

**Parish: Aiskew**  
Ward: Bedale  
**7**

Committee Date: 19 January 2023  
Officer dealing: Ian Nesbit  
Target Date: 26 September 2022  
Date of extension of time (if agreed):

**22/01509/OUT**

**Outline planning application for residential development and associated infrastructure with all matters reserved other than access into the site.**

**At: Land on the South West side of 11 Harkness Drive Leeming Bar**  
**For: Mr Paul Butler**

## **1.0 Site context and proposal**

- 1.1 The 3.3ha broadly rectangular (greenfield) site is located on the south-west edge of Leeming Bar. The site predominantly comprises of unmaintained grassland and scrub, although the site is essentially split (north-south) by a mature beech hedgerow. The northern boundary of the site adjoins the curtilages of the row of bungalows on Harkness Close, Harkness Drive and Grange Avenue. The eastern boundary adjoins the play area and allotments, and also the rear gardens of properties on Freemans Way. The southern boundary adjoins fields with a ditch and treeline separating the respective parcels of land. The western boundary adjoins the rear garden of 25 Bedale Road.
- 1.2 The application is for outline planning permission with some matters reserved, i.e. with access only to be considered as part of this outline application.
- 1.3 The agent has confirmed that although the layout, scale and appearance of the development are reserved matters, and thus yet to be finalised, it is the intention to provide up to 90 units (initially 100, noting the site allocation states “approximately 85”).
- 1.4 In addition to the application form and certificates and existing and proposed indicative plans, the following assessments/appraisals have been submitted with the application:
  - (a) archaeological evaluation (November 2022)
  - (b) phase 1 geo-environmental assessment (January 2020)
  - (c) noise impact assessment
- 1.5 The agent has subsequently submitted a Density and Dwelling Capacity Statement and Local Plan Main Modifications Statement in August 2022. In order to clarify issues raised with the agent by Yorkshire Water Services regarding the existing sewer and existing pumping station drainage, an amended Flood Risk Assessment/Surface Water Management Strategy (October 2020) and indicative Drainage Strategy Site Plan have subsequently been submitted. A Phase 1 Geo-Environmental Assessment has also been submitted, as well as a Archaeological Evaluation (November 2022) in order to address the initial observations/comments of the Principal Archaeologist.

## **2.0 Relevant planning history**

- 2.1 78/0377/OUT: Outline application for residential development, APPROVED, 26.10.1978.

## **3.0 Relevant planning policies**

- 3.1 As set out in paragraph 2 of the NPPF planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The law is set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990.

### Hambleton Local Plan

The Hambleton Local Plan was adopted on 22 February 2022 and, along with the accompanying Proposals Maps is Hambleton District Council's Development Plan. The Local Plan policies relevant to the consideration of this application are as follows:

Local Plan Policy S1: Sustainable Development Principles  
Local Plan Policy S2: Strategic Priorities and Requirements  
Local Plan Policy S3: Spatial Distribution  
Local Plan Policy S7: The Historic Environment

Local Plan Policy HG1: Housing Delivery  
Housing Allocation LEB1: Harkness Drive, Leeming Bar  
Local Plan Policy HG2: Delivering the Right Type of Homes  
Local Plan Policy HG3: Affordable Housing Requirements

Local Plan Policy E1: Design  
Local Plan Policy E2: Amenity  
Local Plan Policy E3: The Natural Environment  
Local Plan Policy E4: Green Infrastructure  
Local Plan Policy E5: Development Affecting Heritage Assets  
Local Plan Policy E6: Nationally Protected Landscapes  
Local Plan Policy E7: Hambleton's Landscapes

Local Plan Policy IC1: Infrastructure Delivery  
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 RM2: Flood Risk  
Local Plan Policy RM3: Surface Water and Drainage Management  
Local Plan Policy RM4: Air Quality  
Local Plan Policy RM5: Ground Contamination and Groundwater Pollution

Supplementary Planning Document(s):  
Housing SPD (adopted July 2022)

## 4.0 Observations

### 4.1 Parish Council (PC) – The PC have made the following comments (as summarised):

- The access road through Harkness Drive is very narrow and the PC doesn't believe its width is sufficient to accommodate additional traffic (including construction traffic) from the proposed development, particularly as parts of Harkness Drive are already sinking.
- The current and aging sewage system in Leeming Bar already struggles to cope with the number of properties that are in the village now...adding the number of dwellings proposed within this application would overload the system completely.
- The application site is a haven for wildlife, including deer, barn owls, and bats...we need to preserve the green space, not develop it.
- The proposed site is 'boggy in winter', while the adjacent playing field and allotments experience flooding during the winter.
- There doesn't appear to be any provision for bungalows within the proposals...there is a community need for them rather than large houses.
- Any houses built bordering the existing bungalows will result in them being overlooked and occupants will have no privacy within their back gardens.
- The size of this development will affect existing residents' access to dentists and doctor's surgeries, and other such amenities, and add to the burden they already experience.
- The location of the green space is unacceptable. Issues with anti-social behaviour in the play areas within the village over recent years has been experienced, therefore locating this space within one corner of the development will only increase the potential for such behaviour. It would be better sited in the middle of the development/properties.

### 4.2 MOD Safeguarding (DIO) – Having provided an initial representation, the DIO provided a second response (superceding the first response), confirming the following matters: The DIO have confirmed that the application site occupies the aerodrome height, technical and bird strike safeguarding zones surrounding RAF Leeming (approximately 1.7km from the airfield centre) The application site also occupies the statutory safeguarding zones surrounding a new technical asset known as the North WAM Network. The MOD have asked to be consulted again once details of the height and scale of the proposed dwellings are submitted in order for the MOD to undertake technical assessments. The primary concern of the MOD in relation to this development within the statutory bird strike safeguarding zone is the provision of landscaping, open space, green/brown roofs and SUDS attenuation features that would potentially create new habitats for flocking birds. Such features should be designed in a way not to be attractive to birds, and where these features form part of the layout, design and landscaping of the development, the MOD may recommend conditions requiring the submission, approval and implementation of a Bird Hazard Management Plan and request to be consulted on all 'future stages' of the proposed development.

4.3 Note that the numbers have been subsequently changed to approximately 90 units since these comments were made.

HDC Planning Policy – The Planning Policy Manager noted that there is a difference between the proposed housing numbers as shown on the application form and within the Design and Access Statement, which have 100 and 80 (mostly) respectively.

