

**Parish: Low Worsall**  
Ward: Appleton Wiske & Smeatons  
**5**

Committee date: 25 May 2017  
Officer dealing: Mr Kevin Ayrton  
Target date: 28 April 2017

**16/02674/FUL**

**Five detached dwellings with garages, associated works and provision of public open space**

**At land south of Manor Close and east of Village Road, Low Worsall  
For Mr A Hamilton, Three Developments Ltd.**

**This application is referred to Planning Committee as the proposal is a departure from the Development Plan**

**1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 The application site is located in the village of Low Worsall, at the northern edge of the District, close to the boundary of the Borough of Stockton-on-Tees. Low Worsall is relatively close to the market town of Yarm. The centre of Yarm is approximately 4.5 km away and can be accessed via a roadside (B1264) footway, which also links to a cluster of services and facilities located approximately 3 km away.
- 1.2 The site is located on the southern edge of the main built up area of the village, to the south of Manor Close, which is a relatively modern cul-de-sac of low density, one and two storey detached dwellings. There is an existing un-made access off Manor Drive that serves the application site. It consists of a small field of unmanaged land.
- 1.3 To the west of the application site are the rear gardens of properties along Village Road, with a large mature hedgerow along the boundary. The southern boundary runs parallel with a line of trees and a mature hedge, which adjoins the B1264. Located to the east of the site is the Ship Inn public house and associated car park to the rear. The public house forms a small cluster of buildings with a dis-used car garage (with associated accommodation) and All Saints Church.
- 1.4 The application site is 0.74 hectares in size and forms part of a wider field that is in the ownership of the applicant. It is rectangular in shape extending along the rear gardens of properties along Manor Close. The application site also includes the access off Manor Close.
- 1.5 The proposal is for five, one and a half storey detached dwellings, comprising a mix of three, four and five-bedroom dwellings. The scheme includes a play area set in a landscaped area of open space. The applicant has confirmed that the play area and communal areas would be maintained through a management company. They have also confirmed that the play area would be available for the use of the general public and as such would provide public open space for the wider use of the community. A link is proposed to the existing footpath to the east of the site, which runs parallel with the boundary.
- 1.6 The existing access from Manor Close would be upgraded to provide a 4.5 metre wide road, with a 2 metre wide footway. Additional works are also proposed as part of a minor realignment to the Manor Close carriageway in order to provide the required visibility splays.
- 1.7 During the consideration of the application amended plans were submitted, which included the following changes:
  - Drainage basin removed following revisions to the proposed drainage details;

- Public open space and play area relocated, with re-siting of three of the dwellings; and
- Amendment of one dwelling from five to three bedrooms.

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

2.1 There is no relevant planning history for the application site. However, a recent appeal decision relating to the Ship Service Station is of relevance. This related to application 16/00556/FUL (extensions and alterations to garage buildings to form a dwelling); Refused 24 June 2016, Appeal allowed 18 November 2016. In determining the appeal, the inspector considered the sustainability of Low Worsall and concluded:

“Given that the proposal is for a single dwelling and the availability of services and facilities in Low Worsall and Yarm and the options for more sustainable travel modes to be used, I do not consider that the proposal would give rise to significant harm in respect of additional travel by private car. I have considered that the distances to the nearest shop and school exceeds the distance set out in the IPG, but on the balance of evidence before me, I consider that the appeal site has convenient access to them and is sufficiently close to the services and facilities in Low Worsall and those in Yarm. Consequently, I consider that the appeal site to be in a sustainable location in terms of the IPG and paragraph 55 of the Framework.”

## **3.0 RELEVANT PLANNING POLICIES**

3.1 The relevant policies are:

Core Policy CP1 - Sustainable development  
 Core Policy CP2 - Access  
 Core Policy CP4 - Settlement hierarchy  
 Core Policy CP8 – Type, size and tenure of housing  
 Core Policy CP16 – Protecting and enhancing natural and man-made assets  
 Core Policy CP17 – Promote high quality design  
 Core Policy CP19 – Recreation Facilities and Amenity Open Space  
 Core Policy CP21 – Safe response to natural and other forces  
 Development Policy DP1 - Protecting amenity  
 Development Policy DP3 – Site Accessibility  
 Development Policy DP4 - Access for all  
 Development Policy DP10 – Form and character of settlements  
 Development Policy DP13 – Achieving and maintaining the right mix of housing  
 Development Policy DP30 – Protecting the character and appearance of the countryside  
 Development Policy DP31 – Protecting natural resources: biodiversity/nature conservation  
 Development Policy DP32 – General Design  
 Development Policy DP37 – Open Space, sport and recreation  
 Supplementary Planning Document – Size, type and tenure of new homes  
 Interim Policy Guidance Note – adopted by Council on 7th April 2015  
 National Planning Policy Framework - published 27 March 2012  
 National Planning Practice Guidance

## **4.0 CONSULTATIONS**

4.1 Environmental Health Officer - No objection subject to a condition.

4.2 NYCC Archaeology - The proposed development lies within an area of archaeological interest and potential. A scheme of archaeological evaluation should

be undertaken to identify and describe the nature and significance of any surviving archaeological remains within the proposed development area. Requests that this evaluation is undertaken before the application is determined.

