

Parish: Stokesley

Ward: Stokesley

Committee Date: 15 October 2015

Officer dealing: Mr Peter Jones

Target Date: 01 May 2015

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14/02578/OUT

Outline application for the construction of 25 dwellings with all matters reserved excluding access at White House Farm, Stokesley for Northumbrian Land Ltd.

1.0 PROPOSAL AND SITE DESCRIPTION

- 1.1 This outline planning application was deferred at the last meeting of the Committee in order for a site inspection to be carried out and for further consideration of highways issues, specifically an amended access using a roundabout to be shared with an approved housing site on the opposite side of Westlands.
- 1.2 The application seeks outline permission for agricultural land on the western outskirts of Stokesley, to the south of Westlands, to be developed for 25 houses. With the exception of access, all matters are reserved for a later stage of approval (i.e. appearance, layout, scale and landscaping).
- 1.3 On this basis only limited plans have been submitted with the application. However, the application was submitted with the following written submissions:
- Planning Statement
 - Design and Access Statement
 - Highways Statement
 - Affordable Housing Viability Assessment
 - Economic Use Viability Assessment
 - Flood Risk Assessment
 - Ecological Assessment
 - Statement of Community Involvement
 - Preliminary Assessment of Land Contamination
- 1.4 The site is located to the south of Westlands on the western edge of Stokesley. The site is set within open farmland, bounded to the north by Westlands. The site is currently occupied by a range of modern and traditional farm buildings. The buildings are largely abandoned and in a partial state of dereliction. There is a good quality range of traditional brick built, agricultural buildings to north of the site, close to the road frontage.
- 1.5 To the west edge of the site is a tall (6 to 7m) Leyland Cypress hedge. The road boundary is formed by a well maintained hawthorn hedge. Other boundaries are largely open to the fields beyond.
- 1.6 With regard to the potential to use the proposed roundabout to the east of the accessed proposed for this site the applicant has been asked to explore the merit of this option.
- 1.7 The applicant's highway consultant has responded by providing the following comments on the suggested change in access arrangements:

WYG Drawing A067520/ C002a, attached, shows a new priority junction on Westlands to serve SE2. The junction has been designed in accordance with North Yorkshire County Council's (NYCC's) Design Guide for a development of up to 100 homes, in particular the following:

- Carriageway width not less than 5.5m for the first 20m back from the give way line, beyond which 4.8m should be provided.

The access sits within a posted 30mph speed limit, and therefore the principles of Manual for Streets (MfS) apply. The speed limit changes from 30mph to 40mph, a short distance to the west of the junction, and in the absence of traffic data an 85th percentile speed of 37mph has been assumed. Based on MfS a visibility splay of 60m would therefore be appropriate to the left and right of the access. Visibility to the right is in excess of 77m from a 2.4m setback, which reaches the westbound exit from the SH1 roundabout. A visibility splay of over 90m to the left can be provided without needing to take down the existing fence line.

The proposed roundabout to SH1 would also further reduce vehicle speeds on Westlands from the east.

The SE2 junction has been designed in accordance with the relevant design standards and the proposed arrangement, both in terms of its geometrical and visibility parameters, has been agreed by NYCC's highway officers.

A 2.0m footway is to be constructed eastwards along the south side of Westlands from the access junction to the splitter island on the west side of the SH1 roundabout, which is to be used as a crossing point.

There is no footway connection westwards. An independent Stage 1 Road Safety Audit of the proposed access arrangements was undertaken, which has been submitted to Hambleton District Council (HDC) in support of the planning application, and it concluded that the design only required minor amendments which can be dealt with at the detailed design stage.

- 1.8 This issue is examined in paragraph 5.24 below and any further advice from the Highway Authority will be reported to the meeting.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 The site is allocated for employment uses (Class B1) rather than housing within the Council's Local Development Framework. The allocation sets out requirements for the development of the site.

- 2.2 The primary requirement is in terms of the economic use of the site, but it also sets out other more general development requirements, which are:

- (i) Access to the site being taken directly from Westlands;
- (ii) Provision of landscaping at the western and eastern boundaries;
- (iii) Contributions from the developer to local infrastructure (now superseded by the adoption of CIL); and
- (iv) No development other than essential infrastructure and water compatible uses should take place within Flood Zone 3b, as defined within the Environment Agency Flood Maps.

