

**Parish: Bedale**  
Ward: Bedale  
**2**

Committee Date: 9 June 2022  
Officer dealing: Mr Andrew Cotton  
Target Date: 2 May 2022

**21/03058/FUL**

**Construction of 75 dwellings and associated infrastructure.**

**At: Part OS Field 3541, Bedale, North Yorkshire**

**For: Yorvik Homes Ltd.**

**1.0 Site description and proposal**

- 1.1 Planning permission is sought for the construction of 75 dwellings, associated access, infrastructure and landscaping.
- 1.2 The revised proposal would deliver a development of approximately 25 dwellings per hectare. 23 of the dwellings (30.67%) are identified as affordable housing, with the balance of 52 dwellings would be for sale on the open market on a site of 2.96 hectares. The affordable dwellings are distributed through the site and are designed to appear indistinguishable from the market dwellings.
- 1.3 The proposed dwellings are predominantly two-storey in height with some featuring rooms in the roof space, providing a mix of one, two, three and four bedroom dwellings. 9 (12%) bungalows have been included.
- 1.4 Proposed architectural details include: entrance canopies/porches, brick chimneys, decorative soldier courses and feature bay windows. All dwellings would have private amenity space in the form of rear gardens and there would be space for refuse/recycling storage.
- 1.5 Access is proposed from South End, pedestrian links would be created through the retention and improvement of the Public Right of way from Natrass walk.
- 1.6 The site presently consists of grassland, used for grazing and boundaries are made up of a mixture of fencing, hedgerows and trees.
- 1.7 The proposed development is located on the south-east edge of Bedale. The site forms part of the AIB 2: South of Lyngarth Farm Bedale, of the Hambleton Local Plan. Policy AIB 2 states that the site is allocated for housing development of 60 homes. The Site Statement sets out key principles for the development of the site as follows:

*i) Access and Highways*

Principal vehicle, cycle and pedestrian access to be taken from South End (B6285), with additional access from development to the northwest (Tornado Close and/ or Mosquito Garth). Works are required to extend and improve pedestrian links, including the right of way along the southwestern boundary, access to Natrass Walk and provision of pedestrian access to Bowe Crescent.

*ii) Flood, drainage and water management*

Part of the site near to the southwestern boundary is vulnerable to surface water flooding. A site specific flood risk assessment will be required to determine the nature and scope of any mitigation necessary.

*iii) Biodiversity and landscaping*

A preliminary ecological appraisal and possible ecological impact assessment will be required. Mitigation will be required to deal with any risk of habitat loss. Existing boundary features should be retained and habitats protected from adverse impacts, such as obtrusive light. Additional planting will be required along the south eastern boundary to screen the site from view from the south and east.

*iv) Heritage*

The site is considered to have archaeological potential, particularly for later prehistoric and Romano-British settlement and an archaeological assessment will be required.

*v) Other planning considerations*

The site is in a minerals safeguarding area; safeguarding considerations will need to be adequately addressed with engagement with North Yorkshire County Council.

*vi) Utility provision*

It is recommended that early consultation is made with Northern Gas Network and Northern Power Grid and the relevant Water Authority in order to identify undertakings which may be required for the development.

*vii) Design, landscaping, open space provision and green corridors*

Development statement outlining the proposals will be required to be accompanied with a planning application and show how the development will successfully integrate with the surrounding area and the neighbouring residential area. The statement will also address the constraints and opportunities of the site, whilst also paying attention to scale, height, massing and density considerations. The brief should guard against impacts of overshadowing and overlooking and carefully consider the existing properties on adjacent streets to the north west.

1.8 Surrounding the site are existing residential properties, open land and the sewage treatment works located across South End Road to the north east of the site.

1.9 The application has been screened under the Environmental Assessment Regulations 2011 and in the opinion of the Local Planning Authority does not constitute EIA development.

