

North Yorkshire Council

Community Development Services

Richmond (Yorks) Area Constituency Planning Committee

12th October 2023

**23/00085/out - Outline planning application (with all matters reserved except access)
for the erection of 15 no. Residential dwellings
At Land off Wild Hill Lane, Hunton, North Yorkshire for Rob H Roberts, B Lockey
and C Lockey**

Report of the Corporate Director – Community Development Services

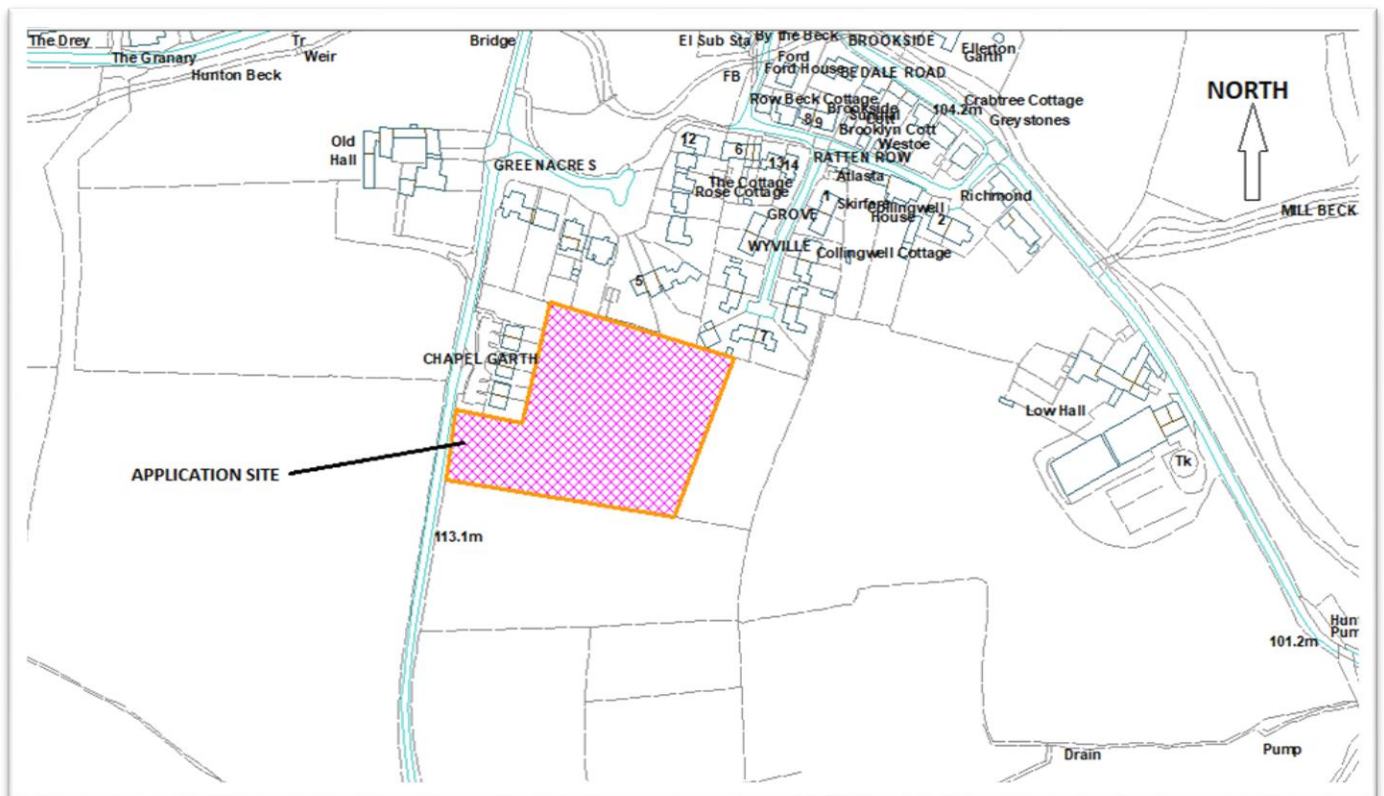
1.0 PURPOSE OF THE REPORT

- 1.1 To determine a planning application for Outline Planning Application (with All Matters Reserved Except Access) for the Erection of 15 No. Residential Dwellings on land at Land Off Wild Hill Lane, Hunton, North Yorkshire.
- 1.2 This application is brought to planning committee due to raising significant material planning considerations.

2.0 SUMMARY

RECOMMENDATION: That planning permission be **GRANTED** for the erection of 15 dwellings subject to conditions listed below and completion of a S106 agreement for affordable housing, public open space and a contribution towards education.

- 2.1 The application site is outside and adjacent to the Development Limits of Hunton a Secondary Service Village. The minimum dwelling target for the village has been met, and in accordance with Policy CP4 should be considered on its merits. It is considered that a moderate scheme of 15 dwellings including 40% affordable with very good biodiversity net gain in a location which will not cause significant visual, landscape and amenity harm is acceptable in principle.
- 2.2 Technical matters have been suitable addressed with no statutory consultee objections.