- 2.3 02/01524/OUT - Outline application for the construction of a care home with day centre facilities and 36 apartments for the elderly; Refused 21 November 2002, appeal dismissed 27 October 2003.

- 2.4 11/01300/OUT - Outline application for the construction of up to 213 dwellings, employment use (class B1) up to 2,900 sq. m including means of access; Refused 11 May 2012, appeal part allowed and part dismissed 29 May 2013.

The housing (on the northern side of Westlands) was dismissed and the employment use (on the site of the current application) was allowed. The Council had not objected to the employment development but unlike the Inspector it did not have the power to issue a split decision.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP2 - Access
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP5 - The scale of new housing
Core Strategy Policy CP5A - The scale of new housing by sub-area
Core Strategy Policy CP6 - Distribution of housing
Core Strategy Policy CP8 - Type, size and tenure of housing
Core Strategy Policy CP9 - Affordable housing
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Core Strategy Policy CP18 - Prudent use of natural resources
Core Strategy Policy CP19 - Recreational facilities and amenity open space
Core Strategy Policy CP20 - Design and the reduction of crime
Core Strategy Policy CP21 - Safe response to natural and other forces
Development Policies DP1 - Protecting amenity
Development Policies DP2 - Securing developer contributions
Development Policies DP3 - Site accessibility
Development Policies DP4 - Access for all
Development Policies DP6 - Utilities and infrastructure
Development Policies DP8 - Development Limits
Development Policies DP10 - Form and character of settlements
Development Policies DP13 - Achieving and maintaining the right mix of housing
Development Policies DP15 - Promoting and maintaining affordable housing
Development Policies DP29 - Archaeology
Development Policies DP31 - Protecting natural resources: biodiversity/nature conservation
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
Development Policies DP33 - Landscaping
Development Policies DP34 - Sustainable energy
Development Policies DP36 - Waste
Development Policies DP37 - Open space, sport and recreation
Development Policies DP39 - Recreational links
Development Policies DP43 - Flooding and floodplains
Affordable Housing - Supplementary Planning Guidance - June 2008
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Stokesley Town Council - This council has the following objections to the above application.

- (i) A reason given for changing application from original is the industrial/employment use as stand alone is not viable. This does not automatically mean the site should then be developed as a residential site;
- (ii) Even at outline stage no commitment has been made to affordable housing level;
- (iii) Flooding - the area is considered not to be a flood risk by HDC but the new map clearly shows this would be in a flood risk area;
- (iv) Derelict buildings - much is made of the improvement of the entrance to Stokesley if the development was to go ahead and the existing buildings demolished. If they are dangerous they should be repaired or demolished regardless of any planning application. If the developers are so concerned with as they quote less an eyesore then they should alter the building regardless; and
- (v) Size of development - when added to the existing development on the other side of the road this will mean a development too large re: sustainability of Stokesley and impact on Stokesley's character etc.

4.2 Environment Agency - No objections on grounds of flood risk. Question over the discharge of foul water. The applicant subsequently confirmed that the discharge would be to the mains sewer and on this basis the EA has no objections to the scheme.

4.3 Highway Authority – No objections subject to conditions.

Following the deferral of the application and the submission of further information from the applicant the Highway Authority was re-consulted. The Highways Officer comments: "I would agree with the applicant's submission in that the form of junction proposed is acceptable for the number of dwellings to be served off the proposed junction and the visibility that is being quoted is in line with the current guidance in Manual for Streets.

I can see how Members would consider providing an access from the new roundabout to the site would be a common sense solution however given the submissions supporting the new access as proposed I can't see how this could be insisted on given that an adequate junction is being provided as part of this application."

4.4 Environmental Health Officer - The proposed development will be exposed to high levels of traffic noise. Prior to the commencement of the development a noise survey for the site together with proposals to provide acoustic insulation to the proposed dwellings to achieve suitable noise levels shall be submitted to and approved in writing by the Local Planning Authority. The approved acoustic insulation measures for each dwelling shall be fully installed prior to first occupation of that dwelling and shall thereafter be retained without modification unless otherwise agreed in writing by the Local Planning Authority.