## **2.0 Relevant Planning History**

2.1 21/02314/FUL - Construction of 80 residential units with associated access, infrastructure (pumping station & electrical substation) and landscaping - Pending Determination

3.0 Relevant Planning Policies

### **3.1 The relevant policies are:**

National Planning Policy Framework

Policy S1 – Sustainable Development Principles

Policy S2 – Strategic Development Needs

Policy S3 – Spatial Distribution

Policy HG1 – Housing Delivery (part c (iii) AIB 2: Land south of Lyngarth Farm, Bedale)

Policy HG2 – Delivering the Right Types of Homes

Policy HG3 – Affordable Housing

Policy E1 – Design

Policy E2 – Amenity

Policy E3 – Natural Environment

Policy E4 Green Infrastructure

Policy IC1 – Infrastructure Delivery

Policy IC2 - Transport and Accessibility

Policy IC3 – Open Space, Sport and Recreation

Policy RM2 – Flood Risk

Policy RM3 – Surface Water and Drainage Management

Affordable Housing Supplementary Planning Document, Adopted April 2015

Open Space Sport and Recreation Supplementary Planning Document, Adopted February 2011

Size Type and Tenure Supplementary Planning Document, Adopted September 2015

Sustainable Development Supplementary Planning Document, Adopted April 2015

### **4.0 Consultations**

- 4.1 Bedale Town Council - do not want to make substantive comments on the application but raise the following points: The application is a great improvement on those submitted previously, and the Town Council is grateful to the applicants both for taking our previous comments into consideration when drawing up the current plans, and for continuing to consult the Town Council during the process; The Town Council would like further information on how the "discount for sale" units will work, both logistically with their relationship to affordable rental units, and contractually in terms of whether the discount element remains after the initial sale; The Town Council would like to see the footpath link to the adjacent Bedale Meadows estate restored to the plans; The Town Council would like to see a clearer picture of how the play area would be shielded from the existing footpath at the SW corner of the site.
- 4.2 Highway Authority - The proposed access point onto the B6285 is considered acceptable to serve the number of dwellings proposed given an increased road width has been provided up to the point where an internal loop road starts. An additional private driveway, serving 4 plots, is also proposed with access direct onto the B6285. It is proposed to reduce the speed limit from the current 60mph at the access points to 40mph. Visibility splays in line with the requirements for 40mph are available at the main access and private driveway. It is recommended provision of a gateway feature, footpath along the site frontage and street lighting are also provided to help reinforce the lower speed limit. A trip distribution and assignment

assessment have been undertaken which has confirmed that beyond the site access the development is expected to generate fewer than 30 trips during the peak hours and is therefore not expected to lead to a significant increase in congestion on the local network. The internal road layout proposed for the site is in accordance with the NYCC residential design guide. The level of parking proposed also meets the minimum requirements expected by NYCC. The proposed change of speed limit on the B6285 will require a Traffic Regulation Order which should be funded by the developer. It is recommended a sum of £5000 be secured in a Section 106 Agreement. There are no local Highway Authority objections. Conditions recommended.

- 4.3 Public Rights of Way - No objections subject to informative.
- 4.4 Environmental Health -No objection subject to construction management plan condition.
- 4.5 Yorkshire Water - No objections subject to conditions.
- 4.6 Lead Local Flood Authority -First response: The LLFA recommends that the applicant provides further information before any planning permission is granted by the LPA.
- Full network calculations are required to confirm attenuation size and the application of the required allowances for climate change, urban creep and CV value.
- 4.7 Lead Local Flood Authority - Second Response: The applicant has demonstrated a reasonable approach to surface water management and the LLFA have no objections subject to conditions.
- 4.8 Planning and Housing Manager - First Response - The applicant is proposing 75 new homes of which 23 will be affordable. This equates to 30.67% which is slightly above the Council's new Local Plan requirement of 30%. The affordable homes will contribute towards meeting the need for affordable homes in Bedale and the surrounding area as evidenced in the Council's Strategic Housing Market Assessment (SHMA) and Housing and Economic Needs Assessment (HEDNA). Affordable housing house type and tenure mix: The Council's new Local Plan requires an affordable housing tenure mix of one third social rent, one third affordable rent and one third affordable home ownership. This equates to 7 or 8 homes for social rent; 7 or 8 homes for affordable rent; and 7 or 8 homes for affordable home ownership (providing the total is 23 affordable homes). The proposed layout plan identifies 8 x two-bed houses for discount sale, which adequately meets the requirement for affordable home ownership provided that the discount applied, to initial and subsequent sales, is 50% of the open market value (based on evidence from Table 52, page 83 of the Council's Strategic Housing Market Assessment). The proposed layout plan also identifies a further 15 affordable homes of unknown tenure: 8 x two-bed houses, 5 x three-bed houses and 2 x two-bed bungalows. No one-bed affordable homes are proposed despite evidence of a significant need for one bed homes in the SHMA and Housing Register. The Council's draft new Housing Supplementary Planning Document (Table 3.1, page 10) seeks an affordable house type mix of 20-25% one bed homes, 50-60% two bed homes, 10-20% three bed homes and 0-5% four bed