The indicative layout (for 80 units) looks acceptable, so is not set. The concern is that the application form states 100 homes, and there doesn't seem to be anything that would justify 100 units, which is 15 more than the allocation. It is hard to see from the indicative layout plan how 100 homes could be accommodated without compromises on other policy requirements.

In response to the submitted Density and Dwelling Capacity Statement and Local Plan Main Modifications Statement (both submitted by the agent in August 2022), the Planning Policy Manager has stated that whilst he understands the points raised, clear evidence needs to be provided to demonstrate that 100 units is possible. This should be in the form of a revised Design and Access Statement and revised indicative layout plan.

4.4 Environment Agency (EA) – No representations received.

4.5 Lead Local Flood Authority (LLFA) – The LLFA have confirmed that the application demonstrates a reasonable approach to the management of surface water on the site, and have recommended the following conditions (as summarised) if outline permission is granted:

- The prior written approval of foul and surface water drainage schemes, which demonstrates that the surface water drainage system(s) is designed in accordance with the County Council's SuDS Design Guidance and principles of sustainable urban drainage, wherever possible. The surface water drainage scheme should be approved with a restricted maximum run-off flowrate of 3.73 l/s for up to the 1-in-100 flood event, with allowance made for the effects of climate change and urban creep (10 per cent) as well as '1-in-100 year' storage/attenuation. The details shall also include a maintenance and management regime, to be implemented for the lifetime of the development.
- The prior written approval of an appropriate Exceedance Flow Plan.

4.6 NYCC Local Highway Authority (LHA) – Based on the application documents and the proposed provision of 100 units, including additional information requested from the agent by the LHA which included a transport assessment (T.A.), the LHA are not objecting to the proposals, and have provided the following comments and recommendations for conditions as summarised below:

Comments:

- Note that the development's access to the highway network (by extending Harkness Drive) would meet the width and design standards.
- The T.A. has shown that there is spare capacity for additional traffic to the existing Harkness Road-Bedale Road junction.
- The proposed footways will connect to the existing footway network, allowing people to walk to local amenities, with bus routes along Bedale Road facilitating travel to Northallerton, Bedale and beyond.

- The additional traffic generation (i.e. 48 vehicles in the AM peak hour, both directions) is not considered to be significant, although it is recognised that at present Harkness Drive has relatively few properties gaining access to the public highway, and the impact on the surrounding highway network could not be considered to be severe.
- Concerns expressed regarding potential damage caused during construction to the highway (i.e. Harkness Drive), and any damage (including resurfacing) should be reviewed and where necessary repaired to a reasonable standard.

Recommended Conditions:

- Submission and prior written approval of full/detailed engineering drawings of all roads, sewers and highway structures, including a programme for their delivery.
- The development should not be brought into use until the carriageway and footways have been appropriately surfaced, kerbed, lit and connected to the existing highway network.
- The prior approval in writing of details of vehicle/cycle/pedestrian accesses; vehicle/cycle parking; vehicle turning/manoeuvring arrangements, and loading/unloading arrangements. The development shall not be brought into use until these are provided.
- The development must be carried out and operated in accordance with the approved Travel Plan and any timetable contained therein.
- The prior written approval of a Construction Management Plan, to include specific details including: any temporary construction access; restrictions on use of Harkness Drive for construction purposes; wheel washing facilities; construction-related parking; plant/materials storage and delivery routes, times and loading/unloading areas; HGV construction traffic routes and highway condition surveys; carriageway protection measures; site working hours; hoardings/security fencing; construction noise and dust suppression and monitoring measures; tree protection measures; external lighting and a detailed method statement and programme of building works.

4.7 National Highways – National Highways have confirmed that they offer no objections to the proposals, having made the following comments, observations and recommendations:

- Note that the application site is allocated for residential use within the Hambleton Local Plan for approximately 85 dwellings, although the proposals comprise of 100 dwellings (15 more units than anticipated within the Local Plan) However, the vehicle trip generation and subsequent vehicle trip distribution/assignment for the proposed development would nevertheless be very similar, and National Highways accept the use of the LTP trip rates/subsequent vehicle trip generation as being appropriate.
- Consider the forecast trip generation and distribution across the A1(M); Junction 51 to be minimal and unlikely to result in a detrimental impact on the operation of the Strategic Road Network (SRN)
- Having reviewed a Travel Plan, they consider its contents to be acceptable, although recommend that the following matters are included: firm financial comments with regards to the measures proposed; targets for vehicle trip generation that match the vehicle trips assessed within the T.A.; a monitoring strategy for the vehicle trip targets; and a plan in the event of the targets not being met.

4.8 Local Access Forum - No representations received.

4.9 Environmental Health (EH)- EH have considered the potential impact of the development in amenity and the likelihood of the development to cause, or be affected by, nuisance, and have provided the following comments and recommended conditions (as summarised) below:

- Construction Management: Due to the proximity to adjacent residential properties, a condition is recommended requiring the pre-commencement approval of a construction management scheme, detailing (amongst other matters) noise, lighting, dust and vibration mitigation during the construction phase of the development; contractor parking and siting of materials.
- Internal and External Noise Impacts: EH consider that there is the potential for there to be a negative impact in terms of noise from nearby road sources on future residents. In addition, at least part of the above application falls within the 70 dB contour of RAF Leeming and as such there is a requirement to protect the amenity of the residents by reducing the effects of aircraft noise. To this end suitable glazing, and ventilation, must be installed in all habitable rooms of the properties to acceptably mitigate noise impacts. EH consider that houses built within the RAF zone/contour should provide similar noise impact mitigation that is currently being proposed by an existing MOD scheme to address noise issues (around MOD sites) in relation to existing housing within the aforementioned RAF zone/contour, i.e. a glazing system of at least 6.4L/12/10 which is likely to give a sound reduction of 40dB (Rw). Therefore, while EH acknowledge that the submitted Noise Impact Assessment has made recommendations for sound attenuation measures (including glazing, ventilation and boundary treatments such as solid fencing/acoustic barriers) in respect of internal and external noise impacts, EH would expect the 'advance standards' of the aforementioned MOD scheme to be adopted, and as such, a revision of the glazing specifications as set out/recommended within the Noise Impact Assessment would be required as part of the agreed final layout.
- Information and Recommended Conditions: While EH would ideally expect further information to be submitted in this regard, including revised glazing specifications, location and specification of any acoustic barriers as well as detailed noise contour maps (with and without the acoustic barriers) and the level of attenuation to be provided by the noise barriers. However, if the recommended additional information and clarification is not forthcoming before the determination of this outline application, then the EH have recommended that the following two conditions are imposed if planning permission is to be granted:
  - The provision and agreement in writing by the LPA) of a detailed building envelope specification once the layout is determined prior to the commencement of the development to demonstrate how a sound reduction of 40dB (Rw) will be achieved based on the 70dB (MOD) contour.
  - A requirement that noise levels in external amenity (garden) areas do not exceed 50dB LAeq,T. Details of how this would be achieved and maintained in perpetuity would need to be provided to, and agreed in writing, by the LPA, prior to the commencement of the development.