4.5 Drainage Board – comments awaited.

4.6 Northumbrian Water - The developer has made a pre-development enquiry to NWL which we responded to on 22nd February 2011. In this response, we stated that a sewage pumping station which this development discharges to is unable to accept any additional foul flows until upgrade works have been completed. Until this upgrade has been completed, we request the following condition is added to any planning approval:

"No dwelling shall be occupied until works to upgrade a sewage pumping station have been completed. Thereafter a detailed scheme for the disposal of foul water

from the development must be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. The development must then take place in accordance with these approved details."

- 4.7 Network Rail - No observations.
- 4.8 Natural England - No objections.
- 4.9 Police Architectural Liaison Officer - In general the proposed layout is considered to be good in terms of designing out crime. A condition is recommended with regard to security features of the proposed development.
- 4.10 County Archaeologist - No known archaeological constraints.
- 4.11 Local Representations - A total of 50 comments have been received on the scheme with 44 of those objecting. Objections were made on the following grounds:
- Impact on the character of Stokesley
 - No need for additional housing in the area
 - Area is prone to flooding
 - Site was originally allocated for economic uses and not for housing
 - Significant detrimental impacts on local road network
 - Lack of information on affordable housing contribution
 - Lack of marketing of the site for its allocated uses
 - Unsafe access

5.0 OBSERVATIONS

- 5.1 The main issues to be considered in the determination of this application relate to the following matters:
- (i) The principle of housing development on land allocated for employment uses;
 - (ii) Affordable housing provision and housing mix;
 - (iii) Impact on heritage and the character, appearance and visual amenity of the area;
 - (iv) Impact on neighbour amenity;
 - (v) Highway matters;
 - (vi) Impact on protected species;
 - (vii) Sustainable energy;
 - (viii) Land contamination; and
 - (ix) Community engagement

Principle of housing development

- 5.2 The site is allocated in the Local Development Framework for employment uses and not for housing. The site was examined in terms of viability through the earlier appeal for a mixed used housing and economic use which effectively covered this site and the SH2 site to the immediate north of the site. In this appeal the District Valuer was contracted by the Planning Authority to carry out a viability assessment in terms of the proposed economic use. At the time it was established that the proposed economic use was not considered to be viable. From the District Valuer's evidence at the time, he stated "it can be seen that, at a total land value of £148,500, equating to £75,000 per acre, a project loss of £987,857 arises. The loss would be even greater if a developer's profit is factored in. Unless commercial rents and yields improve dramatically, and I have no reason to assume they will in Stokesley, I think it is unlikely that the commercial element will be built". In the assessment of this current application the District Valuers view has again been sought to establish if their

conclusion with regard to viability would have changed in the interim. The District Valuer considers that if anything the economic use of the site is now less viable than it was at the time of the earlier application.