homes. It is therefore recommended that 5 of the 8 two-bed homes of unknown affordable tenure are changed to one-bed houses. These 5 x one-bed houses should be for social rent. The 2 x two-bed bungalows should also be for social rent. The 3 x two-bed houses and 5 x three-bed houses should be for affordable rent. Open market house type mix: The 52 open market homes proposed provide a mix of 10 x two-bed houses and 2 x 2 bed bungalows = 12 x two-bed homes (23%); 24 x three-bed houses and 5 x three-bed bungalows = 29 x three-bed homes (56%); 11 x four-bed (21%). The Council's draft new Housing Supplementary Planning Document (Table 3.1, page 10) seeks a market house type mix of 5-10% one bed homes, 40-45% two bed homes, 40-45% three bed homes and 0-10% four bed homes. Whilst the proposed open market house type mix varies from the recommended District-wide proportions it does provide, in my opinion, a reasonable mix of different property types for the Bedale area (the bungalow provision is particularly welcome).

4.9 Planning and Housing Manager - Second Response: As amendments are in line with my recommendations, I am supportive of this. However, the level of discount proposed for the discount for sale homes is only 40% compared to my recommendation of 50% based on affordability evidence held by the Council (my response should have referred to the Housing and Economic Needs Assessment (HEDNA) rather than the Strategic Housing Market Assessment). Whilst I appreciate that marginally more than 30% affordable housing is proposed (30.67%) this does not outweigh the significant effect of reducing the discount from 50% to 40% for prospective buyers. For example based on an open market value of £200,000 this would result in the discounted price being £20,000 more (£120,000 compared to £100,000). Table 52 on page 83 on the HEDNA shows an indicative discount requirement of 45% for 2-bed dwellings. As affordability has worsened since the report was published in 2018 the Council is seeking a discount of 50% in its draft new Housing Supplementary Planning Document which is currently out for consultation. Given that this has yet to be adopted I could support a discount of 45% in this instance but not 40%. *(Officer comment the applicant has agreed with the housing managers request for 45% Discount.)*

4.10 Designing out Crime Officer - No comments to make on this proposal.

4.11 Swale and Ure IDB - No comments to make site is outside the IDB area.

4.12 Third party representations - 1 letter of support received summarised as follows:

- It would be good to see the 'discounted for sale' houses dispersed throughout the development and with a wider variety of house types, rather than restricting to one type and on one row

## 5.0 Observations

5.1 The Hambleton Local Plan Policy HG1 Part c (iii) AIB 2, allocates this site for housing development. The site forms part of the Council's housing land supply and as such its development for housing will positively contribute to local housing supply. The principle of housing on this site is accepted.

5.2 The main planning issues to consider in the determination of this application are therefore matters relating to:

- The mix of new housing;
- Design and density;
- Highway matters and car parking;
- Residential amenity;
- Drainage and flood risk;
- Ecology;
- Trees and Landscaping;
- Public Open Space;
- Affordable housing and viability;

#### The mix of new housing

- 5.3 The application proposes a mix of one, two, three and four bedroom dwellings in short terraces, detached and semi-detached form. With respect to affordable housing the Council's draft new Housing Supplementary Planning Document (Table 3.1, page 10) seeks an affordable house type mix of 20-25% one bed homes, 50-60% two bed homes, 10-20% three bed homes and 0-5% four bed homes.

