

Parish: Burneston

Ward: Bedale

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20/02420/FUL

Committee Date: 29 July 2021

Officer dealing: Mr A Cotton

Target Date: 18 January 2021

**Proposed Construction of 9 Dwellings and Associated Infrastructure
At: OS Field 9021 Cross Lane Burneston North Yorkshire
For: Mulberry Homes Yorkshire**

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

1.0 Site description and proposal

- 1.1 The site lies on the eastern side of the village of Burneston to the rear of the residential development at St Lamberts Drive. The land is currently agricultural and covers an area of approximately 0.3 hectares. Access would be taken from the tarmaced head of St Lambert Drive.
- 1.2 The application seeks permission for the erection of 9no. two storey residential dwellings and associated infrastructure. The proposal would result in a mix of 2, 3 and 4 bed homes, each with private external amenity areas and in-curtilage parking.
- 1.3 4 of the 9 proposed units (40.4%) would be for affordable rent.
- 1.4 The site forms part of an emerging allocation within Hambleton's Draft Local Plan under allocation BUR1: St Lambert Drive which is allocated for a total of 25 dwellings.
- 1.5 Amended plans and ecological survey were submitted during the lifetime of the application.

2.0 Planning and enforcement history

- 2.1 None relevant to this application site.

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 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 CP21 - Safe response to natural and other forces

Development Policies DP1 - Protecting amenity

Development Policies DP4 - Access for all
Development Policies DP9 - Development outside Development Limits
Development Policies DP15 - Promoting and maintaining affordable housing
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 DP34 - Sustainable energy
Development Policies DP43 - Flooding and floodplains
Interim Guidance Note - adopted by Council on 7th April 2015
Hambleton emerging Local Plan was considered at Examination in Public during Oct-Nov2020. Further details are available at <https://www.hambleton.gov.uk/localplan/site/index.php>. The Local Planning Authority may give weight to relevant policies in an emerging plan as advised in paragraph 48 of the NPPF.
Emerging Allocation BUR1: St Lamberts Drive, Burneston
National Planning Policy Framework

4.0 Consultations

- 4.1 Parish Council – No comments received
- 4.2 Highway Authority – Conditions recommended
- 4.3 Yorkshire Water – No objections subject to condition
- 4.4 MOD - No safeguarding objections
- 4.5 HDC Environmental Health Officer - This service has considered the potential impact on amenity and likelihood of the development to cause a nuisance and consider that there will be no negative impact. Therefore the Environmental Health Service has no objections.
- 4.6 Street naming and numbering - Yes an application would be required.
- 4.7 Rural Housing Officer - This proposal is providing 44% affordable contribution in the form of 4 x 2 bed homes, which is welcomed in a parish offering limited move on or smaller accommodation. A 70%/30% tenure split should be provided.
- 4.8 NYCC Heritage Services - The proposal will have a localised impact on part of the medieval field system but will not destroy it in its entirety. The local authority should take into account the value of the ridge and furrow, which is a non-designated heritage asset, when forming its planning decision (NPPF para. 197).
- 4.9 Site notice/local residents – 15 letters of objection have been received from a local resident raising the following concerns:
 - Capacity of the local sewage network;
 - Unfair to determine planning applications during pandemic;
 - Lack of adequate parking and access on St Lamberts Drive;

- Site is greenfield and should not be developed/brownfield site should be prioritised;
- Loss of habitat and impacts upon biodiversity;
- Impact upon conservation area;
- Impact upon neighbouring bungalows;
- Construction impacts from traffic/noise etc;
- Surface water run off concerns;
- Impacts on neighbourhood visual amenity;
- Insufficient amenities within the locality; and
- No community benefits of the scheme;

5.0 Analysis

- 5.1 The main issues for consideration in this case relate to; i) the principle of development; ii) form, character and design; iii) affordable housing; iv) heritage and archaeology; v) residential amenity; vi) highway safety; vii) trees and ecology and; viii) flood risk and drainage.

Principle of development

- 5.2 The site falls outside of Development Limits of Burneston, which is defined in Policy CP4 of the Core Strategy as a Secondary Village. Policy DP9 states that development will only be granted for development "in exceptional circumstances". The applicant does not claim any of the exceptional circumstances identified in Policy CP4 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 NPPF. Paragraph 79 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 The NPPF identifies some special circumstances that are consistent with those set out in Policy CP4, with the addition of "the exceptional quality or innovative nature of the design of the dwelling". None of these exceptions are claimed by the applicant.
- 5.4 To ensure appropriate consistent interpretation of the NPPF alongside Policies CP4 and DP9, the Council has 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.
- 5.5 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.