- 5.3 The question remains as to whether or not it is reasonable to effectively switch the allocation from employment uses to housing. Development Policy 17 of the Local Development Framework and paragraph 22 of the NPPF are the key policy considerations in relation to the proposed loss of employment land. The NPPF is clear that policies should avoid the long term protection of sites allocated for employment purposes where there is no reasonable prospect of a site being used for that purpose. Further it states that where there is no reasonable prospect of a site being used for the allocated use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 5.4 DP17 lists four criteria which must be considered in order for employment land to be approved for alternative uses:
- i. The supply and variety of available alternative employment land is sufficient to meet District and local requirements; or
 - ii. Evidence can be provided that no suitable and viable alternative employment use can be found, or is likely to be found in the foreseeable future; or
 - iii. There would be substantial planning benefit in permitting an alternative use, for example in removing a use which creates residential amenity problems such as noise or odours; or
 - iv. Economic benefits to the area would result by allowing redevelopment, for example by facilitating the retention of a business in the area through funding a new site or premises.
- 5.5 The Employment Land Review (GVA 2014) indicates that within the Stokesley functional economic area there is a demand for between 6.6 ha and 10.74 hectares of employment land (B1, B2 and B8). The supply of land is considered to be around 7.5 hectares based on the 6.7 ha at Stokesley Business Park and 0.8 ha at White House Farm. The study concludes that the existing supply available will not meet the identified demand when taken at the upper end of the range. The loss of this site would lead to an undersupply of employment land, based on forecasts at the time, and limit the choice of land available for employment use. Such loss on its own is not consistent with policy. However, whilst this is only one of two sites allocated for employment purposes in the Stokesley Sub Area, the GVA report considers that the site itself is poor performing and other potential sites achieving a higher score, under the site assessment criteria, exist. Information about the availability of other potential sites was based to a large extent on sites put forward for consideration at issues and options stages of the Allocations DPD, and is somewhat out of date.
- 5.6 With regard to criterion ii of DP17 and paragraph 22 of the NPPF, ideally the site should be marketed for employment use for a period of at least 12 months. Applicants are expected to submit details of the marketing campaign, including where the site was marketed, the price, details of any enquiries and offers. However, in this case it was agreed that information on viability would be considered. Giving consideration to the information submitted and presented at appeal (application reference 11/01300/OUT), and the subsequent review by the District Valuer. Both provide information regarding viability of employment use and the prospects of employment use. At appeal the site was considered to be unviable for delivery as a 'stand-alone' site for employment, although that was not a reason for the Inspector to withhold planning permission. Subsequent to the appeal, the Council commissioned GVA to undertake an Employment Land Review. The ELR reviewed the quality of sites against site assessment criteria and considers that the 0.8 hectare site is a

“particularly poor performing existing supply site which is less likely to come forward for employment development”. More recently the District Valuer has concluded that the site’s use for employment purposes is certainly no more viable than it was previously and that this is unlikely to change in the future. As a 'stand-alone' employment site the evidence points to the conclusion that the site is likely to be and remain unviable for employment purposes and that an employment use is unlikely to come forward at this location.

- 5.7 Criterion iii of DP17 seeks that alternative development provides a substantial planning benefit and paragraph 22 of the National Planning Policy Framework states that applications should be treated on their merits having regard to the relative need for different land uses to support sustainable local communities.
- 5.8 The proposed scheme would provide 25 dwellings, in the service centre of Stokesley. The Council’s position on housing supply is of relevance when considering the relative need for housing. At the time of writing the council considers that we have adequate supply of housing over the next five years. However, the development of a site within the development limits of a service centre at this scale would contribute towards the district wide windfall allowance. It should be noted that the requirement of DP17 is that there would be a substantial benefit in permitting another use. To satisfy this requirement and that of paragraph 22 of the NPPF, should the council continue to consider that it has a five year supply, the development should lead to the provision of more homes that are of the size type and tenure, needed within the town and sub area, with particular regard to the delivery of 50 % affordable housing (CP9).
- 5.9 The relative need for uses other than employment and housing has not been assessed by the applicants. The Council's own evidence in addition to pointing to the need to consider future employment allocations within Stokesley points to the need for additional retail development (a mainstream food store in the order of 2,500 – 3,000 sq. m). The site in question was considered as part of the sequential test in relation to a proposed food store at Mill Riggs. The site was considered too small to accommodate the proposed development and this was accepted by the consultants assessing the application on behalf of the council.
- 5.10 In conclusion, it is not necessary that all criteria of DP 17 are met. Paragraph 22 of the NPPF requires the consideration of market signals and the relative need for other uses. Whilst the GVA study indicates demand is forecast to outstrip supply for employment land within the sub area, it does not consider that this particular site will come forward and that it considers there are more attractive sites for employment development in the Stokesley area. The District Valuer, commenting on behalf of the Council, considers that the site is unviable for employment purposes. This element of paragraph 22 and criterion ii of DP17 can be considered to be met. Should the nature of the scheme meet the requirements of CP9 and CP8, and make a valuable contribution towards meeting the needs for particular types and tenure of housing, supporting the existing and planned provision elsewhere within the town, including at SH1, this requirement can be considered to be satisfied.