#### Affordable housing mix.

| Type          | Target % | No. Proposed | Proposal % |
|---------------|----------|--------------|------------|
| One Bedroom   | 20-25    | 5            | 21.7%      |
| Two Bedroom   | 50-60    | 13           | 56.6%      |
| Three Bedroom | 10-20    | 5            | 21.7%      |
| Four Bedroom  | 0-5      | 0            | 0%         |

- 5.4 The above table demonstrates a policy compliant range of affordable dwelling sizes. With regards to the market dwellings the Council's draft new Housing Supplementary Planning Document (Table 3.1, page 10) seeks a market house type mix of 5-10% one bed homes, 40-45% two bed homes, 40-45% three bed homes and 0-10% four bed homes.

#### Market housing mix

| Type          | Target % | No. Proposed | Proposal % |
|---------------|----------|--------------|------------|
| One Bedroom   | 5-10     | 0            | 0          |
| Two Bedroom   | 40-45    | 12           | 23%        |
| Three Bedroom | 40-45    | 29           | 56%        |
| Four Bedroom  | 0-10     | 11           | 21%        |

- 5.5 Policy HG2 of the Local Plan also requires the provision of 10% two bedroom bungalows to reflect the needs of the ageing population in the district. This application would provide 9 bungalow dwellings which would equate to a 12% provision and as such is compliant with the requirements of Policy HG2.
- 5.6 The proposed mix provides a majority of two and three bedroom dwellings accounting for 79% of the mix. The housing manager considers that whilst the proposed open market house mix varies from the recommended District-wide proportions, as set out above, it does provide a reasonable mix of different property

types for the Bedale area. The proposed mix is considered to meet the need for the range of family homes required in this locality and it includes provision of 12% bungalows to meet the needs of older people. These figures are in line with policies HG2 and HG3 of the Local Plan.

- 5.7 In order to create an inclusive development the Council would not support the grouping of affordable units together. Affordable properties should be 'pepper potted' though the site amongst open market properties. The layout plan shows that the affordable dwellings would be spread throughout the site, mostly in short runs. Confirmation has been sought as to whether the affordable properties would meet the minimum floor space requirement as set out by the SPD Affordable Housing. The applicant has confirmed that the units meet the Nationally Described Space Standards (NDSS).
- 5.8 It is concluded that the proposed development is in accordance with relevant policy with regard to affordable housing delivery and size, type and tenure.

#### Design and Density

- 5.9 Policy E1 of the Local Plan states that all development should be of a high quality, integrating successfully with its surroundings in terms of form and function, reinforcing local distinctiveness and helping to create a strong sense of place. Furthermore Site policy AIB 2 of the Local Plan, proposes the site can accommodate up to 60 dwellings. The number of dwellings proposed in the allocation is achieved through the application of a general gross density figure against the estimated developable area, while this provides a reasonable guide, detailed analysis of the site constraints and opportunities can often lead to a different figure.
- 5.10 Additionally it should be noted that in terms of density, the minimum range of 30 dwellings per hectare is no longer quoted within national planning policy. Identification of the appropriate density for the site involves an understanding of the characteristics of the area; the desirability of achieving high quality, well designed housing, the current and future level and capacity of infrastructure, services and facilities; the desirability of using land efficiently and current and future levels of public transport.
- 5.11 The application site covers an area of 2.96 ha and the revised development of 75 dwellings gives a density of approximately 25 dwellings per hectare. This is less dense than the recently built out site to the north which has a density of 31 dwellings per hectare. On balance, this is considered an appropriate density which is broadly consistent with the aims of allocation AIB 2 and reflects the local context.
- 5.12 The revised scheme achieves greater separation distances between properties and the use of bungalows avoids problems of overlooking and overshadowing and the open space and pedestrian links (PROW) introduce some permeability into the site. The layout is considered to be in-keeping with the character and context of the local area. The drawings show defensible space around properties and boundary treatments would be conditioned to address the issue of risk of crime. The Public Open Space would be located to the south/south-eastern edges of the site which also helps to provide a smoother transition between built form and the open agricultural land beyond and provides a buffer between the existing housing to the

west. The open space would be overlooked by a number of the proposed dwellings. The NY Police Designing out Crime Officer has reviewed the proposal and wished to make no comments on the proposal.