4.10 Environmental Health (Contaminated Land) - Having assessed the submitted Phase 1 Desk Study Assessment, which they have noted identifies low but potential risk from contamination and thus recommends further investigation resulting in the submission of a report detailing the findings and recommendations of a Phase 2 site investigation and risk assessment. EH state that this report should ideally be submitted prior to the determination of the application, however the following four conditions (as summarised) are recommended if not:

- Prior to commencement of the development, the submission and approval by the LPA of a Phase 2 assessment of the risks posed by contamination.
- Prior to commencement of the development, the submission and approval by the LPA of a detailed remediation scheme.
- Prior to first occupation or use, the approved remediation scheme must be carried out in accordance with its terms and a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the LPA.
- In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the LPA. 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 LPA. 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 LPA.

4.11 NYP Designing Out Crime Officer (DOCO) – The DOCO has submitted a Designing Out Crime Report, making observations/recommendations in relation to the following crime/design-related matters (as summarised) in order to provide a safe and secure environment and reduce the opportunities for crime/anti-social behaviour:

- Permeability: The indicative site layout plan shows two pedestrian footpath links to the eastern site boundary, with the southern link making Freemans Way a 'leaky cul-de-sac, although it is accepted that it will provide a walking route to the nearby school. It is however recommended that the two eastern pedestrian footpath links are: (a) overlooked and illuminated (either directly or indirectly), and (b) Short, direct, wide and attractive to use and avoid passing along rear boundaries.
- Access to Rear Gardens: For any proposed terraced housing, rear garden access must be gated (following specific recommendations, including height)
- Design and Layout: The indicative site layout plan is to be commended as it incorporates a number of 'Designing Out Crime' features, including active frontages (providing natural public realm surveillance); the use of a perimeter block structure with back-to-back/interlocking back gardens (providing community resilience to crime and disorder)
- Car Parking: In general, the proposed parking provision (shown on the indicative site layout plan) is commended as it complies with best practice by providing a garage, in curtilage parking, or on street parking in front of dwellings it serves, while avoiding the use of rear parking courts.
- Lighting: It is recommended that all roads and segregated footpaths comply with BS 5489-1:2020. Any lighting scheme should take into consideration landscaping proposals to avoid lighting being obscured and shadowing. It is

recommended that any lighting scheme provides external lighting to any elevation that contains a doorset.

- **Public Open Space:** It is good practice to ensure that any POS has good natural surveillance from nearby dwellings. The indicative site layout plan shows that the existing play area would not be overlooked.
- **Defensible Space:** There should be a clear definition between public and private space to support privacy and security.
- **Ambiguous Space:** Informal or left-over grassed areas that offer no public or private use or value (i.e. ambiguous space) should be avoided, and should be included within the curtilage areas of individual properties.
- **Boundary Treatment:** There are currently no details of the intended boundary protection. It is recommended that the boundary protection to the rear of each property should be a minimum height of 1.8m. Gates to the rear should be of the same height and should be as close to the front building line as possible.

4.12 Yorkshire Water Services (YWS) – If outline planning permission is granted, YW have recommended that conditions are imposed.

4.13 NYCC Archaeological Services –The Principal Archaeologist has confirmed that the applicant has submitted the results of archaeological trial trenching, which follows on from the desk-based assessment and geophysical survey. He considers that together these documents represent a suitable baseline from which to assess the impact of the proposal on heritage assets of archaeological interest (NPPF para. 194). In this case the archaeological trial trenching was negative and the anomalies identified in the geophysical survey were all found to have prosaic explanations. Following these negative results there is no further requirement for further archaeological works at this site. Therefore, the Principal Archaeologist has no objections to the proposal.

4.14 NYCC Planning Services (Minerals and Waste) – No comments to make.

4.15 Natural England – No representations received.

4.16 Historic England – Have confirmed that they are not offering any advice/comment on the application.

4.17 Public Comments – 14 representations have been received, with multiple responses being submitted by some local residents. All representations received are objecting to the application, raising the following issues, as summarised below:

- Amenity (Noise) - The proposals will create noise issues, particularly as the POS would be sited directly behind residential properties on Freemans Way.
- Amenity (Overlooking) – Existing houses located closer to the development site would be overlooked due to the differences in heights between the proposed two storey dwellings and the existing bungalows (i.e. on Harkness Close) Bungalows sited along the boundary of the site would be less invasive with regards to the properties on Harkness Close...the 2 metre high fence would block out light...pedestrians using the footways would be able to overlook the gardens of existing properties on both Harkness Drive and Harkness Close.
- Amenity (Loss of Light/Overshadowing) – the dwellings of the proposals would potentially cause a loss of light and overshadowing.