Affordable housing and housing mix

- 5.11 The site lies within the Stokesley Sub Area where there is a target for 50% affordable housing on residential development sites (unless a viability appraisal evidences that this is not deliverable). The applicant has submitted a viability assessment which suggests that the development would only be able to deliver 30% affordable housing. An independent assessment of the viability of the site has been undertaken by the District Valuer. This suggests that the site is capable of delivering 48% affordable housing.

- 5.12 There has been lengthy discussion between the Authority and the applicant in terms of the points of disagreement in the viability assessment. These relate primarily to the assumed land value and the manner in which that is established. The applicant has used the same methodology as was used for the site to the north of the application site when the 213-dwelling proposal was at appeal. In the final analysis, this established 32% affordable housing provision. It has not been possible to reach an agreed position with regard to the value of the land as a starting point for the viability assessment.
- 5.13 The applicant has now submitted a revised offer of:
- 37.5% affordable housing with a tenure split of 70% social rent/30% intermediate rent; or
 - 40% affordable housing with a 50% social rent/50% intermediate rent tenure split.
- 5.14 To meet local housing needs the affordable housing mix should comprise two and three bedroom houses with a tenure split of 70% social rent and 30% intermediate tenure (unless otherwise evidenced by needs data and also supported in writing by the Registered Provider to whom the properties will be transferred). In addition, the affordable homes should be 'pepper-potted' in at least two areas of the development site in clusters of no more than 6-8 dwellings. The affordable homes would also be required to be provided in accordance with the minimum size and transfer price contained in the Council's Affordable Housing SPD.
- 5.15 The Council is also keen to ensure that all new housing better meets the needs of the population in the light of demographic and lifestyle changes. Census data reveals that the population is ageing and this is increasing year on year. Lifestyle changes have also led to the formation of smaller households and this has also impacted on the type of housing that is needed to sustain communities and support economic growth. There is evidence to support the following market mix on larger market housing sites: 10% two bedroom bungalows, 10% one bedroom & 60% two & three bedroom homes.
- 5.16 The applicant is proposing a mix of predominantly four bedroom market homes but has not provided any evidence to demonstrate how this will meet local needs. A revised mix that includes some smaller market homes has been requested as part of any reserved matters application.
- 5.17 As well as being a high demand area for family housing Stokesley has a relatively high proportion of older people (34% of households are aged 65 plus). Like Hambleton's other service centres it is a popular location for home-owners seeking to downsize and purchase more 'manageable' homes (including 2 bedroom bungalows) on the open market. Provision of some small open market bungalows on the site (10% of the overall open market provision) would improve the housing offer for existing home owners wishing to downsize.
- 5.18 If the outline application is granted it is recommended that appropriate affordable housing and bungalow provision are secured by a S106 planning obligation.

Impact on heritage, character, appearance and visual amenity

- 5.19 The site is essentially an abandoned farm complex, generally in a poor state of repair. Some of the traditional brick buildings are of architectural merit and could be worthy of retention as part of the scheme. The Authority's Conservation Officer considers that the best two buildings could be worthy of Non Designated Heritage Asset status. The applicant was asked to review the condition of these buildings with

a view to retaining them within the scheme. Subsequently they have submitted a structural assessment of the buildings which clearly shows that they are not capable of retention and conversion. Indeed the assessment suggests that two of the buildings are in a dangerous state. On the basis of this evidence, which has been confirmed by an officer's inspection of the buildings, redevelopment is acceptable.

- 5.20 The site is otherwise in open countryside, but subject to the implementation of permission to the north of the site will soon be effectively within the built up residential area on the edge of Stokesley. The rural character of the site would undoubtedly be changed as a result of the proposed residential development of the site. However, the existing buildings are on a large scale and have a significant impact on the character of the area and would not easily lend themselves to the employment uses proposed in the allocation. The applicant is proposing a buffer strip along the road frontage which would enable the site to be carefully landscaped, creating a gradual transition from the urban development form further into Stokesley, to the rural area to the west of the application site. The principle of the development of this site is considered to be acceptable in terms of the character and visual appearance of the area.