- 4.3 Ramblers Association - No objection.
- 4.4 Northumbrian Water - Requests a condition to secure a detailed scheme for the disposal of foul and surface water.
- 4.5 Highway Authority - Works will be required in Manor Close to provide the required visibility at the access point. These will involve widening the footway either side of the proposed driveway and altering the kerb line on the opposite side of the road and a reduction in the verge width on the northern side of Manor Close. A condition is requested to achieve this.
- 4.6 Parish Council - Concern was initially raised as to the accuracy of the planning statement. The applicant/agent subsequently attended a Parish Meeting where the scheme was discussed and provided additional information in an attempt to address the Parish Council's initial comments. As a consequence several of the Parish Council's concerns were addressed, other than the following:
- A request for a temporary construction access to the site directly from the B1264;
  - The school bus is not available to the public (i.e. students only);
  - CIL money should be spent on improving the footpath link to Yarm; and
  - It is essential that the road and footpath within the development are adopted.

Whilst the above comments have been made, the Parish Council does not consider it is in a position (due to Councillor resignations and a Councillor being overseas) to take a decision to support or oppose the application.

- 4.7 Public Comments - 31 objections have been received, summarised as follows:
- Local infrastructure cannot support the development;
  - Increase in traffic in the vicinity of the application site;
  - Road safety implications;
  - The development will set a precedent for further development in the area;
  - Building work will cause a lot of noise and disturbance;
  - Drainage issues on the site;
  - Detrimental impact on population of Great Crested Newts and proposed mitigation is not suitable;
  - The only bus available is the School Bus to Northallerton - a bus service from Yarm should be provided;
  - Sewerage capacity is not available;
  - No need for new housing in the village;
  - Occupiers of the new development will not pay for the play area in perpetuity;
  - Use of the Village Hall has been overstated in the supporting information;
  - Proposal fails to meet Hambleton District Council's policy requirements including the IPG and Policy CP4;
  - Loss of open fields;
  - Safety issues;
  - Poor broadband in the area; and
  - The scheme makes no provision for renewable energy.

Four letters of support have also been received, summarised as follows:

- The field is too small for agriculture and would be better used for housing;

- Access is adequate for this number of homes;
- Yarm is nearby and has all the necessary local amenities;
- Development of new housing in Low Worsall is sustainable;
- The development will support local services; and
- The proposed development is of a high quality.

## 5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of development in this location; (ii) the impact on the character and appearance of the surrounding area; (iii) the impact on the amenity of neighbouring occupiers; (iv) the impact on ecology; (v) the impact on flood risk and drainage; (vi) highway safety; (vii) archaeology; (viii) size, type and tenure of housing; and (ix) the proposed play area.

### Principle

- 5.2 Low Worsall does not have any Development Limits as identified in the Local Development Framework (LDF). Therefore development is only considered acceptable under LDF policies in exceptional circumstances, set out in Policy CP4. The applicant does not claim any of the exceptional circumstances and, as such, the proposal would be a departure from the Development Plan. However, it is also necessary to consider more recent national policy in the form 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 consistent interpretation of the NPPF alongside Policies CP4 and DP9, the Council adopted Interim Policy Guidance (IPG) relating to Settlement Hierarchy and Housing Development in the Rural Areas. This guidance bridges the gap between CP4/DP9 and the NPPF and relates to residential development within villages.
- 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 In the Settlement Hierarchy reproduced in the IPG Low Worsall is identified as an Other Settlement. This status recognises its relatively limited range of services and facilities. Therefore the IPG states that it would need to form a cluster with a

Secondary or Service Village or one or more Other Settlements in order to constitute a sustainable community.

