development Projects and Fitzwilliam Trust Corporation

Alison Ogley
Solicitor and Barrister – Freeths LLP

Instructed by the Appellant

She called

Gary Holliday
BA(Hons) MPhil FLI

Senior Director
FPCR Environmental and Design Limited

Nathan Blick
BA MA MCIfA

Principal Heritage Consultant
Cotswold Archaeology

Harry Flexman
MSc(Hons) MCIHT

Technical Director
Connect Consultants

Dr Kevin Tilford
BSc(Hons) MSc(Eng) PhD MBA FCIWEM
CWEM CEnv

Managing Director
Weetwood Services Ltd

Paul Brailsford
LLB(Hons) Dip TP MA MRTPI

Partner and National Head of Planning and
Environment
Freeths LLP

For North Yorkshire Council

Shemuel Sheikh
Barrister, Kings Chambers

Instructed by Kelly Dawson
Solicitor to the Council

He called

Emma Woodland
BA MA

Principal Conservation Officer

Niamh Iveson¹⁷
BSc MIHE

Principal Transport and Development Engineer

Meirion Jones¹⁸
FdSc BSc(Hons)

Team Leader Lead Local Flood Authority

Richard Wood¹⁹
BA(Hons) BPI MBA MRTPI

Director Richard Wood Associates Ltd

Kevin Riley²⁰

Senior Planning Officer

¹⁷ Contributor to discussion on Section 106 Agreement

¹⁸ Not called in light of the Council's revised position following discussions outside the Inquiry

¹⁹ Not called in light of the Council's revised position following discussions outside the Inquiry

²⁰ Contributor to discussion on Planning Conditions (Formal Qualifications not stated)

Interested Persons

Simon Thackray	Local Resident and Malton Town Councillor
Hon. Alderman Councillor Paul Andrews	Malton Town Councillor
Kerry Ennis	Local Resident and Malton Town Councillor
Councillor Caroline Goodrick	Chair Area Planning Committee North Yorkshire Council
Mick Brown	Local Resident