3.0 PRELIMINARY MATTERS

- 3.1 Access to the case file on Public Access can be found here: [Online Documents](#)
- 3.2 The ward member Councillor Jones requested this application to be considered by planning committee which was accepted.
- 3.3 During the course of the application there has been amendments to the proposal including the change of type of affordable housing and the addition of a LAP of 100sqm on-site.
- 3.4 There is no recent or relevant planning history to the application site.

4.0 SITE AND SURROUNDINGS

- 4.1 The application site is located to the south of the settlement of Hunton, with the application site measuring approximately 0.95ha. Access to the site is via Wild Hill Lane to the east. To the northern boundary is residential dwellings and associated curtilage; to the east and south are agricultural fields; and to the west is Wild Hill Lane with agricultural fields beyond, and six dwellings to the north-west (affordable dwellings approved under planning permission reference 12/00736/FULL).
- 4.2 The settlement of Hunton is located in the Lower Wensleydale Sub Area of the Richmondshire district and is classified as a Secondary Service Village within the Settlement Hierarchy of the adopted Local Plan. The market towns of Leyburn and

Bedale are located circa 5 miles (to the south-west) and 6 miles to the (south-east) respectively.

- 4.3 The settlement has a population of 431 (Census, 2021) and benefits from a village hall, public house/hotel called The Countryman's Inn, a Methodist Church and a primary school (Hunton and Arrathorne Community Primary School). There are two public bus routes serving Hunton (Service number 30 and 155) which operate on a regular basis connecting the settlement to larger localities including Bedale, Leyburn and Princes Gate, Catterick Garrison.
- 4.4 The site is not located within or adjacent to a Conservation Area. The site is located within Flood Zone 1, with part of the settlement to the north of the site being located within Flood Zones 2 and 3. There are no listed buildings or protected trees on the site. Old Hall & Old Hall Cottage (Grade II listed) and Low Hall (Grade II listed) are located approximately 80m north-west and 135m east respectively. There is a public right of way which runs along the eastern boundary of the application site.

5.0 DESCRIPTION OF PROPOSAL

- 5.1 This application seeks outline planning permission for the erection of 15 dwellings with all matters reserved except access. The Proposed Site Plan (Drawing no. 3333-DEN-ZZ-XX-DR-A-1000) and Outline Soft Landscape Plan (Drawing no. MR22-057/101) (Date Received 10.08.2023) provide an indicative site layout for the proposed scheme.
- 5.2 The scheme is proposed to provide a mixture of 3 bungalows, 8 semi-detached properties and 4 detached dwellings. The housing mix and type is set out in the table below.

Bedrooms	Detached Bungalow	Semi-Detached	Detached	Total
1 bed	0	0	0	0
2 bed	2	4	1	7
3 bed	1	4	1	6
4 bed	0	0	2	2
Totals	3	8	4	15

- 5.3 In terms of affordable housing it is proposed that 6 of the dwellings would be affordable, with the mix agreed for 3 first homes/discount market sale and 3 affordable rent. This equates to a 40% on-site affordable housing contribution (in line with Policy CP6).
- 5.4 With regards to highways, the access to the site would be from a new singular access point off Wild Hill Lane.
- 5.5 A public footpath has been incorporated into the development to provide a link through the development from the existing public right of way which runs to the eastern boundary of the site to the existing footpath which runs along Wild Hill Lane.
- 5.6 The Outline Soft Landscape Plan (Drawing no. MR22-057/101) (date received 10.08.2023) illustrates one way the site could be laid out including: the amenity

space for each plot; the proposed open space including a LAP play area; and a strip of land to the east of the site for biodiversity net gain.

6.0 PLANNING POLICY AND GUIDANCE

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

6.2 The Adopted Development Plan for this site is:

- Richmondshire Local Plan 2012-2028 Core Strategy, adopted 2014
- Saved Local Plan Policy 23 of the Richmondshire Local Plan 1999-2006
- The Minerals & Waste Joint Plan 2015 – 2030 adopted 2022

Emerging Development Plan – Material Consideration

6.3 The Emerging Development Plan for this site is listed below. It is considered of negligible weight due to progress of the Local Plan ceasing with the intention to work towards a North Yorkshire Local Plan from 1st April 2023.

- Richmondshire Local Plan Issues and Options 2021

Guidance - Material Considerations

6.4 Relevant guidance for this application is:

- National Planning Policy Framework 2023
- National Planning Practice Guidance
- National Design Guide 2021

7.0 CONSULTATION RESPONSES

7.1 The following consultation responses have been received and have been summarised below.

7.2 **Hunton Parish Council:** Objects to the proposal on a number of grounds, namely: the development is not 'local development plan led' in accordance with the first principles of the National Planning Policy Framework. It breaches a number of core policy principles in the local development plan; Core Policy CP3 (land classification); the local infrastructure is not suitable to accommodate the development; climate change and environmental considerations; the proposed development is not sensitive to the local surroundings; and affordable/social housing.