- 5.6 The nearest settlement is Yarm, which is located within Stockton Borough. This would be the equivalent of a Service Centre in terms of the range of services provided. Yarm's main centre is located over 4km away from the application site. However, there is a local shopping centre at the southern edge of Yarm, which is located just over 3km away. There are also other services and facilities including a railway station and school, located a similar distance away. These are all accessible by a surfaced footway from Low Worsall.
- 5.7 The IPG notes that in order to form a sustainable community, a village must be clustered with one or more other settlements where there are no significant distances or barriers between them. The IPG defines "significant distance" as approximately 2km. Whilst Yarm is not a Service Village or Secondary Village, its (equivalent) status as a Service Centre indicated that it is more preferable in terms of its provision of services available to Low Worsall. However, the distances between Low Worsall and many of the services in Yarm exceed the 2km distance in the IPG.
- 5.8 Whilst the requirements of the guidance distance are not met, the recent appeal decision relating to the Ship Service Station is an important consideration. The inspector recognised that the distances set out in the IPG were exceeded, but was still content that the appeal site (which is close to the application site) had convenient access to the services and facilities in Yarm allowing it to be considered a sustainable location in the terms of the IPG and paragraph 55 of the NPPF.
- 5.9 As the appeal decision was recently made, it is considered unlikely that a second inspector would reach a different conclusion on this matter. Therefore it is concluded, for the purposes of consistent decision-making, that Low Worsall should be viewed as a sustainable location in conjunction with Yarm.

#### Character and appearance

- 5.10 IPG criterion 2 requires development to be small scale. The guidance expands on this definition as being normally up to five dwellings; however this does not automatically mean that five dwellings would be appropriate in every settlement or on every site. In this instance five dwellings are proposed in a village of some 80 dwellings, an approximate 6% growth. The site relates well to the built form and character of this part of the village, with existing residential development on two sides. Whilst set to the rear of dwellings, the site has its own access and the proposed layout is not considered to constitute backland or tandem development.
- 5.11 To date the only dwelling approved under the IPG was that allowed at appeal at the Ship Service Station, which involved the conversion and extension of an existing building, thereby limiting its physical impact. As such, there is limited cumulative impact on the character of the village and the scale is considered to be acceptable.
- 5.12 With regard to the impact on the rural landscape, the site relates well to the existing village and is viewed in the same context. Whilst the site is currently a small field of unmanaged land, it is not viewed in the same context as the wider countryside to the south, due largely to the existing landscape and physical separation by the B1264. Therefore the impact on the rural landscape will not be significant. This view is formed on the basis that a large proportion of the wider site would remain undeveloped, retaining a substantial buffer between the site and the B1264.
- 5.13 The proposed dwellings are similar in design to those already on Manor Close, albeit slightly more contemporary. Their scale and form is largely traditional with the use of accommodation in the roof space to reduce ridge heights. When combined with the

proposed landscaping and spacing between the buildings, the proposed design is considered to be respectful of its context and is in accordance with design policy requirements.

#### Neighbour amenity

- 5.14 Whilst there are residential properties to the north and west of the site, these all have large back gardens, which adjoin the site. The proposed low density of development allows for generous separation distances. When combined with the scale of development, with the dwellings having their upper floor within the roof, the proposed development would not unacceptably affect the amenity of neighbours and so accords with Policy DP1

#### Ecology

- 5.15 Public comments have raised concern that the proposed development would have an adverse impact on Great Crested Newts, which are a protected species. The NPPF and Development Policy DP31 relate to the conservation and enhancement of the natural environment. Planning permission should not be granted for development which would cause significant harm to sites and habitat for nature conservation, together with species that are protected or under threat.
- 5.16 The application has been supported by an Ecological Appraisal and Great Crested Newt Survey. The level of information submitted is considered to be proportionate to the nature and scale of development in accordance with the advice of the national Planning Practice Guidance. The surveys identified that whilst there are no ponds within the application site, there are two ponds present within a private garden approximately 20m from the site. Surveys of both ponds recorded a moderate population of Great Crested Newts.
- 5.17 It is recognised that the proposed development would result in an impact to an area of habitat; and harm and/or disturbance to Great Crested Newts during their terrestrial phase. In order to address the above impacts, the report identifies the following mitigation and compensation:
- Development on site would require a licence from Natural England prior to commencement;
  - This licensing would include fencing of the development with amphibian proof fencing and then the movement of newts from the construction area over a 30 day period; and
  - A new habitat area would be created within the landholding of the owner to provide compensation for the scheme, and encourage newts to colonise a new area of land.
- 5.18 Full details are set out in the Great Crested Newt Survey and the habitat area can be dealt with in an Ecological Management Plan, which could be secured by condition. The report concludes that the proposed development, as well as the associated mitigation and compensation proposals, would result in a net benefit to Great Crested Newts in the local area. Therefore the proposed development is considered to accord with the requirements of Development Policy 31 and the NPPF.