5.6 In the 2014 settlement hierarchy contained within the IPG, Burneston is still defined as a Secondary Village and therefore a sustainable settlement; within the IPG small scale development adjacent to the main built form of the settlement "will be supported where it results in incremental and organic growth". To satisfy criterion 1 of the IPG the proposed development must provide support to local services including services in a village nearby. The site lies relatively close to the centre of Burneston which has facilities including a school and a pub. Criterion 1 would be satisfied.

5.7 Additionally, and as mentioned earlier, the site forms part of emerging allocation BUR1: St Lamberts Drive, Burneston in the draft Local Plan. The allocation makes provision for 25 dwellings in total. While the draft Local Plan is not yet adopted, it is at an advanced stage and as such the policies and allocations therein, attracting weight as set out in paragraph 48 of the NPPF and as such can form material considerations in planning applications. It is not considered that the partial delivery of the site through this application would not prejudice the outcome of the plan and as such refusal on the grounds of prematurity could not be justified.

5.8 It is noted that the application site is partially within and partially outside of the emerging allocation boundary BUR1. While the emerging allocation is a material consideration, given the plans advanced stage, the applicant is seeking permission through the current LDF and the councils IPG and as such is not wholly reliant on the emerging allocation for policy support. The proposed development extends beyond the scope of the allocation. The applicant advises that this is in part to enable a more effective layout, owing to the narrow width of the allocation.

5.9 Therefore, on balance while the allocation in the draft Local Plan adds further support to the principle of development of the site for residential use, as stated above, the proposed development is considered acceptable under the currently adopted LDF and IPG.

Form, character and design

- 5.10 It is important to consider the likely impact of the proposed development with particular regard to criteria 2, 3 and 4 of the IPG. The proposed dwellings would be on undeveloped agricultural land that lies at the end of St Lamberts Drive. The following detailed advice within the IPG is considered to be relevant:

"Proposals will be assessed for their impact on the form and character of a settlement. Consideration should be given to the built form of a settlement, its historical evolution and its logical future growth and how the proposal relates to this."

"Any detrimental impact on the character, appearance and environmental quality of the surrounding area should be avoided and development should not compromise the open and rural character of the countryside."

- 5.11 The area around Burneston is characterised by rolling farmland and mature trees which contribute to its setting. The proposed development would extend the built part of Burneston into the countryside. The application site is clearly open countryside but lies adjacent to the village and has a close relationship to the built form of the village resulting in a natural expansion of the settlement. Additionally, the matter that the site is an emerging allocation (notwithstanding the additional land take beyond the allocation) means the council has considered the sites location to the existing built form as suitably related to the settlement. Criteria 2, 3 and 4 are satisfied.
- 5.12 The proposed dwellings are two storey and of a relatively traditional design, utilising a simple palette of materials which reference the locality. The design of the dwellings creates a legible architectural style and rhythm within the site with simple details to the fenestration and a brick dental course a common feature across the three property types.
- 5.13 Landscaping often helps new dwellings integrate into their setting. While some details of landscaping are included with this submission, it is considered that a condition requiring fully detailed landscaping proposals to be submitted and approved in writing by the Local Planning Authority would be appropriate in this instance.

Affordable housing

- 5.14 LDF Policy CP9 requires development in locations such as this, of two or more dwellings to provide a 40% proportion of affordable homes. The November 2014 Ministerial Statement removed this requirement by seeking to exclude developments of ten or fewer dwellings from the requirement to include any affordable housing but allows Councils to adjust the threshold in designated rural areas to seek financial contributions towards affordable housing for sites of 6 to 10 dwellings. This Council has adopted the lower threshold in designated rural areas, which includes the parish of Burneston, and it therefore would apply in this case. It is also acknowledged that the emerging local plan requires a provision of 30% affordable housing. The current policy requirement in this location would be 40% of the transfer value on 4 units.

- 5.15 The development proposals seek to provide 4 of the units on site as affordable homes, which represents 44.4% of the total development. This level of contribution goes well beyond the policy requirement in this case. The Council's rural housing officer has reviewed the proposal and has welcomed the affordable provision, particularly the provision of 2 bed units which are needed in this parish. The quantity of affordable housing proposed is therefore in accordance with Policy CP9 of the Core Strategy.
- 5.16 The applicant has been approached with a view to the inclusion of bungalows within the scheme. The applicant's position is that the proposals result in a marginal viability as they stand and that the inclusion of any bungalows would result in a scheme that is not viable.
- 5.17 Through the submission of amended plans the housing units meet the Nationally Described Space Standards (NDSS).
- 5.18 The application proposals would secure an appropriate mix of housing and quantity of affordable housing and would be consistent with the NPPF and Policies CP8 and CP9 of the adopted Core Strategy and the Size, Type & Tenure SPD.

