

**Parish: Newton-on-Ouse**  
**Ward: Easingwold**  
**4**

Committee Date: 27 April 2017  
Officer dealing: Mr T Wood  
Target Date: 13 September 2016

**16/02127/FUL**

**Construction of 3 dwellings and associated works (revision to planning application 16/01540/FUL)**

**At land to the south of Bravener Court, Newton on Ouse**  
**For Mrs Toni Johnston**

**Consideration of this application was deferred at the meeting of 5 January 2017 for further assessment of the impact on protected species and to seek a reduction of the height of the building on Plot 1**

**1.0 SITE, CONTEXT AND PROPOSAL**

- 1.1 The application site is a field to the east of Back Lane, Newton-on-Ouse to the south of Bravener Court and opposite the junction with Sills Lane. The site is fronted by a highway verge some parts of which are used at times for parking. The verge varies in width from 3m to 8m with a hedgerow fronting the site and a number of trees on the verge and within the application site. To the south of the site is a pond which relates to historical pits and filled ground and allotment gardens.
- 1.2 The application proposes three dwellings served by a single access point which currently is a field access. Plot 1 is located to the south of the site with Plot 3 located closest to Bravener Court. Plots 1 and 2 are proposed to be four bedroom, two-storey houses, although of different designs whereas Plot 3 is proposed as a three bedroom dormer bungalow.
- 1.3 The application proposes to fell two of the wild cherry trees that are within the field to allow the development to be built.
- 1.4 Amended plans were received on 24 November 2016 making the following amendments:

Plot 1 - The garage portion has now been aligned to the rear gable so reducing the overall depth of the house - allowing roof configurations to be rationalised - affording also a better plot placement in relation to the garden space around the footprint.

Plot 2 - The hall between the house and garage has been removed reducing the width of the house and the overall plot width - this adjustment giving more room for Plot 3.

Plot 3 - The adjustment to the width of Plot 2 has allowed the relocation of the Plot 3 dormer bungalow such that it is now clear of the boundary tree canopy and has more garden space around the footprint

Boundary Treatment - now notes the enhancement of the front boundary hedge also the provision of a new enclosing hedgerow (native species) around the plots
- 1.5 Further amendments were made following the deferral of the application at the Planning Committee meeting on 5 January 2017 to reduce the height of Plot 1 and on 10 February 2017 to include a proposal for hibernacula within the south west corner of Plot 1 that will provide shelter for Great Crested Newts that may be displaced by the removal of other rubble that will be removed from the site during construction of the dwellings.

- 1.6 Additional details have been prepared to show the ridge heights of properties on the west side of Back Lane by both the applicants and neighbours in an attempt to show the relationship of the proposals to neighbouring dwellings. The initial drawings were based on estimation of heights of the dwellings on the west side of Back Lane, following criticism that the agents drawings contained incorrect heights a measured survey has been undertaken. The final streetscape drawings were received on 20<sup>th</sup> March 2017 and have been the subject of re-consultation to neighbours.
- 1.7 The application is also supported by a Design and Access Statement, Planning Statement, Heritage Statement, Flood Risk Assessment, Landscape Statement, Preliminary Assessment of Land Contamination, Sustainability Statement, Tree Survey and Ecological Assessment.
- 1.8 The application site is outside the Conservation Area and the village does not have Development Limits. Newton-on-Ouse is classed as an Other Settlement in the settlement hierarchy. However Linton-on-Ouse & Newton-on-Ouse are a quoted example of cluster villages within the Council's adopted Interim Planning Guidance.

## **2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 16/00901/HYB - Hybrid application for: Site A full planning application for the construction of a four bedroom dwellinghouse and Site B outline planning application for the construction of up to 4 additional dwellinghouses (all matters reserved); Withdrawn 26 May 2016.

- 2.2 16/01540/FUL - Construction of four dwellings with associated access, parking and landscaping; Refused 11 October 2016 for the following reason:

The proposed development by reason of its impact on trees, punctuation of the grass verge with new accesses, the proximity to the front boundary, in particular Plot 1, and the lack of garden space and the design of the dwellings would be out of keeping with the character of the area.