- 5.13 The design of the house types (mainly two-storey) reflects the more traditional elements of Bedale's built environment and the palette of materials would reflect the local vernacular and the proposal is considered acceptable in this respect. In combination with the more traditional two storey properties, the use of single storey bungalows results in a more varied street-scene, avoiding the monotony of a row of two storey dwellings with no variation. Architectural features include chimneys, feature bay windows, entrance porches and window cill and lintel detailing, to add interest to the street scene and skyline. A condition can be imposed to secure precise details of external materials to ensure full integration.
- 5.14 The majority of existing hedges, including that to the frontage, which screens the development, would be retained. A condition securing tree protection measures should be applied.

#### Highway Matters

- 5.15 Policy IC2 of the Local Plan indicates that a proposal will be supported where it is demonstrated that the development can be satisfactorily accommodated within the network, can be well integrated with footpath, cycling and public transport networks, provides proportionate contributions towards improvements where necessary, maximises opportunities for walking, cycling and public transport, provides safe access for both users and emergency vehicles and adequate parking.
- 5.16 The scheme proposes a main vehicle and pedestrian access from South End.
- 5.17 The Highway Authority is satisfied with the proposal subject to the inclusion of conditions relating to detailed plans of road and footway layout, constructions details of adoptable road and footways, delivery of offsite highway works, parking provision, travel plan, travel plan delivery, and a construction management plan. The allocation was made on the understanding that South End could accommodate the traffic associated with a development of approximately this scale and it is considered that South End is capable of accommodating the traffic arising from the 75 dwellings now proposed. The location of the access is considered to be acceptable and visibility splays accord with requirements. The access has adequate room for both refuse vehicles and fire vehicles to manoeuvre within the site as required. The layout of the site includes a full loop which is considered sufficient to offer alternative access in case of emergencies.
- 5.18 In terms of amenity it is accepted that vehicle movements on South End will increase, but it is not considered that they would increase to such a level that they would have a significant detrimental impact upon the amenity of neighbouring residents. The developer has requested to introduce a 40mph speed limit restriction on South End, NYCC Highways has raised no issue with this.
- 5.19 With respect to parking, each property would have its own off-street parking in accordance with the adopted Parking Standards. Pedestrian links to South End and the retention and upgrading of the existing Public Right of Way (PROW) which runs from north to south through the western end of the site will ensure good pedestrian

permeability. A condition requiring the provision of the footpath along the frontage of the site should be applied to ensure accessibility.

- 5.20 It is considered that the proposed development will have no significant detrimental impact on road safety and that the proposed road and footpath layout is appropriate and in compliance with Local Plan policy.

#### Residential Amenity

- 5.21 Policy E1 of the Local Plan 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.
- 5.22 The Local Planning Authority advocates indicative separation distances of 14m from side to rear elevations of dwellings and 21m from rear to rear elevations of dwellings. Notwithstanding the usefulness of this guideline these standards should not be slavishly adhered to, but appropriate judgement should be used on a case by case basis.
- 5.23 The nearest neighbours along the northern boundary of the site provide for a minimum interface distance of approximately 8m between side gable elevations. The rear elevation of the existing bungalow fronting south end would have a minimum interface distance of 17.4m to the rear elevations of plots 5-6, however both the existing property and proposed properties at plots 1-6 are bungalows and as such this interface distance is considered acceptable. The new dwellings would be positioned so that significant adverse loss of privacy or overlooking to existing neighbours would not arise.
- 5.24 The proposal achieves an acceptable level of separation between the properties and shows all the properties with adequate levels of private amenity space.
- 5.25 A sewage treatment plant is sited across the road to the north; however, it is some distance away and screened by mature plants and trees. The proposed properties would be set back within the site behind a wide margin, the frontage hedge would be retained and there are existing properties in closer proximity. It is not considered that the amenity of future occupiers would be adversely affected in this regard.