Residential amenity

- 5.21 The proposed development would have no impact on any current residential amenity as the site has no direct neighbours. The proposed development to the north of the road is likely to have some form of frontage development. However, the separation distances are such that the proposed development would have no impact in amenity terms.
- 5.22 Concerns have been raised by the Environmental Health Officer with regard to the noise impact on future residents due to the close relationship to the road frontage. The applicant has included the provision of a landscape buffer in order to mitigate this impact. The Environmental Health Officer has recommended a condition requiring a mitigation strategy.
The development of this site for housing is considered to be acceptable both in terms of the residential amenity of existing and proposed housing.

Highway matters

- 5.23 The Highway Authority has identified a number of areas of concern particularly in relation to the proximity of the proposed roundabout, servicing the site to the north and the relationship of the local footpath networks which would require a pedestrian to cross a number of the arms of the roundabout in order to access the footpath. The applicant was asked to address these issues through a road safety audit. This was submitted and the Highway Authority confirmed it was satisfied that the scheme could be recommended subject to conditions.
- 5.24 The applicant's highway consultant has provided further justification for the proposed access arrangements, as set out in paragraph 1.7 above, and any further comments made by the Highway Authority will be reported to the meeting. However, it is important to note the following facts:
- The allocations for this site and site SH1 on the opposite side of Westlands did not envisage or require a shared access;
 - The application site does not extend far enough east to reach the approved roundabout junction for site SH1;
 - Even if it did, the approved roundabout access for site SH1 would need to be redesigned with a fourth leg and the possible addition of further land; and

- The alternative of moving the roundabout west would require a very significant change to the layout of site SH1, which is now subject to an application for approval of reserved matters for up to 183 dwellings (excluding access, which was approved at the outline stage).

In view of the foregoing, and without any requirement for an amended access by the Highway Authority, it is not considered necessary to seek this change, which would not only affect delivery of this site but also up to 183 dwellings on site SH1.

Land contamination

- 5.25 No significant issues of land contamination have been identified and the Environmental Health Officer has raised no concerns about the proposed development in these terms.

Community engagement

- 5.26 Hambleton District Council published a Statement of Community Involvement (SCI) document titled 'Getting Involved in Planning Applications'. This encourages developers to undertake pre-application discussions with both the local authority and relevant stakeholders. Page 3 states that the Council will encourage applicants of major development to carry out an appropriate level of consultation with the community reflecting the nature and scale of the proposed development.
- 5.27 The Council states that developers should not only consult the local community but acknowledge any comments or responses they receive and decide whether to make changes to their plans before they submit their planning applications.
- 5.28 A leaflet drop was undertaken on Wednesday 3rd December to notify local residents of the forthcoming consultation event; A Public exhibition was held on Thursday 11th December 2014, representatives of the team and Northumbrian Land attended and discussed the proposals with local residents; A questionnaire was made available for completion at the exhibition in addition to the publication of a consultation email address for those wishing to respond via email; A copy of the pre-application submission and leaflet was also made available to the Parish Council ahead of their meeting on 9th December.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations and a suitable Section 106 agreement to deliver an appropriate affordable housing provision and housing types the application is **GRANTED** subject to the following conditions:
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 all of the development hereby approved shall be begun before the expiry of whichever is the later of the following: i) Three 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. The development shall not be commenced until details of the following 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 means of access to the site; (c) the landscaping of the site.