- 2.3 16/00009/TPO2 – Tree Preservation Order relating to trees and the hedge on the site frontage; Confirmed 3 October 2016.

## **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 CP8 - Type, size and tenure of housing  
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets  
Core Strategy Policy CP17 - Promoting high quality design  
Core Strategy Policy CP21 - Safe response to natural and other forces  
Development Policies DP1 - Protecting amenity  
Development Policies DP3 - Site accessibility  
Development Policies DP4 - Access for all  
Development Policies DP8 - Development Limits  
Development Policies DP9 - Development outside Development Limits  
Development Policies DP10 - Form and character of settlements  
Development Policies DP13 – Achieving and maintaining the right mix  
Development Policies DP30 - Protecting the character and appearance of the countryside  
Development Policies DP31 - Protecting natural resources: biodiversity/nature conservation

Development Policies DP32 - General design  
Development Policies DP33 - Landscaping  
Development Policies DP34 - Sustainable energy  
Development Policies DP36 - Waste  
Interim Guidance Note - adopted by Council on 7th April 2015  
National Planning Policy Framework - published 27 March 2012

## **4.0 CONSULTATIONS**

- 4.1 Newton on Ouse Parish Council – Whilst the Parish Council welcomes a method statement it notes that this has not been assessed by Natural England and therefore does not provide Hambleton District Council with the reassurance that the method statement is sufficient to ensure the viability of this protected species. The Parish Council's strong recommendation is that the applicant has a licence from Natural England for HDC to be satisfied on the method statement. This is in accordance with planning guidance and an established principal following a judicial review (the details of which Newton on Ouse Parish Council have previously submitted).

The Parish Council maintains its objection on the scale of the property and also the lack of reassurance around the protection of the newts.

The following text is reproduced from the earlier consultation responses:

Does not object in principle to additional houses in the village but objected to the application as originally proposed for the following reasons:

### **Landscape**

- Welcomes changes to the planning application reducing the number of dwellings to three and retaining one access route rather than several.
- Remains concerned that there is no S.106 agreement in place to ensure the retention of the hedge running along Back Lane on the boundary of the planning application.
- This hedge an important wildlife corridor for great crested newts but it also forms part of a continuous hedge screen running from the entrance to Bravener Court to the end of Back Lane.
- Wish to see the management, size and species composition (native species) of the hedge secured into the future by a S.106 Agreement. The Parish Council also wishes to see conditions in any planning permission protecting the verge, trees and hedge from significant damage during the construction phase.

### **Access and parking**

- Concerned that parking provision within the application site is insufficient for the number of vehicles likely to be present.
- Wishes to see sufficient parking space provided on the application site by reducing the number of bedrooms in Plot 3.
- Access to the development site along Back Lane is narrow; the road is untreated when icy and in some sections is of poor quality with pot holes.
- Construction traffic will cause significant damage to the road, pose a risk to walkers and cyclists that regularly use the road and cause noise disturbance in the early morning and evening.
- Wishes to see restrictions placed during the construction phase to mitigate these concerns.
- The Parish Council maintains its concerns that the road has limited capacity to support a significant number of additional cars.

- There remains some uncertainty about the right of access to the proposed site, with the Parish Council maintaining that verge belongs to the Parish Council.

### **Design of building in planning application A**

- The 'look and feel' of the proposed development, despite the helpful reductions already submitted, appears to be out of kilter with the 'street scene' and ambience of the neighbourhood.
- The Parish Council wish to see a reduction in scale of plot 3 in keeping with nearby 2-storey houses and rooflights used where dormer windows impact the character along Back Lane.
- It would have been helpful for the planning application to include an artistic impression of the development with a 'pedestrian view' from Back Lane to aid decision making.

### **Wildlife and European protected species**

- Having reviewed the great crested newt survey we wish to see a method statement providing a thorough survey, impact assessment, construction methodology, compensation and post development commitments.
- The routing of surface water via the soakaways may also affect both the quality and quantity of water reaching the pond and this will need further assessment.
- Would like to see all necessary mitigation secured and underpinned by a S.106 Agreement prior to the application being considered. Several species of bat also make use of the local environment and it is important that this is recognised.