#### Drainage & Flood Risk

- 5.26 Policy RM2 – Flood Risk and Policy RM3 – Surface Water and Drainage Management seek to ensure that new development will be protected from flooding, will not result in flooding elsewhere and will be provided with suitable and effective drainage.
- 5.27 A Flood Risk Assessment was submitted with the application. The site is located within Flood Zone 1 and as such the development should not suffer from river flooding.
- 5.28 Additional information has been sought and submitted in respect of surface water drainage. The applicants have been working to positively resolve this issue and have submitted additional and updated drainage details. Yorkshire Water have commented raising no objection subject to conditions. The LLFA have commented on the updated information raising no objection and recommending conditions.

## Ecology

- 5.29 Policy E3 of the Local Plan requires that harm to a feature of biodiversity interest, will only be supported where harm unavoidable, then appropriate mitigation is provided to lessen the impact of any unavoidable harm, and as a last resort compensation is delivered to offset any residual damage to biodiversity. Policy E3 also requires that a proposal will deliver a net gain for biodiversity. It must also be demonstrated that the need for the proposal outweighs the value of any features that would be lost.
- 5.30 Given the site's location and existing agricultural use, the proposal is not considered to affect any statutorily protected sites or landscapes. A Preliminary Ecological Appraisal (PEA) was undertaken by Brooks Ecology. The report makes further recommendations for ecological opportunities for the site to achieve net gain.
- 5.31 In light of the findings of the PEA a condition is recommended to secure the implementation of the ecological enhancements proposed and submission and approval of a biodiversity management plan.

## Trees and Landscaping

- 5.32 An Arboricultural Assessment which includes an Arboricultural Survey, Arboricultural Impact Assessment, Tree Protection Measures and New tree and Hedgerow Planting details have been submitted in support of the application. The majority of the trees and hedgerows to the boundaries of the site are to be retained, albeit with some minor pruning. Some hedgerow removal is required to facilitate the development, although this is limited to the creation of the main site access, the creation of the access to the private drive and the substation access. The removal of two category c trees is also proposed to facilitate the development.
- 5.33 Detailed Landscape proposals have been submitted with the proposal which sets out a robust landscaping plan which incorporates a good amount of tree planting; native hedge planting; shrub planting; amenity grassland; and flowering amenity grassland. The landscape plans are considered to be robust and suitable for the site and as such a condition is recommended to ensure the landscaping is implemented.

## Public Open Space

- 5.34 Policy IC3 and Appendix E set out the policy context for open space, sport, and recreation within the district. The SPD Public Open Space adopted in 2011 requires on site Public Open Space for amenity purposes, space that is equipped for children's play and for young people.
- 5.35 Under the SPD 5072 sq. m of public amenity space would be required for this scheme including an equipped children's play area. Some 6,175 sq. m of open space is to be provided for amenity purposes, far in excess of the requirements of the SPD.
- 5.36 The main area of Public Open Space in to the south and west of the site is well located, suitably overlooked and contains an equipped play area as required by the

SPD. A management company (not the Town Council) would be set up to maintain the on-site open space.

- 5.37 Taking all the above into consideration, the proposal therefore is considered to meet the requirements of Policy CI3 and the SPD.

#### Planning Balance

- 5.38 The development would provide new homes on a site allocated in the Local Plan for the provision of housing and meeting the three strands of sustainable development: economic, social and environmental.
- 5.39 The proposed layout and design as amended is considered to meet the requirements of the allocation and create a suitably designed and laid out development which will fit within the existing built framework of Bedale without significant detrimental impact on the character of the area, highway safety or local residential amenity.
- 5.40 It is considered that the proposed housing mix and affordable housing provision is acceptable and weighs positively in the planning balance.