- Amenity (Loss of Community) – The proposals would result in the loss of the existing ‘community feel’ of the cul-de-sac and affect the current peaceful and ‘sense of place’ dynamic.
- Amenity and Accessibility (During Construction) – The traffic movements, deliveries, noise, dust/dirt and other activities associated with the construction phase of the proposals would disrupt/disturb the lives of local residents for a period of months... concern expressed (by a disabled resident) over the reduction in his access, particularly during the construction phase of the development.
- Design and Aesthetics – Existing properties in front of the development site are bungalows. The proposals would not fit with ‘the lay and look of the land’...more bungalows should be included within the proposals...the proposals would have a negative visual impact on the estate.
- Biodiversity - The proposals will disturb wildlife, including bats (that roost in the trees), deer, barn owls, birds of prey, amphibians, dragonflies and other fauna and flora... the proposals would not adequately compensate for the existing loss of habitat...a existing cherry blossom tree (to the rear of 9 Harkness Close) should be retained and appropriately protected within the site.
- Climate Change – the proposals would not be in keeping with the Council’s commitment to be carbon neutral by 2034...the proposals would result in the loss of old and established trees as well as a wetland area, which both have carbon sequestration benefits.
- Vehicular Access and Traffic – The proposed vehicular access from Bedale Road (through Harkness Drive) will not suffice, is too narrow and would not cope with the increase in traffic...additional traffic will increase the risk of traffic accidents which some local residents have stated is already a safety hazard. The existing highway is not wide enough (to be utilised), particularly with cars parked on the road along the carriageway of Harkness Drive, putting pedestrians (including children) at risk....the straight road access would encourage speeding,; would a curved road be more beneficial in this regard?
- Foul Drainage – The additional houses proposed would make existing capacity and other problems (with regards to foul drainage back up, blockages and odours within the surrounding residential development) worse.
- Flood Risk and Subsistence – Surface water flooding of the site during winter months has been noted. Displacement of water and impact on the water table as a result of the development may lead to increased subsistence issues with regards to adjacent properties (within Harkness Drive)...the application site has various soil types that could lead to subsistence problems (within the site) No account has been made within the proposals for the existing on-site pond...flooding takes place in the area of the POS, which would render the use of this space useless for a significant part of the year.
- Existing Services – The proposals would put additional strain on local services, including schools, public transport services, dental practice and doctors surgeries.
- Loss of Green Space – The proposals would result in the loss of precious green space, used by local residents (e.g. dog walking and children’s play) and those from further afield
- Layout (Anti-Social Behaviour) – With the proposed POS locate within the corner of the proposed development site, this would increase the potential for anti-social behaviour and reduced its useability/attractiveness, particularly by the elderly...the POS would eb better sited in the middle of the proposed development.

- Number of Units – The number of properties proposed seems excessive and would potentially create a claustrophobic feeling to Harkness Drive and Harkness Close.
- Land Ownership - A 1 metre strip of land was held by the original owners right down the rear of Harkness Close to the corner of the field to prevent cattle reaching over into the gardens and as far as can be ascertained the ownership of that still remains, and hence there would potentially be no access.

4.18 Publicity – A press advertisement was published in the Darlington and Stockton Times (expired 22.08.2022) Site notices were posted adjacent to the site (expired 09.09.2022)

## 5.0 Analysis

5.1 The main issues to consider are:

- Principle of development
- Housing numbers and the effective and efficient use of land
- Affordable housing and affordable housing tenure types/mix
- Housing mix
- Housing adaptability and Nationally Described Space Standards (NDSS)
- Design and Impact on the character of the area
- Green infrastructure, landscaping and POS
- Amenity
- Highway Safety and Access
- Flood risk, drainage (surface water and foul) and water management
- Biodiversity and BNG
- Heritage impacts
- Other considerations

Principle of development

5.2 The application site is a specific housing allocation within the Hambleton Local Plan, i.e. 'LEB1: Harkness Drive, Leeming Bar'. Given the site's status in the Hambleton Local Plan as part of a specific housing site allocation, it is considered that the principle of development is already established, although it is important that the specific 'development requirements' within the Local Plan for this allocation are met through the submission and / or planning conditions. These requirements will be addressed within the relevant 'issues' below.

Housing numbers and the effective and efficient use of land

5.3 The Local Plan confirms that allocation LEB1 is proposed to accommodate approximately 85 homes within the 3.3ha greenfield site. Notwithstanding the submitted indicative layout plan (which shows the provision of 80 units), the agent has subsequently confirmed that it is the intention to achieve approximately 90 units on the site (revised from 100), although they are keen to stress that the precise figure would be dependent on achieving the relevant other policy requirements, including an appropriate/policy-compliant housing mix; public open space; minimum parking standards, biodiversity net gain; landscaping scheme; SuDS and achieving

Nationally Described Space Standards. An revised indicative plan is to be submitted by the agent to illustrate a policy compliant 100 unit scheme.

Officers were concerned as to how 100 units would be accommodated on the application site without compromises in regard to other (Local Plan) policy requirements, including those mentioned above. However, the revision to approximately 90 units is considered to be acceptable. A revised indicative layout is being submitted and will be reported to Members through the Committee update.

- 5.4 However, the agent has also sought to address these concerns within the submitted Density and Dwelling Capacity Statement and Local Plan Main Modifications Statement, stating that they recognise that the site is allocated for approximately 85 homes, it is their belief that the site is capable of achieving 90 units whilst still providing affordable housing and community benefits (including public open space). In fact, the agent makes the case that an increase in unit numbers would result in the benefit of increasing the number of on-site affordable units. The agent also argues that the inclusion of the word 'approximately' within the allocation allowing for a degree of flexibility in regard to the provision of higher unit numbers should the application details demonstrate that this is appropriate.
- 5.5 However, the main justification put forward by the agent for an increase in unit numbers centres around the density of the development. It is stated within the Density and Dwelling Capacity Statement that an 85 unit scheme on the site would achieve a density of 26 dwellings per hectare (dph), which would be below the 30dph generally considered to be an appropriate density to achieve the effective and efficient use of land as required by Local Plan policy and the NPPF.
- 5.6 The agent has confirmed that it is not the intention at outline stage to establish the 'final quantum' of units, confirming that any future reserved matters application would establish the final size and scale of the development. The agent to keen to avoid at outline stage (through planning condition) the setting of a minimum unit number for the development so that flexibility will remain at the point when a future reserved matters application is submitted, to ensure that the housing needs and demands of the area can be assessed at that time, alongside other detailed design elements.
- 5.8 In order to progress the application, the agent has confirmed that he would accept a condition that, rather than limiting the number of units, would instead limit the dwellings per hectare (dph) delivering approximately 90 dwellings. Unlike setting a maximum number of units, a maximum dph would provide more flexibility and could encourage the provision (within the final layout) of smaller house types required within the District, such as one bed quarter houses and two and three bed market and affordable dwellings. While this 'dph-approach' may encourage the provision of apartment block development or other multi-storey development, in practice, providing the maximum dph is set at a reasonable level (i.e. no more than 30 dph, which for a suburban area involving largely dwellings would generally be considered to be at the lower end of a moderate density) this should not present an issue. There would also be further 'checks and balances' in terms of providing dwellings of an appropriate size and with sufficient storage through the policy requirement for the development to comply with the current nationally described space standards. While there is the risk that the area of amenity space of each unit as well as separation distances between properties within and adjacent to the site could potentially be compromised as a result of a higher dph than was expected

within the allocation, this doesn't necessarily have to be the case, particularly if the maximum dph is set at a not unreasonable level, while the LPA would in any case need to approve the final layout, scale, landscaping and appearance of the development at reserved matters stage where such design and amenity-related issues would be appropriately considered/determined.