#### Flood risk and drainage

- 5.19 The site is located in Flood Zone 1 (lowest probability of flooding). The supporting flood risk assessment and drainage strategy confirms that there are no significant sources of flood risk at the site, and provides confidence that a suitable drainage strategy can be achieved. This can be secured by condition.

### Highway safety

- 5.20 The Highway Authority has not raised any objection, on the basis that a condition is attached to secure the works required to Manor Close in order to achieve the necessary visibility splays.

### Archaeology

- 5.21 The application has been supported by a desk-based heritage assessment, which focuses on archaeology at the site. The report and its findings have been further informed by a geophysical survey, and undertaken in accordance with requirements of the NPPF and the national Planning Practice Guidance.
- 5.22 The assessment has identified the potential for sub-surface archaeological remains of later prehistoric or Romano-British date to be present within this development area. In order to make an informed planning decision and understand whether the development is likely to impact on such remains, the report confirms that field trenching will be required, and recommends that this can be secured by condition. The report concludes that the proposed development would not have any construction or operational impact on the designated heritage assets (including archaeology) within the study area.
- 5.23 North Yorkshire County Council Heritage Services has expressed a preference for trial trenching prior to determination of the application, as without it there is a risk that the applicant could be exposed to unexpected and unquantified archaeological and related costs. The applicant is aware of this risk and is content for the matter to be controlled through condition. The applicant has already commissioned a significant amount of work to gain a better understanding of the archaeological potential of the site and whilst that has not removed all risk, the use of a condition to secure trial trenching and archaeological investigation prior to development is considered proportionate.

### Size, type and tenure of housing

- 5.24 The proposal is for a mix of three, four and five-bedroom dwellings. Core Policy CP8 states that proposals for housing must take appropriate account of local housing needs in terms of size, type and tenure and Development Policy DP13 requires housebuilders to work collaboratively with the Council to determine the appropriate mix and type of housing on each site. This is expanded upon in the Council's Size, Type and Tenure of New Homes Supplementary Planning Document, which identifies an aim to deliver more two and three-bedroom market homes. To help deliver this, the document sets out a target mix of dwelling sizes on open market sites of 25 or more dwellings. However, for smaller sites, there is no specific target mix but policies CP8 and DP13 still require a mix that addresses local need.
- 5.25 The proposal has been amended to provide a more varied mix and to better reflect local housing need by replacing a five-bedroom dwelling with a three-bedroom dwelling. The applicant has also submitted justification for the mix against the policy requirements of policy DP13. This highlights the requirement of the Hambleton Strategic Housing Market Assessment (SHMA – Jan 2016), which identifies a need for two and three-bedroom units, but also “a notable level of continued need for larger family properties arising from existing growing households and those migrating into the District”.
- 5.26 The wording of SHMA requires the provision of two and three-bedroom properties. The provision of one three-bedroom dwelling does not necessarily address this and no clear evidence has been submitted to suggest that two-bedroom properties are not needed locally. However, the requirements of this policy need to be balanced

against all other considerations. The inclusion of the play area as public open space (discussed further below) which is not a direct policy requirement for the proposed development is a significant consideration and in this instance is considered to outweigh the degree of conflict with CP8 and DP13.

### Play Area

- 5.27 The scheme includes a play area, which would be maintained through a management company funded by the occupants of the proposed dwellings. This also covers the management of the communal areas within the site. The applicant has advised that the approximate cost per dwelling would not be onerous and the evidence submitted supports this view.
- 5.28 The applicant states that the open space within the centre of the village is private land and neither the landowner nor the community is willing to fund the necessary public liability insurance for a play area in this existing area. This leads them to conclude that the provision of this facility for the benefit of the community is an important material consideration.
- 5.29 There is no specific policy requirement for the provision of the play area. However there has been no local objection to its provision. The applicant has confirmed that he is happy to accept a condition requiring its retention in perpetuity. This is therefore viewed as a community benefit in the overall planning balance.

## **6.0 RECOMMENDATION**

- 6.1 That subject to any outstanding consultations permission 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. Prior to development commencing, details and samples of the materials to be used in the construction of the external surfaces of the development shall be made available on the application site for inspection and the Local Planning Authority shall be advised that the materials are on site and the materials shall be approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.
  3. 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. The dwellings shall not 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 application site 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.
  4. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered SD/10/01/C, SD/10/02/C, SD/40/01/B received by Hambleton District Council on 17/02/2017, drawing(s) numbered SD/30/01, SD/30/03, SD/30/04, SD/30/05 received by Hambleton District Council on 09/12/17, and drawing numbered SD/30/02 received by Hambleton District Council on 10/04/2017 unless otherwise approved in writing by the Local Planning Authority.
  5. (A) No demolition/development shall take place/commence until a Written Scheme of Archaeological 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 including: (i) The proper identification and evaluation of the extent, character and significance of archaeological remains within the application area; and (ii) an assessment of the impact of the proposed development on the archaeological significance of the remains; (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.