## 6.0 Recommendation

- 6.1 That subject to any outstanding consultations planning permission is **GRANTED** subject to:
- (a) The satisfactory completion of a planning obligation to secure (i) 23 affordable dwellings within the development in accordance with the Council's Affordable housing SPD; (ii) appropriate management of on-site open space;
  - (b) any outstanding consultations; and
  - (c) 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:
      - 21:5501:1000 2BA (AS-OP)
      - 21:5501:1014 Swale (OP)
      - 21:5501:1002 3BA (AS-OP)
      - 21:5501:1021 Type H (AS)
      - 21:5501:1020 Friargate (OP)
      - 21:5501:1016 3B (OP)
      - 21:5501:1011 Spurriergate (AS)
      - 21:5501:1010 Fishergate (OP)
      - 21:5501:06 Garage details
      - 21:5501:1005 Stonegate (2 bed) (AS-OP)
      - 21:5501:1004 5B (AS-OP)
      - 21:5501:1023 B6 (AS-OP)
      - 21:5501:1007 Stonegate (2 bed) (AS-OP-AS-OP)

21:5501:1008 Coppergate (AS-OP)  
21:5501:1003 3BA (AS-OP-OP)  
21:5501:1006 Stonegate (AS-AS-OP)  
21:5501:1012 Spurriergate (OP)  
21:5501:1013 Swale (AS)  
21:5501:1017 4B (AS)  
21:5501:1025 Wensley (AS)  
21:5501:1015 3B (AS)  
21:5501:1022 Type H (OP)  
21:5501:1019 Friargate (AS)  
21:5501:1009 Fishergate (AS)  
21:5501:1001 2BA (AS-AS-OP)  
21:5501:03 Boundary Treatments Sheet 1 of 2  
21:5501:04 Boundary Treatments Sheet 2 of 2

as received by Hambleton District Council on 31<sup>st</sup> December 2021 unless otherwise agreed in writing by the Local Planning Authority and drawings numbered:

21:5501:01 – E Proposed Site Layout  
21-5501-101A – Landscape Proposals Sheet 1 of 2  
21-5501-102A – Landscape Proposals Sheet 2 of 2  
21-5501-1027 – Type C (AS-OP)

as received by Hambleton District Council on 4<sup>th</sup> April 2022 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 shall be submitted to and approved in writing by the Local Planning Authority prior to their use on the site.
4. 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 drawings no:21:5501:04 and 21:5501:03. 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.
5. 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.
6. No part of the development shall be occupied after the end of the first planting and seeding seasons following the first occupation or completion of the building(s) whichever is the sooner, unless the landscaping scheme shown on the landscaping plans ref: 21-5501-101A – Landscape Proposals Sheet 1 of 2 and 21-5501-102A – Landscape Proposals Sheet 2 of 2 received by Hambleton District Council on 04.04.22 has been carried out. 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.
7. 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.

8. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
9. Development shall not commence until a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document). The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed. If sewage pumping is required from any part of the site, the peak pumped foul water discharge must not exceed 6 (six) litres per second. Note that further restrictions on surface water management may be imposed by Yorkshire Water and the Local Planning Authority.
10. Development shall not commence until a scheme restricting the rate of development flow runoff from the site has been submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to a maximum flowrate of 3.69 litres per second for up to the 1 in 100 year event. A 30% allowance shall be included for climate change effects and a further 10% for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.
11. No development shall take place until an appropriate Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority. Site design must be such that when SuDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site.
12. 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.