Heritage and Archaeology

- 5.19 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an Authority's planning function special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. The National Planning Policy Framework at paras 195 and 196 requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset. Any identified harm to the significance of the Conservation Area must be given great weight in the determination of the application. Identified harm can only be off-set by public benefits of the development.
- 5.20 The proposed development is not within the Burneston Conservation Area (CA), but the western boundary of the application site is within approximately 50 metres of the CA. The site is part of the network of open fields to the east of the settlement of Burneston and is mainly screened from views within the CA. Glimpsed views of the site are possible from the northern part of the CA close to St Lamberts Drive when looking towards the east. The site itself makes no significant contribution to the character of the CA. Additionally, the proposed development would be buffered from the CA by existing development at the eastern end of St. Lamberts Drive which itself lies outside of the CA.
- 5.21 Given the above the proposed development would be seen in the context of the contemporary housing on St Lamberts Drive, and is not immediately adjacent to the CA, the development is considered to result in no harm to the character, appearance and setting of the CA.
- 5.22 The application site is located approximately 150m to the Listed Burneston Hall, thus has no direct relationship or impact on the Listed asset.

- 5.23 It is noted in emerging allocation BUR1 of which this site is part, the site contains well preserved remains of part of a medieval ridge and furrow field system. NYCC principal Archaeologist has reviewed the proposal and noted the field system is fairly extensive and runs in a continuous block on the eastern edge of the village. The ridge and furrow is a heritage asset in its own right and is certainly of local interest in that it forms part of the setting of the Conservation Area at Burneston which is also medieval in character. It is further noted that in the Principal Archaeologist's view the proposal will have a localised impact on part of the medieval field system but will not destroy it in its entirety. The local authority should take into account the value of the ridge and furrow, which is a non-designated heritage asset, when forming its planning decision.
- 5.24 Paragraph 197 of the NPPF states that *'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets [NDHA], a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*
- 5.25 There undoubtably would be potential harm to the ridge and furrow NDHA through partial loss within the boundary of the application site, however considering that the loss would be confined to within the application site boundary and not the loss of the entire NDHA, the harm to the NDHA's significance is considered to be less than substantial. Where a development will lead to less than substantial harm to a NDHA paragraph 196 of the NPPF states that the harm should be weighed in the balance by the decision maker.
- 5.26 The less than substantial harm would be outweighed by the positive public benefits arising from the proposals in terms of its contribution towards the supply of affordable housing and the partial delivery of the emerging housing allocation.

Residential amenity

- 5.27 LDF Policy DP1 requires that all development proposals must adequately protect amenity, particularly with regard to privacy, security, noise and disturbance, pollution (including light pollution), vibration and daylight.
- 5.28 The relationship of the proposed dwellings to existing properties on St Lamberts Drive is such that there would be adequate separation distance to avoid any overlooking or overshadowing that would harm the amenity of existing or future residents. The closest relationships are between No.13 St Lamberts Drive and Plot 1 which would introduce a two story blank gable elevation approximately 14m from the rear elevation of no.13. Similarly, a distance of approximately 16.5m is maintained to the side elevation of 'The Meadow' St Lamberts Drive. It is considered these interface distances would not lead to unacceptable impacts to the amenity and privacy of existing residents.
- 5.29 Proposed plots allow for ample rear private amenity space, parking and bin storage to the side of properties and front garden areas. The layout would afford adequate amenity and privacy for future occupiers.

- 5.30 The proposed development is relatively small in scale with each dwelling generating a small number of additional traffic movements and as such would not result in harm to residential amenity through significant noise and disturbance. Any noise and disturbance during the construction phase of development would be temporary and controlled through condition.
- 5.31 The proposed layout is considered to provide adequate amenity for future occupiers and would not result in a significant adverse impact upon the amenity of existing residents in accordance with policy DP1.

Highway

- 5.32 The development would create a vehicular and pedestrian access, to adoptable standards, from the head of St Lamberts Drive, resulting in a safe means of access on the highway.
- 5.33 The proposed development is small in scale and as such would yield limited increase in traffic movements and therefore would not lead to highway operation or safety concerns.
- 5.34 The Highway Authority has reviewed the proposal and raised no objections subject to conditions. In-curtilage parking spaces are provided for each dwelling at a level which accord with the Council's adopted parking standards.
- 5.35 The development proposals would therefore not result in any unacceptable impact on highway safety and operation in accordance with policies CP1 and CP2 of the Core Strategy and policies DP3 and DP4 of the Development Policies.