### **Wider development**

- Extremely concerned with the possibility of wider development of the field which has the potential for many more properties and would inevitably affect both the character of the village and impact on the population of great crested newts.
- The Council is also disappointed that there will be no affordable housing in the current plans.

4.2 The Parish Council recognises that the amended plans have made some significant changes to the application and comments that the overall headings of its previous observations and concerns remain valid. There are still concerns about the potential environmental damage; the houses still look out of keeping with the general ambience of Back Lane; and, more specifically, the vehicular access, turning spaces and parking areas appear inadequate and inappropriately designed for the number of vehicles likely to use the site. The Parish Council also objects due to the lack of a mitigation plan for the Great Crested Newts and the lack of Section 106 planning obligation to commit the applicant to managing the hedge and any important habitat for the newts.

4.3 The following specific comments are made in response to the amended plans:

#### **Great Crested Newts**

Welcome the mitigation proposals of two refugia adjacent to the pond. Note the absence of a licence from Natural England. The issuing of a licence would reassure Hambleton District Council that the mitigation proposals are to the standard required by Natural England to safeguard the population of Great Crested Newts. The environment of the great crested newts is fragile and a secure management plan is

needed to mitigate these risks and this will need to be in place from the very beginning of any eventual construction work.

(Officer Note: See additional commentary under the heading “Ecology” later in this report.)

### **Planning elevation**

Concerns remain around the limited parking arrangements illustrated on the plans, and around safety issues in general along Back Lane and at the junction with Sills Lane. Above all, however, concerns remain about the impact of the proposed dwellings on the character of Back Lane. These have been expressed with clarity and insight by local resident Anthony Scott and the Parish Council endorses his concerns. There appears to be a significant difference between the street scene of the applicant and that of the residents who are objecting. Both street scenes have been prepared by qualified architects. Hambleton District Council must be satisfied of the accuracy of one of the assessments.

(Officer Note: See additional commentary under the heading “The Character of the area” later in this report.)

4.4 Highway Authority - No objection to the proposal subject to conditions. Advises that the verge on Back Lane is considered to be part of the highway maintained at the public expense but it is not owned by the County Council.

4.5 Ministry of Defence - No safeguarding objection.

4.6 Yorkshire Wildlife Trust – No comment received.

(Officer Note: The Trust raised no objection to planning application 16/01540/FUL and the submitted Great Crested Newt (GCN) survey was considered to be acceptable for that proposal. The Trust advised that as long as a licence is obtained from Natural England before the development went ahead and all the mitigation is put in place there should not be an impact on GCN. It also advised that the developer should maximise the amount of semi-natural habitat suitable for wildlife and connect up hedgerows and field margins as much as possible. It is assumed that, had the Trust commented on the current application, it would have said the same.)

4.7 Environmental Health Officer (contaminated land) – No objection subject to a condition.

4.8 Yorkshire Water - No objection. Consideration should firstly be given to discharge to soakaway, infiltration system and watercourse. A water supply can be provided.

4.9 Public comment - There are 79 letters of objection (many residents have written more than once). The objections are on the following grounds:

- The proposal is contrary to the Interim Planning Guidance and policies;
- Lack of facilities in Newton-on-Ouse;
- Precedent for other plots purchased for housing from Land and Property Bank;
- The long term future of the RAF base is uncertain and should it be discontinued there would be a surplus of housing stock should no alternative use be found for the site;
- No benefit to the local community;
- The design and size of the proposed development does not conform to the character and appearance of the area;
- New dwellings should be restricted to a single storey;

- Plot 1 is oversized compared with existing houses along Back Lane;
- Impact on the existing residents of Back Lane and Bravener Court, including overlooking and loss of privacy;
- Back Lane is narrow and cannot cope with traffic; it is clearly marked as 'Unsuitable for Motor Vehicles'; the access is unsafe and the proposal would make it more dangerous for pedestrians and the increasing number of cyclists using Back Lane as part of a dedicated cycle route;
- Impact on trees which are an integral part of the landscape;
- Impact on the War Memorial;
- Impact on the verges and the current use for vehicles parking there; deliveries to the proposed properties would mean more parked vehicles obstructing Back Lane and Sills Lane; and
- Impact on protected species, wildlife and habitats, including hedgehogs, bats and great crested newts.
- A licence from Natural England should be secured before a decision is made on the application
- A number of trees would be lost to the new proposed development.
- There are question marks over the ownership of the grass verges on Back Lane.
- The access point is for agricultural use only.
- There is no footpath at all, beyond Sills Lane, endangering adults, children and animals, who enjoy the tranquillity and peace that it affords villagers and visitors.
- The additional traffic that the proposed development would bring, to an already busy village

## 5.0 OBSERVATIONS

- 5.1 The key determining issues for the planning application are (i) the principle of development; (ii) the impact on the character of the area; (iii) the impact on residential amenity; (iv) access arrangements; (v) impact on trees and the Tree Preservation Order; and (vi) ecology.

### Principle

- 5.2 Newton-on-Ouse has no Development Limits and the village is defined within the updated settlement hierarchy as an Other Settlement. It is therefore a location where Development Plan policies, specifically CP4, only allow development in exceptional circumstances. None of the exceptions allowed by Policy CP4 are claimed and so the proposal is contrary to the Development Plan. However, it is necessary to consider the impact of the National Planning Policy Framework (NPPF) published in March 2012. Paragraph 55 of the NPPF states:

"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances".

- 5.3 To ensure appropriate consistent interpretation of the NPPF alongside Policies CP4 and DP9, on 7 April 2015 the Council adopted Interim Policy Guidance (IPG) relating to Settlement Hierarchy and Housing Development in the Rural Areas. This guidance is intended to bridge the gap between CP4/DP9 and the NPPF and relates to residential development within villages. The IPG has brought in some changes and details how Hambleton District Council will now consider development in and around

smaller settlements and has included an updated Settlement Hierarchy and this is considered below.

- 5.4 The IPG states that the Council will support small-scale housing development in villages "where it contributes towards achieving sustainable development by maintaining or enhancing the vitality of the local community and where it meets all of the following criteria:
1. Development should be located where it will support local services including services in a village nearby.
  2. Development must be small in scale, reflecting the existing built form and character of the village.
  3. Development must not have a detrimental impact on the natural, built and historic environment.
  4. Development should have no detrimental impact on the open character and appearance of the surrounding countryside or lead to the coalescence of settlements.
  5. Development must be capable of being accommodated within the capacity of existing or planned infrastructure.
  6. Development must conform with all other relevant LDF policies."
- 5.5 As Newton-on-Ouse is an Other Settlement in the current Settlement Hierarchy, to satisfy criterion 1 of the IPG the proposed development must provide support to local services including services in a village nearby. The IPG indicates that in order to be sustainable, and therefore appropriate for development, an Other Settlement must be capable of clustering with either a Service Village or a Secondary Village or with one or more Other Settlements that would jointly provide the necessary supporting services and facilities. In all cases, the settlements in question should be no more than approximately 2km apart and without significant barriers such as rivers between them. The IPG identifies Newton-on-Ouse and Linton-on-Ouse as an example of clustered villages. It therefore recognises that the two villages share a sufficient level of services and facilities to be a sustainable community. The supporting Planning Statement concurs, noting that the proposed development would be located where it can support local services in Newton and nearby Linton-on-Ouse. Overall, whilst the lack of facilities in Newton-on-Ouse is noted, given that the village forms a sustainable cluster the development is supported by the IPG in principle. The proposal is therefore considered to meet criterion 1 of the IPG.

#### The character of the area

- 5.6 The IPG advises that small scale development normally constitutes five or fewer dwellings. There have been no other applications within Newton-on-Ouse that have been considered under the remit of the IPG and considering the size and character of the village the proposal could be considered as a small-scale development. Noting the concerns of residents, the application site is not located in the Green Belt and any proposal for further development of the field would need to be considered on its merits, including the cumulative impact of development. It is therefore not considered that the proposal would set a precedent for further development. The proposal is therefore considered to be small in scale, the first part of the requirements of criterion 2 of the IPG, in the context of the village.
- 5.7 The area is a mix of property styles and character with modern development (e.g. Bravener Court) being a mix of two-storey and single-storey properties. Properties on Sills Lane and further south on Back Lane are close to the back of the highway with small back gardens. Further there are also large outbuildings and garages fronting Back Lane to the south. A different character exists on Cherry Tree Avenue where dwellings are predominantly older and larger.

- 5.8 The application proposes three new dwellings which present three properties of differing scale and proportions. The smallest being Plot 3, closest to Bravener Court and the largest being Plot 1 on the southern boundary. Whilst being a larger property, Plot 1 would be in keeping with larger properties found on Back Lane and elsewhere in the village but is larger than the bungalows on Back Lane and in Bravener Court.
- 5.9 Drawings of the street scene of the proposal overlaid with the details of the properties opposite the site have been prepared. An extended topographic survey has been supplied with an updated street scene drawing. This additional information will allow a more accurate comparison to be made of the heights of the proposed and existing dwellings and an informed decision on the matter of the appropriate ridge heights for the new dwellings.
- 5.10 The agent explains that the survey has revealed higher ground levels for Braeside and Oak Tree (on the west side of Back Lane) than on the proposed site as well as lower ridge levels than those previously interpolated. The agent also explains: "The streetscape projection should be seen as an aid to judging relative scale but the proposals should be considered with an appreciation of what would be the actual experience on the ground given that there is a curvature to Back Lane and that the screening hedgerow and the verge trees in front of the proposed dwellings would soften the visual impression of their presence."
- 5.11 The previous reason for refusal related to the proximity of dwellings to the front boundary, in particular Plot 1, and the lack of garden space and that the design of the dwellings would be out of keeping with the character of the area.
- 5.12 The proposal, by reducing the numbers and amending the design, has improved the spacing within the site and the amendments have reduced the physical impact of the proposal's physical bulk and mass.
- 5.13 The information in the table details the height of the proposed dwellings and nearby dwellings. It can be seen that the proposed dwellings on all plots would be higher from ground to ridge height than the nearby dwellings with the difference in heights in the range of 1.1m to 1.5m, except for Plot 3 that would be 0.2m lower than White Rose Cottage albeit 1.69m higher than Fieldings Barn.
- 5.14 The reason for deferral relating to the height of Plot 1 has been addressed by the applicant; the height has been reduced from 7.815m to 7.665m
- 5.15 In considering the height reference is made to the surrounding dwellings. Those nearby vary in height; the nearest dwellings excluding those on Bravener Court are (from the north) Braeside, Oak Tree House, Fieldings Barn, and further to the south but closer to Back Lane than Fieldings Barn, is White Rose Cottage. Height may be considered as height from ground to eaves, ground to ridge and absolute height above a datum. The proposed dwellings from the north are Plots 3, 2, and 1. This information is presented as follows.

**Table 1: heights of dwellings, application site and Back Lane**

All heights in metres taken from drawing (05) 15 A	Ground to eaves	Ground to ridge	Ridge height above datum
Plot 3	3.385	6.082	26.58
Plot 2	4.971	8.130	28.63



Plot 1	4.875	7.665	28.17
Braeside	2.280	4.720	25.43
Oak Tree House	3.150	6.360	27.09
Fieldings Barn	4.820	6.090	26.48
White Rose Cottage	3.980	7.890	28.02

Plot 1 was shown with a ground to ridge height of 7.815 prior to the amendment to the proposal.

- 5.16 The proposal now has more reasonable space around the dwellings and would retain the hedgerow at the front of the site. It would also use the existing tarmac access and therefore there would be no need for a further punctuation of the highway verge. It is considered that the proposal offers a more generous layout than the previous scheme and would not harm the character of the area.
- 5.17 The war memorial is to the north of the application site and with the alterations to the position of the dwelling within plot 3 it is considered the proposal would not harm the significance of the memorial. Overall, for the reasons expressed above, it is considered that the proposal has addressed the reason for refusal of the previous scheme and would be in keeping with the character of the area.

#### Residential amenity

- 5.18 The previous decision (16/01540/FUL) did not raise the issue of residential amenity as a reason for refusal. Nonetheless, the relationship is noted with the properties on Bravener Court. The proposal would maintain a separation of at least 21m between Plot 3 and 20 Bravener Court with other properties further away. Further, the use of a dormer bungalow on Plot 3 reduces the bulk and mass and impact of the proposed dwelling. The use of landscaping and hedgerows would, over time, lessen the impact of the proposed dwellings further.
- 5.19 It is considered that the separation distance is therefore sufficient to maintain appropriate privacy to existing and future residential occupiers.

#### Access

- 5.20 The proposal would utilise an existing access from Back Lane with improvements including hard surfacing. It is noted that the reasons for refusal of the previous scheme did not include lack of car parking. The comments of the Highway Authority are also noted.
- 5.21 The application includes garaging and space in front of the garages. Excluding the garage space there would be 2 spaces for plots 2 and 3, and 4 spaces for Plot 1. Additional parking would be available within the site as the access road is wide enough to accommodate informal parking. There would be sufficient space for parking within each plot.
- 5.22 The proposal includes an appropriate level of parking and therefore it is considered that it would be acceptable in this respect. The details of the scheme do not preclude a continuation of the use of the grass verge on Back Lane for parking.

#### Impact on trees, hedgerow and the Tree Preservation Order

- 5.23 The proposal would result in the loss of two of the smaller Wild Cherry trees which lie within the site to the rear of the hedgerow, which would be enhanced by additional planting. The trees were included in the Tree Preservation Order as part of a group in recognition of their contribution to the character of the area but the two trees proposed to be removed are not in themselves identified as being significant. With the proposed new planting to the rear boundaries, which would lessen the impact of the proposal, and an enhanced hedgerow planting to Back Lane, it is considered that the proposed loss of these two small trees would not be significant to the character of the area and the Tree Preservation Order should continue in force to protect the remainder of the trees. The loss of the two small Wild Cherry trees is therefore not considered to be significant and the proposal is considered to be acceptable subject to adequate landscape planting.

### Ecology

- 5.24 The applicant has submitted an ecological report noting that presence of Great Crested Newts (GCN) could have major impacts on the viability of the site for development and subsequently commissioned a GCN survey. GCN are fully protected through The Conservation of Habitats and Species Regulations 2010 as a European Protected Species (EPS). They also receive protection through inclusion in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).
- 5.25 The survey revealed that a small GCN population is present at the pond near the site, therefore any development of the site would need to be undertaken under the terms of a licence from Natural England. The precise terms of granting or not granting the licence are a consideration for Natural England. The submitted GCN survey, which is agreed by the Yorkshire Wildlife Trust, states that the pond is sufficiently distant from the application site for the impact on the species to be considered low. Development could not start unless the licence was granted but there is no evidence that harm to habitats would occur from the development.
- 5.26 The application has been amended to include the provision of two hibernacula within plot 1 (on drawing 01 Rev E) to compensate for the loss of an area of ground within the application site that may be used as a hibernaculum. The proposal has been detailed in a Great Crested New Mitigation and Compensation Habitat Management Plan. As such in accordance with case law, the application forms a suitable basis for the decision to be made. The matter of a licence falls outside the scope of the planning system but must be obtained to comply with the law relating to protected species. Whilst the comments of the Parish Council are noted, a planning obligation is not necessary to manage the ecology of the site; the requirements can be dealt with through appropriate planning conditions.

### **RECOMMENDATION**

- 6.1 That subject to any outstanding consultations the planning application is **GRANTED** subject to the following conditions:
1. The development hereby permitted shall be begun within three years of the date of this permission.
  2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered 4048-(05)01 Rev D, 4048-(05)11 Rev B, 4053-(05)12 Rev C, and 4053-(05)13 Rev B received by Hambleton District Council on 22 and 28 September 2016 as amended by plans received on 24 November 2016 and 4048 (05) 14 Rev B received 20 March 2017.
  3. No above ground construction work shall be undertaken until details and samples of the materials to be used in the construction of the external surfaces of the

development have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.

4. Prior to the commencement of development details of surface and foul water drainage shall be submitted to and agreed in writing by the Local Planning Authority.
5. The ground and finished floor levels shall be constructed in accordance with the details of drawing 4048 (05) 14 Rev B and thereafter be retained in the approved form.
6. No site clearance, removal of hedgerows or other development that involves work to the site shall commence until a mitigation strategy and Natural England licence requirements for Great Crested Newts have agreed. The mitigation measures submitted to and approved in writing by the Local Planning Authority and shall be implemented prior to the commencement of the demolition or other development that involves work to the structures. Thereafter the mitigation measures shall be retained in accordance with the approved scheme.
7. Prior to their installation details of bat and bird boxes shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be installed prior to the first occupation of the dwelling and retained thereafter.
8. The development shall not be commenced until a detailed landscaping scheme indicating the type, height, species and location of all new trees, hedges and shrubs, has been submitted to and approved by the Local Planning Authority. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. 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.
9. There shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the accesses to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the existing access shall be improved by reconstructing in accordance with the approved details and Standard Detail number E6Var and the final surfacing of any private access within 2 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing public highway. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
10. The proposed garage and parking areas shall be laid out in a permeable material in accordance with plan reference 4048-(05)01 Rev D. Prior to the first occupation of the dwelling, the parking areas shall be made available for the parking and manoeuvring of motor vehicles. The areas shall be retained for such purpose at all times thereafter.
11. Unless otherwise approved in writing by the Local Planning Authority, there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until details of the routes to be used by HCV construction traffic have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved routes shall be used by all vehicles connected with construction on the site.
12. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any subsequent Order, the garage(s) shall not be

converted into domestic accommodation without the granting of an appropriate planning permission.

13. There shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of: (a) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway; (b) on-site materials storage area capable of accommodating all materials required for the operation of the site; and (c) details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site. The approved details shall be kept available for their intended use at all times that construction works are in operation.

The reasons are:

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. 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 CP17 and DP32.
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 CP17 and DP32.
4. To ensure that the site is adequately drained and does not result in flooding elsewhere.
5. To ensure that the development is appropriate to landscape context in accordance with the Hambleton Local Development Framework Policies CP1, CP4, CP16 and DP30.
6. In order to prevent harm to habitat of protected species and to secure the implementation of mitigation measures submitted in the Ecological Assessment as part of the application and in accordance with Local Development Framework Policies CP16 and DP31.
7. In order to prevent harm to habitat of protected species and to secure the implementation of mitigation measures submitted in the Ecological Assessment as part of the application and in accordance with Local Development Framework Policies CP16 and DP31.
8. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with Hambleton District Wide Local Development Framework Policy DP30, DP31 and DP33.
9. In accordance with Policy CP2 and DP4 and in the interests of highway safety.
10. To ensure that there is adequate provision of parking and turning areas within the site.
11. In the interests of highway safety and the general amenity of the area.
12. To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

13. To provide for appropriate on-site vehicle parking and storage facilities and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

#### Informatives

1. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, the following bins and recycling box conforming to European Standard EN840 should be provided by the developer for the exclusive use of the occupants of that dwelling:

1 x 240 litre black wheeled bin for general waste  
1 x 240 litre black wheeled bin with a blue lid for mixed household recycling; and  
1 x 55 litre blue recycling box for glass bottles and jars.

In order to guarantee EN840 compliance the Council will only collect from bins and boxes sourced from its own Neighbourhood Services.

If the developer does not pay for bins and boxes, each new resident will be required to pay for them. In the event that no payment is made, the Council will not collect waste and recycling from the dwelling concerned.

Further details of the Council's Waste and Recycling Collection Policy and the charges for bins and boxes is available at [www.hambleton.gov.uk](http://www.hambleton.gov.uk) or by telephoning 01609 779977.

2. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in the planning conditions.