**Affordable housing and affordable housing tenure types/mix**

5.9 Since the submission of the application, the agent has subsequently clarified that agent that a 'policy-compliant' 30 per cent affordable housing provision is proposed. This level of provision would accord with the affordable housing requirement of policy HG3 of the Local Plan for all new market housing developments. It is recommended that a policy compliant 30% affordable housing provision be required through a S106 agreement.

5.10 Although the precise details of the affordable housing types and tenure would be agreed latterly, it is stated on the application form that a mixture of social, intermediate rent and affordable home ownership will be considered, which would be in general compliance with the affordable housing tenure mix stated within (c) of Policy HG3 subject to the agreement of the final (proportionate) affordable tenure mix.

**Housing mix**

5.11 In terms of the affordable and market housing mix for the proposed development, it is expected that a housing mix in line with table 3.1 of the Council's newly adopted Housing SPD (reproduced below), is achieved for the proposed development@

	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4+ bed</b>
<b>Market</b>	5-10%	40-45%	40-45%	0-10%
<b>Affordable</b>	20-25%	50-60%	10-20%	0-5%

5.12 The predominance of 2 and 3 bedroom properties within the housing mix reflects the Council's objective to increase the number of 2 and 3 bed homes for the benefit of smaller families and couples within the district. The Council's preference is for one-bedroom properties to be made up of a small number of apartments, in blocks of a maximum of four dwellings, all with their own entrance, or for 'quarter houses'. This target for single bedroom properties is intended to meet the needs of young single people and couples. To assist older people to downsize and improve the offer of smaller accommodation the Council will seek bungalow provision where there is an evidenced need. Bungalows should normally be two bedroom. However, some three-bedroom bungalows of an appropriate size will also be supported where they meet an identified need. During the course of the consideration of the application, the agent has confirmed (in writing the intention to meet the housing mix expectations (i.e. as set out in table 3.1 of the SPD) The precise market and affordable housing mix for the site (based on the Council's housing mix expectations within the Housing SPD) can be required through a planning condition, if outline planning permission is approved.

**Housing Adaptability and Nationally Described Space Standards (NDSS)**

5.13 In order to help achieve the Council's aim of creating sustainable and inclusive communities, Policy HG2 (Delivering the Right Types of Homes) states that the Council will (criterion a) seek the use of good quality adaptable housing designs that provide flexible internal layouts and allow for cost-effective alterations to meet

changing needs over a lifetime and reduced fuel poverty. Policy HG2 also states that the Council will support housing development where all homes meet the NDSS (criterion g). The proposals are for outline planning permission so the precise sizes, internal layouts and specifications will be agreed as part of detailed plans for the scale, layout and appearance of the development at reserved matters stage. It is worth noting that the agent has acknowledged the policy requirement for the detailed designs of the dwellings to meet current NDSS. However, it is recommended that if permission is granted, a condition is imposed requiring the reserved matters details to demonstrate compliance with current NDSS.

Design and Impact on the character of the area

- 5.14 Policy E1 (Design) states that all development should be high quality...integrating successfully with its surroundings in terms of form and function...reinforcing local distinctiveness and...a strong sense of place. As such, development will be supported where the design is in accordance with the following requirements of Policy E1 (amongst others): Responding positively to its context...drawing key characteristics from its surroundings...to help create distinctive, high quality and well-designed places (criterion a.); Respects and contributes positively to local character, identity and distinctiveness in terms of form, scale, layout, height, density, visual appearance/relationships, views/vistas, materials and native planting/landscaping (criterion b.); and makes efficient use of the site...consistent with high quality design and the protection of local character and amenity (criterion h.), echoing the requirement within S1 (criterion a.) to make effective and efficient use of land.
- 5.15 Policy E7 (Hambleton's Landscapes) states that the Council will protect and enhance the distinctive landscapes of the District by supporting proposals where (amongst other less relevant considerations) it: considers the degree of openness and special characteristics of the landscape (criterion a.); conserves, and where possible, enhances any natural and historic landscape features that contribute to the character of the local area (criterion b.) and protects the landscape setting of individual settlements, helping to maintain their distinct character and separate identity (part e.).
- 5.16 A Landscape Visual Appraisal (LVA) was submitted in support of the application. The LVA confirms that the site is located within Character Area 13 (Leeming Corridor) and subsection 5b. of the Hambleton Landscape character Assessment and Sensitivity Study. Of relevance to the application site, are the following facets of the Character Area and sub-area:
- A varied topography, gently undulating throughout, with a subtle central ridge in the north, petering out in the south into lower broader and more open topography.
  - A central hub of activity around Leeming, including the RAF station, industrial estate and business park at Leeming Bar, and forthcoming Bedale, Aiskew and Leeming Bar bypass.
  - A strong sense of the large scale of the lowland area between the
  - Yorkshire Dales and North York Moors, with a vast open sky.
- 5.17 The LVA has assessed the landscape quality to be at the lower end of 'Good/Medium'. The site is not considered to contribute to the overall vista of the wider landscape, with the mature treeline along the south boundary and south-west

corner of the site providing the greatest contribution to the surrounding landscape. In relation to landscape sensitivity, the LVA has assessed the site as 'Medium/Low, for the following reasons:

- The site is at a low elevation within the landscape and either fully or partially screened from all directions, with the exception of the north.
- The proposed residential development on the site would be for a residential scheme, in keeping with the immediate surroundings.
- The area within which the site is located is dominated by industrial sites (i.e. to the north) and by the A1(M) motorway (to the west)
- The public footpath to the south with views towards the site is frequented by local users only and provides a means of pedestrian access under the A1(M). Therefore, the number of receptors is judged to be low.

5.18 The conclusion of the LVA states that the site has no relationship with the open countryside to the south, sandwiched as it is between existing residential areas, the A1(m) and Bedale Road. In terms of pedestrian, vehicle and residential receptors, the LVA concludes that there are few public footpaths in the area, most of which are some distance away to the south with no views of the site. The impact on receptors would be two-fold: disturbance during the construction phase and the extension of the residential landscape. For pedestrian, vehicle and the majority of residential receptors the impact of the site would be neutral or minor adverse as the proposals do not make a significant change to their views. The change to the view from Harkness Road and Harkness Close would be moderate adverse as these properties would see a change to their outlook from an open vista to that of residential properties.

5.19 Overall, it is considered that the LVA has provided an accurate assessment of the site. While there would be a moderate adverse impact on the views from residential properties on Harkness Road and Harkness Close that currently overlook the undeveloped site, this impact can look to be mitigated through a sensitive layout and landscaping scheme, as well as the appropriate design and scale of buildings to be agreed at reserved matters stage. At this stage it is considered that the development would not have a significant detrimental impact on the character of the area that would warrant the refusal of planning permission.

Green infrastructure, landscaping and POS

5.20 Policy E1 (Design) states that all development should be high quality...integrating successfully with its surroundings in terms of form and function...reinforcing local distinctiveness and...a strong sense of place. As such, development will be supported where the design is in accordance with the following requirements of Policy E1 (amongst others): Responding positively to its context...drawing key characteristics from its surroundings...to help create distinctive, high quality and well-designed places (criterion a.); Respects and contributes positively to local character, identity and distinctiveness in terms of form, scale, layout, height, density, visual appearance/relationships, views/vistas, materials and native planting/landscaping (criterion b.); and makes efficient use of the site...consistent with high quality design and the protection of local character and amenity (criterion h.), echoing the requirement within S1 (criterion a.) to make effective and efficient use of land.

- 5.21 Policy E7 (Hambleton's Landscapes) states that the Council will protect and enhance the distinctive landscapes of the District by supporting proposals where (amongst other less relevant considerations) it: considers the degree of openness and special characteristics of the landscape (criterion a.); conserves, and where possible, enhances any natural and historic landscape features that contribute to the character of the local area (criterion b.) and protects the landscape setting of individual settlements, helping to maintain their distinct character and separate identity (part e.).
- 5.22 Policy E4 (Green Infrastructure) that states that the Council will seek to protect existing green infrastructure, secure improvements to its safety and accessibility, and secure net gains to green infrastructure provision by requiring development proposals to (*inter alia*):
- a. incorporate and where possible enhance existing green infrastructure features as an integral part of the design, and provision of a landscaping scheme which deals positively with the transition between development and adjoining land;
  - b. capitalise on opportunities to enhance and/or create links between green infrastructure features within the site and, where possible, with nearby features beyond the site, for example with multi-user paths, including linking green spaces, and/or address fragmentation of green infrastructure through inclusion of street trees, green roofs and other features as appropriate;
  - c. where the site is located within, or in close proximity to a green infrastructure corridor, or a component of green infrastructure, enhance or create links within, to and between the site and the corridor and to enhance the functionality of the corridor.
- 5.23 Similarly, Policy IC3 (Open Space, Sport and Recreation) states that development will be supported where it delivers net gains to the network of green infrastructure and is designed to encourage healthy lifestyles by incorporating such features as cycleways, footpaths and other informal facilities.
- 5.24 Policy IC3 also states that the Council will seek to protect and enhance open space, Local Green Space and sport and recreational facilities in order to support the health and well-being of local communities. A proposal for housing development of 10 or more dwellings will only be supported where:
- a. it incorporates or otherwise makes provision for open space, sport and recreational facilities to meet the needs arising from the development in line with the standards set out in Appendix E: 'Open Space, Sport and Recreation Standards'. Provision should be made on site where possible, but contributions to the improvement and/or enhancement of existing provision will be supported where it is accessible from the proposed development. Based on the size of the proposed development, there will be a requirement within Appendix E to provide for village green/amenity open space as well as children play areas, including a LAP and LEAP; facilities of young people/teenagers; outdoor sports facilities and allotment gardens, although financial contributions should be considered where such existing facilities are within walking distance.
- 5.25 Two of the specific 'development requirements' stated within the Local Plan for allocation LEB1 are as follows:
9. The site is within the North Yorkshire Green Infrastructure corridor and the development should seek to enhance connectivity to adjacent green infrastructure, particularly areas of accessible local green space.

10. A development statement outlining the proposals will be required to show how the development will successfully integrate with the surrounding area and the neighbouring residential area. The statement will also need to 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.

5.26 In terms of landscaping and green infrastructure, the application documents confirm the intention to preserve and enhance (as part of the development) the existing hedge and trees to the site boundaries (including the enhancement of the existing tree/hedge buffer along the south-east boundary); and retain and maintain the run of mature beech hedge which runs north to south within the site. Areas of public open space are shown on the indicative site plan along the south-eastern boundary of the site. However, it is important to note that the site adjoins an existing play area and allotments to the north-east, and thus are within the relevant 'walking distances' of Appendix E. As such, there is the potential within IC3 and appendix E for a financial contribution to be made for improvements to these existing facilities, rather than providing them fully on-site.

#### Amenity

5.27 Policy E2 (Amenity) expects all development 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.

5.27.1 The site lies within the designated noise insulation area of RAF Leeming Bar. A Noise Impact Assessment has been submitted with the application. Having considered the application, including the N.I.A, and the recommended mitigation, Environmental Health have confirmed that they have no objections, subject to conditions.

5.29 Layout is not being considered at this stage, although an indicative plan has been provided in support of the application. The north-western site boundary adjoins the rear of properties along the south of Harkness Close and a property on Harkness Drive. While the north-east boundary adjoins the rear gardens of several properties on Freemans Way. Concerns have been expressed by local residents about amenity impacts on their respective properties that adjoin the site. Therefore, it is important at reserved matters stage that the orientation, height and design of dwellings is carefully considered to avoid any significant and unacceptable amenity impacts. A sensitive landscaping scheme should also be considered in terms of providing additional buffering between the proposed development and existing dwellings. Overall, there is no reason to suspect that an adequate level of residential amenity can not be achieved through the development.

#### Highway Safety and Access

5.30 Policy IC2 states that the Council will seek to secure a safe and efficient transport system...accessible to all and that supports a sustainable pattern of development. As such, development will only be supported where it is demonstrated (amongst other less relevant considerations) that: the development is located where it can be satisfactorily accommodated on the highway network, including where it can be well integrated with footpaths, cycle networks and public transport (criterion a.); The



need to travel is minimised and that walking, cycling and the use of public transport are maximised (criterion c.); Highway safety would not be compromised and that safe physical access to be provided to the proposed development from footpath and highway networks (criterion e.) Adequate provision for servicing and emergency access is to be incorporated (criterion f.), and appropriate provision for parking is incorporated...(criterion g.)

- 5.31 Policy E1 (Design) reinforces the need for the proposals to be designed to achieve good accessibility and permeability, stating that development will be supported where it: Promotes accessibility and permeability for all by creating safe and welcoming places that connect with each other and are easy to move through, putting people before traffic, and integrating land uses and transport (criterion e.); and is accessible for all users by maximising opportunities for pedestrian, wheelchair and cycle links within the site and with the surrounding area and local facilities, providing satisfactory means for vehicular access and incorporating adequate provision for parking, servicing and manoeuvring in accordance with applicable adopted standards (part f.)
- 5.32 Two of the specific 'development requirements' stated within the Local Plan for allocation LEB1 are as follows:
1. Vehicle, cycle and pedestrian access will be taken from Harkness Drive.
  2. Works are required to extend and improve pedestrian links, including the provision of pedestrian and cycle access to Freemans Way and to the open space and play area to the northeast.
- 5.33 The indicative layout shows that the site would be directly accessed by a single point of entry from Harkness Drive. Footways running either side of Harkness Drive would lead directly into the site and will follow the internal road layout, dropping down to single sided footway further within the site. Two new pedestrian footpath links are to be introduced to the eastern boundary of the proposed development. The northern link will pass through the neighbouring existing play area and on into the Freemans Way estate. The southern link will connect directly into Freemans Way. These two links will provide alternative pedestrian access to the village centre, including the village primary school. The vehicle access and pedestrian connectivity (as shown on the indicative plan) would accord with the requirements and expectations of the LEB1 allocation and IC2. The Local Highway Authority have no objections, subject to the recommended conditions summarised at 4.6.
- Flood risk, drainage (surface water and foul) and water management
- 5.34 Policy RM 3 relates to surface water and drainage management and includes the requirement (in accordance with the NPPF) that SuDS be incorporated in the drainage design.
- 5.35 Two of the specific 'development requirements' stated within the Local Plan for allocation LEB1 are as follows:
3. Parts of the site to the south, east and along the south eastern boundary are vulnerable to surface water flooding. A site specific flood risk assessment will be required to determine the nature and scope of any mitigation necessary.
  4. The site includes public surface water sewers which must be taken into account in the site layout. There is also a sewage pumping station adjacent to the site where access must be maintained at all times.

- 5.36 The application site is located within Flood Zone 1 (of the EA flood maps) and therefore is at low risk of flooding from fluvial sources. Surface water would be discharged on the adjacent watercourse. The LLFA have confirmed that they consider that the application demonstrates a reasonable approach to the management of surface water on the site, and have no objections.
- 5.37 In respect to the Yorkshire Water infrastructure, Yorkshire Water have raised some concerns in their consultation response about potential impacts on their infrastructure. Discussions with Yorkshire Water remain ongoing to address this matter, and an update will be provided to Members before the Committee meeting in this regard.

#### Biodiversity and BNG

- 5.38 In accordance with paragraph 180 of the NPPF, Policy E3 (The Natural Environment) of the Hambleton Local Plan expects all development to demonstrate the delivery of a net gain for biodiversity, with paragraph 6.46 of the supporting text stating 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.
- 5.39 A specific 'development requirement' stated within the Local Plan for allocation LEB1 is as follows:  
5. 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 features should be retained, including hedgerows and mature trees, and boundaries features enhanced to screen views of the site from the south. Habitats must be protected from adverse impacts, such as obtrusive light.
- 5.40 A Preliminary Ecological Appraisal has been submitted with the application and several species surveys. Although no significant impacts on biodiversity (including Protected Species) were identified, a number of recommendations were made within section 5 of the P.E.A. It is recommended that these are required to be undertaken (via condition) if planning permission is approved.
- 5.41 It is acknowledged that there are likely to be notable biodiversity gains available from the proposed planting within the site. However, as an outline application, only limited and indicative landscaping proposals have been submitted (landscaping is a reserved matter). However, there would be opportunities for relatively extensive additional tree and hedgerow planting along site boundaries (particularly the south-eastern boundary) to supplement, enhance and link to the existing trees and hedgerows within and adjacent to the site. Although indicative, the proposed site plan shows a relatively large areas for public open space which would provide further opportunities for tree planting and other potential habitat creation and enhancement features, while also providing potential enhanced connections and improvements to both the immediate and wider green infrastructure network. If outline planning permission is approved, it is important that a planning condition is imposed requiring the applicant to demonstrate biodiversity net gains (in accordance with current DEFRA guidance and metric) and enhancements to the green infrastructure network.

#### Heritage impacts

5.42 A specific 'development requirement' stated within the Local Plan for allocation LEB1 is as follows:

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

5.43 Having submitted the results of the trial trenching (requested by the Principal Archaeologist), NYCC Archaeology have confirmed that they have no objections to the proposals. It is considered that the proposals comply with the relevant policy requirements.

#### Other considerations

5.44 A specific 'development requirement' stated within the Local Plan for allocation LEB1 is as follows:

7. The site is in a minerals safeguarding area for brick and clay and sand and gravel; safeguarding considerations will need to be adequately addressed with engagement with North Yorkshire County Council.

5.45 NYCC have been consulted on the application and have confirmed that they have no objections.

#### Planning balance

5.46 The principle of the development of this site is established as part of the LEB1 allocation in the Local Plan. Matters pertaining to housing mix can be dealt with through condition and a policy compliant 30% affordable housing is to be provided through the S106 agreement. Matters pertaining to residential amenity, biodiversity net gain and highway safety in terms of the layout will be considered in more detail at the time of the Reserved Matters submission. However, there is no reason to expect that these matters could not be fully compliant with policy.

5.47 It is considered that the technical requirements of highways and drainage are met and again these matters are considered to be compliant with relevant policy.