Trees and ecology

- 5.36 Policy DP31 of the Development Policies DPD states that 'Permission will not be granted for development which would cause significant harm to sites and habitats of nature conservation...Support will be given...to the enhancement and increase in number of sites and habitats of nature conservation value'. An arboricultural Impact Assessment (AIA) and Tree Protection Plan have been submitted in support of the application. It is possible to retain some of the hedgerows on the western boundary along with the sycamore to the southern boundary, which are valuable assets of conservation value and an appropriate condition is recommended. The AIA justifies the removal of some low quality trees and part of the hedgerow to the western boundary which are considered acceptable.
- 5.37 A Preliminary Ecological Appraisal (PEA) has been carried out and submitted in support of the application. The PEA notes the site is comprised of semi-improved grassland of limited habitat value. It is noted that the site has limited potential for use by foraging bats, birds, hedgehogs and Great Crested Newts (GCN). The site is considered to have little potential for impact upon biodiversity value with no important habitats present on the site. Through negotiation with the applicant an Updated Ecological Assessment has also been carried out.

- 5.38 Further Bat and Great Crested Newt (GCN) surveys were carried out at the site. The bat surveys revealed that no bats were observed emerging from any of the trees, bat activity on site was considered to be low, and as such, direct impacts to bats as a result of the works are considered unlikely. The GCN eDNA survey revealed that GCN are likely absent from the nearby pond. In addition, the pond to the north west of the site was dry at the time of the survey. As such, direct impacts to GCN as a result of the works are considered unlikely.
- 5.39 It is considered that through appropriate mitigation and biodiversity enhancement, which can be secured by condition, the proposed development of the site would not have a detrimental impact to protected species or habitats.

Flood Risk and Drainage

- 5.40 The application site is located within Flood Zone 1 on the Environment Agency (EA) Flood Maps meaning it is an area with low probability of flooding. The application proposed to drain surface water in accordance with the EA's surface water hierarchy including the use of underground attenuation to allow water to be drained at a suitable run-off rate.
- 5.41 A Flood Risks Assessment and Drainage Strategy prepared by Billingham George & Partners have been submitted in support of the application.
- 5.42 It is noted that a number of concerns have been raised in regard to the capacity of the local sewage network. Yorkshire Water has reviewed the proposal, Flood Risk Assessment and Drainage water strategy and raised no objection subject to conditions noting the report states that foul water will discharge to public combined sewer network. Sub-soil conditions do not support the use of soakaways and the site is remote from watercourses. The FRA and Drainage Strategy are acceptable with surface water proposed to discharge to public combined sewer via storage with restricted discharge of 3.5 (three point five) litres/second.

Other Matters

- 5.43 A number of objections have commented that it is inappropriate or unfair of the Council to decide planning applications during the pandemic. The Government has been clear that the planning system must continue to function and provide the same level of service as pre-pandemic times. The planning application has been advertised beyond the Council's statutory obligations with the posting of a site notice and two rounds of neighbour consultation letters, as well as the application being made available on the Council's website.

Planning Balance

- 5.44 The applicant seeks support for the proposals from both the Council's Interim Policy Guidance and the emerging allocation. The development would provide an appropriate mix of new homes including an appropriate level of affordable dwellings which would accord with the Council's adopted LDF and IPG. Furthermore, the site (in part) forms part of an emerging allocation in the emerging local Plan for the provision of housing and meeting the three strands of sustainable development: economic, social and environmental.

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

6.0 Recommendation

6.1 That subject to any outstanding consultations the application is **GRANTED** subject to the following conditions:

(a) The satisfactory completion of a planning obligation to secure (i) 4 affordable dwellings within the development in accordance with the Council's Affordable housing SPD;

(b) 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 drawings numbered: Impermeable Areas Plan – 00101 Rev. P02; Flood Exceedance Flow Route – 00102 Rev. P02; Proposed Drainage Plan – 00130 Rev. P02; Proposed External Works Plan – 00110 Rev. P02; Manholes Schedule – 00137 Rev. P02; Proposed Site Plan - 0002 Rev. P9; House Type 2B Plans & Elevations - 0003 Rev. P6; House Type 3B Plans & Elevations – 0004 Rev. P6; House Type 4B Plans & Elevations – 0005 Rev. P6; Garage Plans & Elevations – 0006 Rev. P5; and Boundary Treatment Plan – 0008 Rev. P4 as received by Hambleton District Council on 3rd June 2021; unless otherwise agreed in writing by the Local Planning Authority.
3. The external surfaces of the development shall not be constructed other than of materials, samples of which have been submitted to and approved in writing by the Local Planning Authority prior to their use on the site.
4. Notwithstanding the provisions of any Town and Country Planning General or Special Development Order for the time being in force relating to 'permitted development', no fences, gates or walls shall be erected within the curtilage of any dwellinghouse between any wall of that dwellinghouse and a road.
5. Notwithstanding details hereby approved, no above ground works shall commence until a detailed biodiversity management and enhancement plan, complete with a programme of implementation, has been drafted and submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be implemented and maintained in accordance with the approved details.
6. No above ground construction work shall take place until details relating to boundary walls, fences, hedgerows and other means of enclosure for all parts of the development have been submitted to and approved in writing by the Local Planning Authority