13. The development shall not be commenced until the tree protection measures as set out in the Arboricultural Assessment ref: 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.
14. Notwithstanding any details approved, a plan and details to show how hedgehog movement will be provided for between gardens/private amenity space and the surrounding land within that phase, shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include suitable holes (13cm x 13cm) at ground level in close boarded fences and walls, appropriate signage and their locations. The approved details shall be incorporated into each property before it is occupied and thereafter, shall be maintained for the intended purpose and the hedgehog holes and signage shall not be blocked or removed.
15. If contamination is found or suspected at any time during development that was not previously identified all works shall cease and the LPA shall be notified in writing immediately. No further works (other than approved remediation measures) shall be undertaken or the development occupied until an investigation and risk assessment carried out in accordance with CLR11, has been submitted to and approved in writing by the LPA. Where remediation is necessary a scheme for the remediation of any contamination shall be submitted and approved by the LPA before any further 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.
16. 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.
17. 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.
18. The following schemes of off-site highway mitigation measures must be completed as indicated below:
  - a) Provision of footway that extends from the proposed private driveway access onto the B6285 in a westerly direction and connects with the existing footway network on the B6285. The footway should be a minimum of 2m wide, except adjacent to the existing properties fronting the B6285 where a reduced minimum width of 1.2m may be provided. Where the boundaries of

the public highway allow, a minimum carriageway width adjacent to the new footway on the B6285 of 6m should be provided. Works to be provided prior to first occupation.

b ) Provision of street lighting on the B6285 from the site access that connects to the existing system of lighting to the West of the site. Works to be provided prior to first occupation.

c) Provision of a gateway feature on the B6285 to include new speed limit signage, town name plates, red surfacing and roundel on carriageway. Works to be provided prior to first occupation.

For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.

An independent Stage 2 Road Safety Audit carried out in accordance with GG119 – Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site.

A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

19. No dwelling must be occupied until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.
20. Prior to the first occupation of the development, a Travel Plan must be submitted to and approved in writing by the Local Planning Authority. The Travel Plan will include: -
  - agreed targets to promote sustainable travel and reduce vehicle trips and emissions within specified timescales and a programme for delivery;
  - a programme for the delivery of any proposed physical works;
  - effective measures for the on-going monitoring and review of the travel plan;
  - a commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development, and;
  - effective mechanisms to achieve the objectives of the Travel Plan by both present and future occupiers of the development.

The development must be carried out and operated in accordance with the approved Travel Plan. Those parts of the Approved Travel Plan that are

identified therein as being capable of implementation after occupation must be implemented in accordance with the timetable contained therein and must continue to be implemented as long as any part of the development is occupied.

21. The development must be carried out and operated in accordance with the approved Travel Plan. Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation must be implemented in accordance with the timetable contained therein and must continue to be implemented as long as any part of the development is occupied.
22. No development for any phase of the development must commence until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved Construction Management Plan.

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

1. wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
2. the parking of contractors' site operatives and visitor's vehicles;
3. areas for storage of plant and materials used in constructing the development clear of the highway;
4. measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;
5. details of the routes to be used by HGV construction traffic and highway condition surveys on these routes;
6. protection of carriageway and footway users at all times during demolition and construction;
7. a detailed method statement and programme for the building works; and
8. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

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. 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 Hambleton Local Plan.
3. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings.
4. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with the Hambleton Local Plan.

5. In order to maintain the appearance of the development and secure the proper implementation of the landscaping scheme in accordance with the Hambleton Local Plan.
6. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with the Hambleton Local Plan.
7. To protect the amenity of the neighbouring residents and to ensure accordance with Policies E1 of the Hambleton Local Plan.
8. In the interest of satisfactory and sustainable drainage.
9. To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk.
10. To mitigate additional flood impact from the development proposals and ensure that flood risk is not increased elsewhere.
11. To prevent flooding to properties during extreme flood events and to mitigate against the risk of flooding on and off the site
12. To enhance the ecological value of the site and demonstrate net gain in accordance with Policy E3 of the Hambleton Local Plan.
13. To ensure that appropriate measures are implemented for the protection of retained trees during the construction of the development in accordance with the relevant policies of the Hambleton Local Plan.
14. To ensure that the development facilitates the movement of hedgehogs within the development in accordance with Policy E3 of the Hambleton Local Plan.
15. 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.
16. 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.
17. 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.
18. To ensure that the design is appropriate in the interests of the safety and convenience of highway users.
19. 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.
20. To establish measures to encourage more sustainable non-car modes of transport.

21. To establish measures to encourage more sustainable non-car modes of transport.
22. In the interest of public safety and amenity.