3. The permission hereby granted shall not be undertaken other than in complete accordance with the Site Location Plan received on 18 December 2014 and drawing numbered C002-A received (proposed access junction) on 18 December 2014 by Hambleton District Council unless otherwise approved in writing by the Local Planning Authority.
4. No development shall take place above foundation level until details relating to boundary walls, fences and other means of enclosure for all parts of the development have been submitted to and approved in writing by the Local Planning Authority.
5. No dwelling shall be occupied until its associated boundary walls, fences, hedgerows or other means of enclosure associated with it have been constructed in accordance with the submitted details approved in accordance with Condition 4 above. All boundary walls, fences, hedgerows and other means of enclosure shall be retained and no part thereof shall be removed without the prior written consent of the Local Planning Authority.
6. Prior to development commencing detailed cross sections 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. The levels shall relate to a fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form.
7. The development hereby approved shall not be commenced until details of the foul sewage and surface water disposal facilities have been submitted and approved in writing by the Local Planning Authority.
8. The site shall be developed with separate systems of drainage for foul and surface water.
9. No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.
10. Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to the completion of the approved foul drainage works.
11. No development shall be commenced until an assessment of the risks posed by contamination, carried out in line with the Environment Agency's Model Procedures for the Management of Land Contamination CLR11, has been submitted to and approved by the Local Planning Authority. A scheme for the remediation of any contamination shall be submitted and approved by the Local Planning Authority before any development occurs. The development shall not be occupied until the approved remediation scheme has been implemented and a verification report detailing all works carried out has been submitted to and approved in writing by the Local Planning Authority.
12. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any subsequent Order, the garage(s) shall not be converted into a habitable room(s) without the express written approval of the Local Planning Authority.
13. Prior to the commencement of development above foundation level, a detailed scheme to incorporate energy efficiency and / or renewable energy measures within

the design-build which meet not less than 10% of the building's energy demand shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved details.

14. Prior to the development commencing details that show how 'Secured by Design' principles have been incorporated into the scheme shall be submitted for the written approval of the Local Planning Authority and once approved the development shall be implemented in accordance with the approved 'Secured by Design' details prior to occupation or use of any part of the development hereby approved.
15. The development shall not be commenced until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs, has been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless those elements of the approved scheme situate within the curtilage of that dwelling have been implemented. Any trees or plants which within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species.
16. The development shall not be commenced until the protective fencing has been erected in accordance with the approved plans and no existing trees shall be topped, lopped, felled or uprooted, materials stored, machines or huts stationed or temporary site roads and accesses constructed other than in complete accordance with the plan approved by the Local Planning Authority under conditions 15 above.
17. Prior to the commencement of development a Construction Management Plan including details of hours of operation and delivery times, methods of controlling noise and dust, details of lorry routes to and from the site and site security measures during the construction period, shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details.
18. No external lighting shall be installed other than in complete accordance with a scheme that has previously been approved in writing by the Local Planning Authority.
19. No development shall commence until works to upgrade the local sewage pumping station have been completed. Thereafter a detailed scheme for the disposal of foul water from the development must be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. The development must then take place in accordance with these approved details.

The reasons for the above conditions are:

1. To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To enable the Local Planning Authority to properly assess these aspects of the proposal, which are considered to be of particular importance, before the development is commenced.
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 Development Plan Policies DP32.
4. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings.

5. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings.
6. To ensure that the development is appropriate to environment in terms of amenity and drainage in accordance with Policies DP1 and DP31 of the adopted Hambleton Local Development Framework.
7. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43
8. To ensure that the development can be properly drained to prevent pollution of the water environment in accordance with Policy DP31 of the adopted Hambleton Local Development Framework.
9. To ensure that the development can be properly drained to prevent pollution of the water environment in accordance with Policy DP31 of the adopted Hambleton Local Development Framework.
10. To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal to prevent pollution of the water environment or flooding in accordance with Policy DP31 of the adopted Hambleton Local Development Framework.
11. In order to take proper account of the risks to the health and safety of the local population, builders and the environment and address these risks and in accordance with Hambleton Local Development Framework Policy CP21.
12. To ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity the development.
13. In order to minimise energy demand, improve energy efficiency and promote energy generated from renewable resources in accordance with policy DP34 of the Hambleton Local Development Framework.
14. In the interest of community safety, to reduce the fear of crime and to prevent, crime and disorder in accordance with the provisions of Section 17 of the Crime and Disorder Act 1998
15. In order to soften the visual appearance of the development and provide any appropriate screening.
16. To safeguard the visual amenity of neighbourhood by ensuring the retention of existing trees.
17. To protect the amenity of nearby residents and to accord with Policies CP1 and DP1 of the adopted Hambleton Local Development Framework.
18. In order that the Local Planning Authority can consider the impact of the proposed lighting scheme and avoid environmental pollution.
19. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43