7. No dwelling shall be occupied until its associated boundary walls, fences, hedgerows and other means of enclosure associated with it have been constructed in accordance with the details approved in accordance with condition 6 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.
8. The development shall not be commenced until the tree protection measures as set out in the Arboricultural Method Statement ref: AMS-R Rev A and Tree Protection Plan ref: AMS-TPP Rev A are installed. The protective fencing and tree guards shall be maintained in position and good order during the whole period of construction works on site.
9. The development shall be carried out in accordance with the details shown on the submitted Flood Risk Assessment & Drainage Philosophy prepared by Billinghamurst George & Partners (Report dated 20/10/2020), unless otherwise agreed in writing with the Local Planning Authority.
10. Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority.

The development must only be carried out in compliance with the approved engineering drawings.

11. No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation. The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.
12. No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan. The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:
 1. details of any temporary construction access to the site including measures for removal following completion of construction works;
 2. wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
 3. the parking of contractors' site operatives and visitor's vehicles;
 4. areas for storage of plant and materials used in constructing the development clear of the highway;

5. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.
13. Notwithstanding the submitted details and prior to any above ground works, a scheme of soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall provide details of the species, numbers and locations of planting, timescales for implementation and a maintenance schedule. The approved landscaping scheme shall be implemented in the first planting season following first occupation of any dwelling and maintained thereafter in accordance with the approved details.
14. Prior to any above ground works 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.
15. No dwelling shall be occupied until the boundary walls, fences, hedgerows and other means of enclosure associated with it have been constructed in accordance with the details approved in accordance with drawing no: BED-SEE-004 Rev M. All boundary walls, fences, hedgerows and other means of enclosure shall be retained, and no part thereof shall be removed without the prior consent of the Local Planning Authority.

The reasons for the above conditions are:

1. To ensure compliance with Section 92 of the Town and Country Planning Act, 1990
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. 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.
4. In order to maintain the appearance of the development and secure the proper implementation of the landscaping scheme in accordance with Policies CP1, DP1, CP17 and DP32 of the Hambleton Local Development Framework.
5. To provide adequate safeguards for the protection of any protected species or habitats existing on the site.
6. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with Policies CP1, CP16, CP17, DP1, DP30 and DP32 of the Hambleton Local Development Framework.

7. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with Policies CP1, CP16, CP17, DP1, DP30 and DP32 of the Hambleton Local Development Framework.
8. In the interests of the visual amenities of the locality.
9. In the interest of satisfactory and sustainable drainage.
10. To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.
11. To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.
12. In the interest of public safety and amenity.
13. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with Policies CP1, DP1, CP17 and DP32 of the Hambleton Local Development Framework.
14. To protect the amenity of the neighbouring residents and to ensure accordance with Policies CP1, DP1, CP17 and DP32 of the Hambleton Local Development Framework.
15. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with Policies CP1, DP1, CP17 and DP32 of the Hambleton Local Development Framework.

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 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 or by telephoning 01609 779977
2. Applicants are reminded that in addition to securing planning permission other permissions may be required from North Yorkshire County Council as Local

Highway Authority. These additional permissions can include, but are not limited to: Agreements under Sections 278, 38, and 184 of the Highways Act 1980; Section 38 of the Commons Act 2006, permissions through New Roads and Streetworks Act 1991 and Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended and including all instruments, orders, plans, regulations and directions). Further information on these matters can be obtained from the Local Highway Authority. Other permissions may also be required from third parties. It is the applicant's responsibility to ensure all necessary permissions are in place.

3. It is recommended that in order to avoid abortive work, discussions are held between the applicant, the Local Planning Authority and the Local Highway Authority before a draft layout is produced and any detailed planning submission is made. To assist, the Local Highway Authority can provide a full list of information required to discharge this condition. It should be noted that approval to discharge the condition does not automatically confer approval for the purposes of entering any Agreement with the Local Highway Authority. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition.