

Parish: Huby
Ward: Huby
6

Committee Date: 19 January 2023
Officer Dealing: A O'Driscoll
Target date: 21 October 2022

22/01574/FUL

Construction of 16no. residential dwellings and associated landscaping and infrastructure

At: Land to the north of Maple Lane
For: Northmead Developments Ltd

This application is referred to Planning Committee as the proposed development is a departure from the Local Plan.

1.0 Site, Context and Proposal

- 1.1 The application site is located to the north-east of Huby adjacent to Shaw Crescent and Maple Lane. The site is currently in agricultural use and is bordered to the west by hedgerow. To the north and east is open countryside. To the south of the site is a new development of 7 dwellings which was approved in 2019 under application 18/02502/FUL. To the south-west corner the site borders an area allocated as Local Green Space (ALT/E/070/017/G Land behind Maple Croft, Tally Hill).
- 1.2 Due to the location of the site adjacent to residential development the wider character is residential. The site itself, however, forms part of a large field and is therefore considered to be part of the open countryside.
- 1.3 This application, as amended, seeks full planning consent for 16 dwellings. The proposal includes a mix of 1, 2, 3 and 4 bedroom properties in various arrangements. An area of open space is proposed on the east side of the access. On the western side of the access a large strip (approx. 518sqm) of land along the boundary is to be given over to a dwelling on the adjacent development. This land is shown as garden with home office.
- 1.4 During the life of the application amendments have been made to address officer comments. The mix of dwellings now includes a 1 bedroom quarter house (i.e. four 1 bedroom dwellings). Alterations have been made to the design and layout including provision of two smaller 2 bed bungalows and other smaller dwellings, increased number of units, increased affordable housing, area of open space and visitor parking.

2.0 Relevant Planning and Enforcement History

- 2.1 Neighbouring site: 18/02502/FUL - Formation of access and construction of seven dwellings with garages to include means of enclosure and landscaping – Granted

3.0 Relevant Planning Policies

3.1 The relevant policies are:

Local Plan Policy S1: Sustainable Development Principles
Local Plan Policy S3: Spatial Distribution
Local Plan Policy HG2: Delivering the Right Type of Homes
Local Plan Policy HG3: Affordable Housing Requirements
Local Plan Policy HG5: Windfall Housing Development
Local Plan Policy E1: Design
Local Plan Policy E2: Amenity
Local Plan Policy E3: The Natural Environment
Local Plan Policy IC2: Transport and Accessibility
Local Plan Policy IC3: Open Space, Sport and Recreation
Local Plan Policy RM1: Water Quality, Supply and Foul Drainage
Local Plan Policy RM3: Surface Water and Drainage Management
Local Plan Policy RM5: Ground Contamination and Groundwater Pollution
National Planning Policy Framework

4.0 Consultations

4.1 Parish Council – Huby Parish Council object to the application and raise the following issues:

- This is a large development and far too big for Huby
- The local school is oversubscribed
- No local infrastructure improvements
- Additional burden on the sewerage system
- The additional land for garden and office for the neighbouring property is odd
- Contrary to claims that Parish Council was not approached for discussion
- The public consultation responses were 60% against development and none in favour
- The mix (as originally submitted) does not address the need for affordable housing

4.2 Highway Authority – No objection subject to conditions

4.3 Lead Local Flood Authority – Awaiting final comments

4.4 Yorkshire Water – No objection subject to condition

4.5 Environmental Health Officer Land Contamination – Preliminary assessment of land contamination form required but can condition the requirements relating to land contamination.

4.6 RAF MOD – No safeguarding objection

4.7 Housing Officer – Following revisions to the scheme the Housing Officer indicates that the inclusion of four x 1 bed properties to meet demonstrated need in the area is welcomed. The affordable properties exceed the Nationally Described Space Standards. The tenure of the quarter house as all affordable rent is acceptable in this case. The contribution to cover the remaining requirement i.e. 0.8 of a dwelling is acceptable. The affordable housing offer should be secured via S106 agreement.

- 4.8 Public comments – Two letters of objection were received raising the following issues:
- Huby has had over 40 houses built in the last 5 years alone
 - The local school is at capacity
 - Limited employment opportunities within the village
 - Inadequate public transport services.
 - Concerns that the site has been sub divided to reduce affordable housing and whether provision meets requirements
 - Environmental impact of construction

5.0 Analysis

5.1 The main issues to consider are:

- Principle
- Housing mix
- Design and impact on the character of the area
- Affordable Housing
- Amenity
- Drainage and Flood Risk
- Highway safety
- Biodiversity

Principle

- 5.2 The purpose of Local Plan S1 is to set out the central role that sustainable development plays in meeting the growth requirements for Hambleton, and to set out the ways and the expectations in which the Council will seek to achieve sustainable development.
- 5.3 Policy S2 sets out the Council's housing requirement and it identifies that the housing figures are based on existing commitments and sites allocated for development in this local plan. Housing development that comes forward during the plan period will be an important additional supply of homes and will be supported as set out in policies including HG5: Windfall Housing Development.
- 5.4 Policy S3 sets out the settlement hierarchy. Huby is a service village within the Easingwold sub area. The spatial approach recognises that there are greater opportunities for development in locations that have good access to a range of services and facilities. The position of a settlement within the hierarchy is based on the range and type of services and facilities available within the settlement or in its immediate vicinity and the availability of public transport services.
- 5.5 Policy S5 states that the built form is defined as the closely grouped and visually well related buildings of the main part of the settlement and land closely associated with them. Land outside of this built form is considered to be open countryside. The built form excludes gardens, paddocks and other undeveloped land on the edge of the settlement where this land relates more to the surrounding countryside than to the main part of the settlement. In this case the site is not considered to be within the built form of the settlement. It can, however, be considered to be adjacent to it.

- 5.6 Policy HG5 states that adjacent to the built form of a defined village housing development will be supported where a number of criteria are met.
- 5.7 Criterion a. requires that a sequential approach to development be taken which prioritises previously developed land over undeveloped land. The applicant has indicated that there are no previously developed sites available in the surrounding area. Although no further evidence of an assessment has been provided, it is accepted that there are no other previously developed site available at this time. A “previously developed land” site already has approval at the northern end of the settlement under 21/03048/OUT (Pine Period Doors, Helderleigh, Easingwold Road).

Housing Mix

- 5.8 Criterion b of HG5 requires that proposals provide a housing mix in terms of size, type and tenure, in accordance with the Council’s Housing and Economic Development Needs Assessment (HEDNA) and Strategic Housing Market Assessment (SHMA) or successor documents. In addition the Housing SPD (adopted on 26 July 2022) seeks the provision of affordable housing; a change in the types and sizes of homes built in the district; and more choice in tenure so that all residents can access a decent home that they can afford and which suits their needs. The SPD states that although there will be some demand for large homes, the main need is for a supply of housing that is affordable to those on modest incomes.
- 5.9 A summary of the proposed mix is outlined in the table below against the targets set out in the SPD. As can be seen from the table the mix reflects the target for 2 and 3 bed market dwellings. There is an over provision of 4 bed dwellings and no 1 bed market dwellings. Three of the plots are marked as ‘self build’.

House Size	Market No of Units	Market Housing Proposed	Market Housing Target	Affordable No of Units	Affordable Housing Proposed	Affordable Housing Target
1 bedroom	0	0%	5-10%	4	100%	20-25%
2 bedrooms	5	41.6%	40-45%	0	0%	50-60%
3 bedrooms	5	41.6%	40-45%	0	0%	10-20%
4+ bedrooms	2	16.6%	0-10%	0	0%	0-5%

- 5.10 Whilst the mix does not wholly reflect the targets for 1 and 4+ bed dwellings as it equates to a single dwelling it is not considered sufficient to recommend refusal on this point.
- 5.11 The affordable housing mix is concentrated wholly on 1 bedroom units. The Housing Officer indicated that there are 137 applicants with a 1 bed need in Easingwold and surrounding villages. The provision of four 1 bed units is therefore welcomed as an identified need the area.

- 5.12 All of the dwellings exceed the Nationally Described Space Standards (NDSS). The 2 bed properties do not excessively exceed the standards which is welcome as these provide more affordable market dwellings for which there is a need. The 3 beds are larger than the requirements, however, they are not so large as to cause concern. One 3 bed house type exceeds the NDSS by approx. 70m². As there are also smaller 3 bed dwellings proposed this is also not overly concerning. The 4 bed properties (of which two are proposed) are technically 5 bedrooms as the first floor study/office is large enough to be considered a single bedroom. These properties are also in excess of the NDSS and are above the minimum requirement for a 6 bedroom property. In terms of the housing mix, however, there is no distinction in the Housing SPD between 4, 5 or 6 bedroom properties as these are all under one category as 4+ bedrooms.

Design and Impact on the character of the area

- 5.13 Local Plan Policy E1: Design 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.
- 5.14 Policy E7: Hambleton's Landscapes states that the Council will protect and enhance the distinctive character and townscapes of settlements in the district. This will be achieved by ensuring that development is appropriate to, and integrates with, the character and townscape of the surrounding area.
- 5.15 The individual design of the properties is good and broadly reflective of the more historic characteristics of dwellings in wider Huby. The proposed dwellings are of traditional form and are to be constructed in red brick. Brick detailing is proposed at window heads with further detailing at the eaves. Windows are proposed at timber look PVC and show a sash design to principle elevations. The roof tiles are to be a mix of red and grey concrete interlocking tiles.
- 5.16 The layout of the site loosely reflects the linear form of development at Maple Lane and Shaw Crescent. The site is well spaced and allows for mostly side parking so that the street scene isn't dominated by parked vehicles. The layout also allows for 5 visitor parking spaces which will reduce the impact of on street parking.
- 5.17 One remaining issue is the area of land at the south-west end of the site which is to be given over as garden to a house on the neighbouring plot. A home office is also proposed on this site. This is considered to be an example of poor design creating an awkward plot for the dwelling and resulting in an inefficient use of land. This layout also ignores the requirement for a hedgerow to be planted along the boundary of the neighbouring development.
- 5.18 The applicant has indicated that the garden land and home office is for a farmer who has sold his farmhouse and moved onto the neighbouring development. A home office is now required from which to run the farm. It was requested that this area of the site be reconsidered, however, amendments were not forthcoming in this regard. It is considered that whilst this element is not ideal, it is not so harmful as to warrant a refusal of the entire scheme on this point. It is recommended therefore that the piece of land be restricted by condition for use solely for domestic

purposes ancillary to the host dwelling and that no further structures be built without the benefit of planning permission.

- 5.19 Criterion c. of Policy HG5 requires that development, both individually and cumulatively, be commensurate with the size, scale, role and function of the settlement. The explanatory text indicates that in assessing such proposals consideration will be given to the cumulative impact that development would have in order to prevent an overall scale of development that would be harmful to the character of the settlement or likely to have an adverse impact on infrastructure and local facilities. If the proposal is considered to be of such a scale in its own right, or cumulatively, that it would be harmful to the character of the village or potentially overwhelm services and facilities then it will not be supported. This will be a matter of planning judgement and will depend on the particular circumstances involved for each case.
- 5.20 The concept of development adjacent to rural settlements was introduced by the National Planning Policy Framework. Paragraphs 78-79 now state that decisions should be responsive to local circumstances and support housing developments that reflect local needs. Housing should be located where it will enhance or maintain the vitality of rural communities. At the time of introduction the Council's Local Development Framework (LDF) did not align with this principle and therefore the Interim Policy Guidance was introduced to bridge the gap between the National Planning Policy Framework and the LDF. Since the introduction of the IPG 69 dwellings have been approved in Huby and some 40 have been completed.
- 5.21 The LDF has been superseded by the Local Plan which now requires an assessment of cumulative impact of development on the district's rural settlements. The settlement of Huby currently hosts approx. 440 dwellings. Prior to this principle the number of dwellings in Huby would have therefore been approximately 400. As mentioned above some 69 additional dwellings have been approved adjacent to the built form of Huby. There is also an allocation for 28 dwellings at Stillington Road which would bring the total of anticipated development to 97. This equates to a percentage increase of 24%. The proposed development would add a further 4% giving a total of 28% increase in approximately 7 years. This is a significant increase in a relatively short period.
- 5.22 Up until the 1950s the main built form of the settlement had changed very little since the 1800s. The settlement extended only between the junction of Gracious Street and Main Street at its northern extent down to the Public House (Mended Drum) at its most southern extent. The 1950s saw a large extension of the settlement to the north creating the northern extremity that we see today. Development in the 1960s and 1970s filled in the spaces left between the settlement and the 1950s development. Further limited development in the 1980s and 1990s was located in smaller pockets at the southern end of the village. Later development has been somewhat more sympathetic to the form of the settlement which reflects the evolution of planning policy.
- 5.23 The point remains, however, that Huby has seen significant development in recent years and the cumulative impact of this on the character of the area and local services must be considered. In terms of the form of the settlement this development is not considered to be harmful in its immediate context and indeed appears to round off this section of the settlement. Similarly the site does not

contribute to any special area of open space. It is connected to the allocated green space, however, the green space is so well screened at the northern end there is very little visual connection to the open countryside.

- 5.24 With regard to services North Yorkshire County Council have indicated that the school has a capacity of 112 with 103 currently on roll. Taking into account already approved development in the village the forecast of pupils on roll for 2026/2027 is 121 showing a deficit of 9 places. This development would add a requirement for a further 4 places and the allocation another 7 (total 20). It should be noted, however, that the allocated site does not yet have a permission and is not currently included in school place projections.
- 5.25 Contributions for education are covered by the Community Infrastructure levy. This development will provide funding, therefore, which could be used towards the provision of additional education facilities where required. Bearing in mind that Hambleton District Council is due to merge with surrounding councils in April this funding will be directly available for use by the new Unitary Authority.
- 5.26 Concern is maintained, however, on the overall impact of development on the rural character of this settlement in how it is perceived by residents and visitors (i.e. bustling service village or a service village that is overwhelmed). The scale of this individual development and cumulative impact of development overall has been raised by both the Parish Council and a local resident.
- 5.27 In this case as no harm is identified to the overall form of the settlement or to the open countryside, the proposal meets the tests of HG5 c, d and e., in this case it is considered that a refusal could not be sustained on this basis.

Affordable Housing

- 5.28 Local Plan Policy HG3 states that the council will seek provision of 30% affordable dwellings on all housing developments. In all cases where affordable housing is provided it will be expected to:
- provide a mix of tenures, subject to identified need, consisting of one third each of:
 - i. affordable rented;
 - ii. social rented; and
 - iii. intermediate dwellings (shared ownership) or other types of affordable home ownership;
 - be dispersed in small clusters across development sites;
 - be externally indistinguishable in terms of design and materials from any market housing on the site; and
 - be transferred at transfer price.

Where it can be demonstrated that the requirements above are not viable, due to specific site conditions or other material considerations affecting development of the site, an alternative dwelling or tenure mix that meets local need or a lower level of provision may be acceptable. The affordable housing will also be required to remain affordable in perpetuity.

- 5.29 Policy HG2 states that all new residential development should assist in the creation of sustainable and inclusive communities through the provision of an appropriate mix of dwellings in terms of size, type and tenure. A proposal for housing development will be supported where:
- a range of house types and sizes is provided, that reflects and responds to the existing and future needs of the district's households as identified in the Strategic Housing Market Assessment (SHMA) or successor documents, having had regard to evidence of local housing need, market conditions and the ability of the site to accommodate a mix of housing;
 - all homes meet the National Described Space Standards (NDSS), or any successor standards/policy.
- 5.30 The most recent housing needs survey (2018) identified a need for 17 affordable dwellings as follows 1 x 1bed, 12x 2bed and 4 x 3bed. A rural exception scheme was subsequently approved under 18/02660/FUL. This left an outstanding need for 1 x 1B and 4 x 2B dwellings (5 units in total). It is anticipated that this need plus a small buffer would be met by the allocation on Stillington Road which should provide 8 affordable units.
- 5.31 Following amendments to the scheme the proposal now seeks consent for 16 dwellings. This generates a requirement of 4.8 affordable dwellings. The Affordable housing offer therefore is four 1 bedroom dwellings (provided as a quarter house). As outlined above there is a need for 137 1 bed dwellings in the wider Easingwold area and therefore the provision of four 1bed units on this scheme is acceptable. The remaining 0.8 will be provided as a commuted sum.
- 5.32 The tenure for the 4 affordable units is proposed as affordable rent. Whilst the Local Plan requires a mix of tenures in this case as all four units are being provided as a quarter house the Housing Officer indicated that the proposed tenure is acceptable. The Officer provided some additional information relating to transfer prices and the calculation for the commuted sum and advises that the affordable housing be secured by S106.

Amenity

- 5.33 Local Plan Policy E2 states that all proposals will be expected to provide and maintain a high standard of amenity for all users and occupiers, including both future occupants and users of the proposed development as well as existing occupants and users of neighbouring land and buildings, in particular those in residential use. Amongst other criteria a proposal will be required to ensure adequate daylight/sunlight, good relationships between buildings, preservation of privacy, protection against noise and that any adverse impacts be made acceptable. The policy also requires provision for bin storage and adequate amenity space.
- 5.34 The relationship and space between dwellings allows for light permeation throughout the site. Dwellings are oriented in a manner that will not result in significant overshadowing of neighbouring plots. Separation distances of 22 - 31m are achieved where principal elevations face each other.