## 6.0 Recommendation

6.1 That subject to the satisfactory prior completion of a planning obligation to secure the 30 percent affordable housing provision and any provision and/or financial contributions towards the provision of play facilities, POS and the other requirements of Appendix E, is **GRANTED** subject to the following conditions:

1. Application for the approval of all of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this decision and the development hereby approved shall be begun on or before whichever is the later of the following dates: i) Three years from the date of this permission ii) The expiration of two years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.
2. The development shall not be commenced until details of the following reserved matters have been submitted to and approved by the Local Planning Authority:

(a) the siting, design, scale and external appearance of each building, including a schedule of external materials to be used; (b) the landscaping of the site.

3. 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.
4. 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.
5. 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. unless construction access to the application site is to be via the completed approved accesses to the site (in accordance with the requirements specified in all other relevant planning conditions of this planning permission) then details of any temporary construction access to the site including measures for removal following completion of construction works;
  2. restriction on the use of access for construction purposes;
  3. wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
  4. the parking of contractors' site operatives and visitor's vehicles;
  5. areas for storage of plant and materials used in constructing the development clear of the highway;
  6. measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;
  7. details of the routes to be used by HGV construction traffic and highway condition surveys on these routes;
  8. protection of carriageway and footway users at all times during demolition and construction;
  9. protection of contractors working adjacent to the highway;
  10. details of site working hours;
  11. erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate;
  12. means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
  13. measures to control and monitor construction noise;

14. an undertaking that there must be no burning of materials on site at any time during construction;
  15. removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;
  16. details of the measures to be taken for the protection of trees;
  17. details of external lighting equipment;
  18. details of ditches to be piped during the construction phases;
  19. a detailed method statement and programme for the building works; and
  20. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.
6. Development shall not commence until a scheme detailing surface water drainage (including a scheme detailing its future management and maintenance) has been submitted to and approved in writing by the Local Planning Authority, in consultation with Yorkshire Water and the Lead Local Flood Authority. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with any 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. Note that further restrictions on surface water management may be imposed by Yorkshire Water and the Local Planning Authority.
  7. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
  8. No development shall take place until a suitable maintenance scheme for the proposed SuDS drainage scheme, including any storage and attenuation facilities, has been submitted to and approved in writing by the Local Planning Authority. Details with regard to the maintenance and management of the approved scheme to include; drawings showing any surface water assets to be vested with the statutory undertaker/highway authority and subsequently maintained at their expense, and/or any other arrangements to secure the operation of the approved drainage scheme/sustainable urban drainage systems throughout the lifetime of the development.
  9. 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.
  10. Prior to commencement of the development hereby approved a biodiversity scheme shall be submitted to and approved in writing by the Local Planning Authority. In accordance with current DEFRA guidance and relevant metric, the scheme shall demonstrate how the development will achieve a measurable net gain for biodiversity including on site provision for habitats. The scheme shall also demonstrate the protection of, and enhancement to, the green infrastructure

corridor within and adjacent to the application site. The development shall thereafter be carried out in accordance with the approved scheme.

11. The development shall be carried out in accordance with the recommendations, mitigation measures, working practices and timings within the approved Ecological Impact Assessment
12. No above ground construction work shall be undertaken until a scheme has been submitted and the Local Planning Authority has approved in writing the details of the Public Open Space within the site including: a) The type and nature of the facilities to be provided within the POS including street furniture, play equipment etc; b) The arrangements the developer shall make to ensure that the Public Open Space is laid out and completed during the course of the development; c) The arrangements the developer shall make for the future maintenance of the Public Open Space; d) The open space shall be completed in accordance with the approved scheme and retained thereafter
13. Prior to or alongside the submission of any relevant reserved matters application, a housing schedule shall be submitted to the Local Planning Authority detailing the housing size, type and tenure in accordance with the Council's current Housing SPD, or otherwise with an identified local need in the Northallerton, which has first been submitted and agreed in writing with the Local Planning Authority. The layout, appearance and scale of the reserved matters application shall thereafter be in accordance with the approved housing schedule.
14. Prior to or alongside the submission of any relevant reserved matters application, a detailed schedule shall be submitted to and agreed in writing by the Local Planning Authority stating how the development will comply with 'Secured by Design' principles having taken in account the recommendations of the North Yorkshire Police in their consultation response submitted in relation to the this outline planning permission. . The layout, appearance, landscaping and scale of the reserved matters application shall be in accordance with the approved housing schedule.
15. Prior to or alongside the submission of any relevant reserved matters application, a noise assessment shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the dwellings and amenity areas can meet required noise levels stated by Environmental Health. Where noise levels cannot be met, designs or noise mitigation either through design or technology will be required to be submitted to and to be approved by the local planning authority prior to the development taking place. All works which form part of the scheme shall be completed before any of the proposed dwellings are occupied. The layout, appearance, landscaping and scale of the reserved matters application shall be in accordance with any recommended mitigation measures within the Noise Impact Assessment.
16. This application grants planning permission for approximately 90 dwellings with a housing density of no more than 30 dwellings per hectare.

17. The details of the appearance, scale and layout of the development as submitted as part of the reserved matters shall ensure that all dwellings meet the current Nationally Described Space Standards (NDSS)
18. Prior to the commencement of the development, plans showing the existing and proposed site and finished floor levels of each building shall be submitted to and approved in writing by the Local Planning Authority. Levels shall include the existing and proposed site levels along with proposed finished floor, eaves and ridge levels. The development shall thereafter be undertaken in accordance with the approved finished floor levels.

The reasons for the above conditions are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To 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 secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.
4. To ensure that the Travel Plan is adhered to.
5. In the interests of highway safety.
6. In the interest of satisfactory and sustainable drainage.
7. In the interest of satisfactory and sustainable drainage.
8. In the interest of satisfactory and sustainable drainage.
9. In the interest of satisfactory and sustainable drainage.
10. In the interest of biodiversity and protecting and enhancing the green infrastructure network.
11. In the interest of achieving biodiversity net gain.
12. In order to comply with the requirements of IC 3 and Appendix E of the Hambleton Local Plan.
13. To ensure that the proposed development meets local need for housing in accordance with HG2 of the emerging Local Plan.
14. To ensure that the development is in accordance with Secured by Design Principles.
15. To ensure the amenity of residents.

16. To ensure an appropriate housing density for the scheme is agreed.
17. To ensure that the approved scheme accords with the Nationally Described Space Standards (NDSS)
18. To ensure that the finished floor levels of the buildings within the approved scheme are appropriate.