(B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under part (A).

(C) The development shall not 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 part (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

6. There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.
7. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements: (i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority; and (ii) The crossing of the footway shall be constructed in accordance with the approved details. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
8. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works until: (i) The details of the following off site required highway improvement works, works listed below have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority: (a) A scheme to provide visibility splays from the access onto Manor Close in accordance with the recommendations within the Transport Statement (2.4m by 25m to the west and 2.4m by 18m to the east); (ii) An independent Stage 2 Road Safety Audit for the agreed off site highway works has been carried out in accordance with HD19/15 - Road Safety Audit or any superseding regulations and the recommendations of the Audit have been addressed in the proposed works; and (iii) A programme for the completion of the proposed works has been submitted to and approved writing by the Local Planning Authority in consultation with the Local Highway Authority.

9. Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority, the development shall not be brought into use until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority under condition number 8: A scheme to provide visibility splays from the access onto Manor Close in accordance with the recommendations within the Transport Statement (2.4m by 25m to the west and 2.4m by 18m to the east).
10. Unless otherwise approved in writing by the Local Planning Authority, there shall be no HGVs brought onto the site until a survey recording the condition of the existing highway has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority. Details shall be submitted to the Local Planning Authority in consultation with the Highway Authority to ensure that any damage that is caused by the vehicles associated with the project is rectified at the expense of the developer within a reasonable timescale prescribed by the Highway Authority. Once the details are agreed they shall be adhered to during the construction phase of the development.
11. No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing no SD-10.01 Rev C. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
12. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.
13. Unless approved otherwise 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 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; and (b) on-site materials storage area capable of accommodating all materials required for the operation of the site. The approved areas shall be kept available for their intended use at all times that construction works are in operation.
14. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.
15. The development shall not be commenced until an Ecological Management Plan (EMP) has been submitted to, and approved in writing, by the local planning authority. The EMP shall include the recommendations (including the compensation strategy) set out in section H of the Great Crested Newt Survey, November 2016, prepared by E3 Ecology Ltd, and received by Hambleton District Council on 31 January 2017.

16. The Avoidance and Mitigation Strategy detailed in Section G on pages 28-29 of the Ecological Appraisal, November 2016, prepared by E3 Ecology Ltd, shall be adhered to.
17. 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.
18. The development shall not be commenced until full details of the proposed public open space and associated play area, including the arrangements for public access and future maintenance, have been submitted to and approved in writing by the Local Planning Authority. The public open space and associated play area shall be provided in accordance with the approved details prior to the occupation of the dwellings and thereafter retained in perpetuity in accordance with the approved details.

The reasons for the above conditions 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. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole in accordance with Hambleton Local Development Framework Policy CP17.
3. In order to soften the visual appearance of the development and preserve the character and appearance of the Conservation Area in accordance with LDF Policies CP16, DP28 and DP30.
4. 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.
5. This condition is imposed in accordance with Section 12 of the NPPF as the site is of archaeological interest.
6. In accordance with policy DP3 and in the interests of highway safety.
7. In accordance with policy DP3 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
8. In accordance with policy DP3 and to ensure that the details are satisfactory in the interests of the safety and convenience of highway users.
9. In accordance with policy DP3 and in the interests of the safety and convenience of highway users.
10. In accordance with policy DP3 and in the interests of highway safety and the general amenity of the area.

11. In accordance with policy DP3 and 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.
12. In accordance with policy DP3 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
13. In accordance with policy DP3 and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.
14. To prevent the increased risk of flooding from any sources in accordance with the NPPF.
15. To ensure that the proposed development will not significantly impact on protected species in accordance with Local Development Framework Policies CP16 and DP31.
16. To ensure that the proposed development will not significantly impact on protected species in accordance with Local Development Framework Policies CP16 and DP31.
17. 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 in accordance with Hambleton Local Development Framework CP21 and DP42.
18. To ensure that the proposed facilities are provided and retained for the benefit of the public in accordance with Local Development Framework Policies DP32 and DP37.

#### Informative

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 Hambleton District Council - Waste and Streetscene.

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.