- 5.35 The rear of each plot can be accessed externally from the front which allows for safe and secure storage of both bins and bicycles. Some of the plots also feature garages which can also be used for secure storage of bicycles. The quarter house has allocated covered/secure space in a lean-to projection on the southern side of the building.
- 5.36 Each plot has a good size private amenity space. The Quarter houses each have an allocated private amenity space, albeit the gardens for plots 13 and 14 are remote from the dwellings. They still, however, provide enough space to enjoy sitting outside, hanging of washing or small scale gardening if desired.
- 5.37 Overall the layout indicates that the development will provide a good standard of amenity for occupants and will not detract from the amenity enjoyed by existing neighbouring residents.

Drainage and flood risk

- 5.38 Policy RM1 seeks to ensure that water quality, quantity and foul drainage are appropriately addressed in developments. It is proposed that foul drainage will be connected to the mains system. Yorkshire Water have not raised any objection to this.
- 5.39 The purpose of Policy RM2 is to ensure that inappropriate development in areas at risk of flooding is avoided and that the users and residents of development are not put at unnecessary risk in relation to flooding. The site lies within Flood Zone 1 so is considered to be at low risk of flooding. Surface Water drainage is to be dealt with via soakaway. Percolation test results indicate that the drainage strategy is viable. Final comments from the Lead Local Flood Authority are awaited.

Highways safety

- 5.40 Local Plan policies IC1 and IC2 seek to ensure that all aspects of transport and accessibility are satisfactorily dealt with in all developments. Access is to be taken via the existing development and Maple Lane and will be built to adoptable standard. The Highways Officer has not raised any concerns subject to conditions relating to detailed plans, construction of adoptable roads, parking and a construction management plan.

Biodiversity

- 5.41 Policy E3 (The Natural Environment) of the Local Plan states that all development will be expected to demonstrate the delivery of a net gain for biodiversity. Paragraph 6.46 of the supporting text states that the latest DEFRA guidance and relevant metric tool should be used to demonstrate compliance with the policy. Policy E3 also states that harm to biodiversity should be avoided, but where unavoidable, should be appropriately mitigated.
- 5.42 The relevant metric tool has been submitted. This indicates that the development will result in a net gain of 3.27% for habitat units and 321.36% for hedgerow units. A supporting report was submitted alongside the metric tool. The report indicates that there is no evidence to suggest that protected species are using the site. The report also includes some habitat and hedgerow management recommendations,

however, the applicant has indicated that the management will fall to the residents via covenant. As the Council cannot enforce a covenant it is recommended that the net gain outlined above be secured by condition along with a long-term management plan.

- 5.43 A separate Ecological Impact Assessment was also submitted in support of the scheme. The EIA recommends that a 2m buffer be left between the plots and the hedgerows. The applicant has updated the site layout plan to show a fence to the western boundary to ensure the 2m buffer.
- 5.44 The report also indicates that the impact on commuting bats will not be significant, and no roosting bats will be impacted. Recommendations are made in relation to a lighting scheme to mitigate the impact of the development on wildlife. Other minor negative impacts have been identified for hedgehog, badger and brown hare. Mitigation measures are proposed such as covering trenches during construction and creating holes in boundary fences to allow commuting. Bat and bird boxes are also recommended to be incorporated into the scheme. It is recommended that the above measures be secure by condition.

Planning Balance

- 5.45 The proposal generally complies with the criteria outlined in Policy HG5 with a minor exception relating to the market mix. Concerns remain in relation to the additional garden land with office being given over to the neighbouring site as well as the cumulative impact of development on the settlement. Overall, however, the proposal is considered to be of good quality and the outstanding issues are not considered so significant as to warrant a refusal in this case.

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. The permission hereby granted shall not be undertaken other than in complete accordance with the following drawing(s):

Site Layout Plan 3936-PD-02 Rev C received 09/01/2023

TYPE T1 / T1a - 2 bed semi-detached house 3936/PD/03 Rev C received 10/11/2022

TYPE T3 (AS) T1a / T3 (OP) - 3+2+3 bed terrace house elevations 3936/PD/15 received 10/11/2022

TYPE T3 (AS) T1a / T3 (OP) - 3+2+3 bed terrace house floor plans 3936/PD/14 received 10/11/2022

TYPE T4 - 3 bed detached house: 3936/PD/06 Rev B received 10/11/2022

T5 - 3 bed detached house 3936/PD/05 Rev D received 09/01/2023

T5 - 3 bed detached house with garage - elevations - PLOT 9: 3936/PD/17 Rev A received 09/01/2023

T5 - 3 bed detached house with garage - floor plans - PLOT 9 3936/PD/16 Rev A received 09/01/2023

TYPE T7 - 4 bed detached house 3936/PD/08 Rev C received 09/01/2023

TYPE T8 - 1 bed quarter house elevations 3936/PD/13 received 10/11/2022
TYPE T8 - 1 bed quarter house floor plans 3936/PD/12 received 10/11/2022
TYPE T9 - bed detached bungalow 3936/PD/18 received 10/11/2022
TYPE T10 - 2 bed detached bungalow 3936/PD/19 received 10/11/2022

3. No above ground construction work shall be undertaken until details of the materials to be used in the construction of the external surfaces of the development have been submitted in writing to the Local Planning Authority for approval and samples have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.

4. 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.

5. 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.

6. 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.

7. 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:

- details of any temporary construction access to the site including measures for removal following completion of construction works.
- wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway.
- the parking of contractors' site operatives and visitor's vehicles.
- areas for storage of plant and materials used in constructing the development clear of the highway.
- contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

8. The development shall be carried out in accordance with the details shown on the submitted plan, "'Drainage Strategy' 22448 DR-C-0100 (revision P1) dated 12/08/22 that has been prepared by Topping", unless otherwise agreed in writing with the Local Planning Authority.

9. No development shall be commenced until a Phase 1 assessment of the risks posed by contamination, carried out in line with the Environment Agency's Procedures for Land Contamination Risk Management (LCRM), has been submitted to and approved by the local planning authority. Where contamination is suspected, no development shall be commenced until a Phase 2 assessment of the risks posed by contamination, carried out in line with the Environment Agency's Procedures for Land Contamination Risk Management (LCRM), has been submitted to and approved by the local planning authority.

10. In the event that unexpected contamination is found at any time when carrying out any approved development work, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

11. The development shall not be occupied until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. Any trees or plants which, within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species. The landscaping scheme shall include details to show the provision of a net gain for biodiversity and maintenance programme to achieve the biodiversity net gain as demonstrated ecological in the report that accompanied the planning application. Once approved the scheme for provision and maintenance programme shall be implemented in accordance with the approved documents for the lifetime of the development.

12. Above ground construction shall not be commenced until details relating to boundary walls, fences and other means of enclosure for all parts of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

13. Prior to development commencing detailed cross sections shall be submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development. The levels shall relate to a fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form.

14. No external lighting shall be installed other than in complete accordance with a scheme that has previously been approved in writing by the Local Planning Authority.

15. 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 further buildings or structures except for those already shown shall be erected within in the area of land marked "extended garden to number 11 Maple Lane" on drawing 3936-PD-02 Rev C received by Hambleton District Council on 09.01.2023 without express permission on an application made under Part III of the Town and Country Planning Act 1990.

16. The area of land marked "extended garden to number 11 Maple Lane" and home office building as shown on drawing 3936-PD-02 Rev C, received by Hambleton District Council on 09.01.2023, shall only be used for purposes ancillary to the dwelling 11 Maple Lane. Neither the land nor the home office building shall be used independently from the dwelling for business purposes. The land shall not be used for the keeping of livestock or other animals other than domestic pets.

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. For the avoidance of doubt and in the interest of proper planning.
3. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Local Plan Policies S1 and E1.
4. 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.
5. 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.
6. 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.
7. In the interest of public safety and amenity.
8. In the interest of satisfactory and sustainable drainage.
9. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

11. In order to soften the visual appearance of the development and provide any appropriate screening and achieve a net gain in biodiversity for the lifetime of the development in accordance with the Local Plan Policies S1, E1, E3 and E7.

12. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings.

13. To ensure that the development is appropriate in terms of townscape and landscape impact in accordance with policy E1, E2 and E7.

14. In order that the Local Planning Authority can consider the impact of the proposed lighting scheme and avoid environmental pollution in accordance with Local Plan Policies S1 and E2.

15. To control the extension or alteration of the development in the interests of the appearance of the site and the amenities of residential property nearby in accordance with Local Plan Policies S1, E1 and E2.

16. In the interest of neighbouring amenity in relation to noise and smell.