7.3 **The Byways and Bridleways Trust** - Thank you for your notice. Due to the number of notices received, we will not necessarily respond.

7.4 **LLFA** - The submitted documents demonstrate a reasonable approach to the management of surface water on the site. Recommend conditions are attached to any permission granted including: 'Standard Detailed Drainage Design'; 'Runoff rate Storage Requirements and Maintenance'; and 'Outfall Destination/Impact on

network’.

- 7.5 **NHS:** No comments to make, and will not be requesting a S106 contribution.
- 7.6 **NYC Archaeology:** Advise that a scheme of archaeological mitigation recording is undertaken in response to the ground disturbing works associated with this development proposal.
- 7.7 **NYC Ecology:** The applicant should adhere to the ecological mitigation measures recommend in section 6.3 of the report. The Biodiversity Net Gain (BNG) report projects large gains for both area-based habitats (+375%) and hedgerows (+664%), which would be very comfortably compliant with policy.

Following amendments: No further comments on the PEA. Satisfied that the explanation regarding the amended landscaping scheme in relation to BNG. Do not need to see a BNG calculation at this stage however if there further amendments to the scheme at reserved matters stage an updated calculation will be required.

- 7.8 **NYC Education:** Based on the proposed number of dwellings a developer contribution would currently be sought for education facilities should the application be approved, this amounting to £63,472.50 for Primary Education improvements. Developer contributions may also be required towards educational facilities at alternative schools to those shown on the attached pro-forma.
- 7.9 **NYC Environmental Health:** Considered the potential impact on amenity and the likelihood that the proposed development will cause a nuisance to neighbouring properties and consider that the impact will be low.

Contaminated Land - satisfied that the Environmental assessment report dated 21.11.22 from Envirosolutions confirms that the site is at low risk from contamination, recommends standard condition relating to where contamination is found during the course of the development.

Noise and Dust - The development is close to existing residential properties and has the potential for an adverse impact from noise and dust during the construction phase of the development. Recommends conditions are attached including the submission of a Construction Environmental Management Plan prior to commencement and limits noisy construction works to between the hours of 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturdays and at no time on Sundays and Bank Holidays.

- 7.10 **NYC Highways:** Recommends conditions are attached to any permission granted including: ‘Detailed Plans of Road and Footway Layout’; ‘Construction of Adoptable Roads and Footways’; ‘New and altered Private Access’; ‘Closing of Existing Access’; ‘Visibility Splays’; ‘Details of Access, Turning and Parking’; ‘Parking for Dwellings’; ‘Garage Conversion to Habitable Room’; and ‘Construction Phase Management Plan’.
- 7.11 **NYC PRoW:** Identifies a public right of way which runs within or adjoining the application site. Provides standard advice on where a development may impact on a public right of way.

- 7.12 **Police Designing Out Crime Officer:** requests further information on specific design and layout of site (boundary treatments, parking, cycle storage, lighting) and management plan for public amenity spaces. Concludes that if the suggestions are incorporated and observations addressed then the development will provide a safe and secure environment by reducing the opportunities for crime and anti-social behaviour. Recommends a condition requiring the full details of crime prevention measures that will be incorporated into the development to be submitted as part of any reserved matters application.
- 7.13 **Waste and Street Scene Manager:** No response received.
- 7.14 **Yorkshire Water:** No objections to: The proposed separate systems of drainage on-site with combined off-site; The proposed amount of domestic foul water to be discharged a private packaged treatment plant and discharge into the watercourse through a combined sewer with the surface water from the site; The proposed amount of curtilage surface water to be discharged to the watercourse located south of the site at a restricted rate of 3.0 litres per second; and The proposed points of discharge of combined water to the watercourse will be subject to agreement with the LLFA and NYCC Highways. (All of the above as detailed within the submitted Proposed Drainage Strategy. Consider the Drainage Strategy (Dated May 2023) to be acceptable, in summary the report states: Foul water will discharge to private package treatment plant which will have an eventual outfall to watercourse south of site via a combined connection; Sub-soil conditions do not support the use of soakaways; A watercourse exists near to the site -- connection subject to Environment Agency / Local Land Drainage Authority/ LLFA requirements; and Surface water will discharge to watercourse to the south of the site at a restricted rate of 3.0 litres per second.
- 7.15 **Yorkshire Wildlife Trust:** No response received.

Local Representations

- 7.16 **The Rambers:** Welcome the proposal to provide a pedestrian link from the development to the footpath 20.36/1/1 (located along the eastern boundary). Quotes Parish Council observations in relation to the public footpath with there being no egress onto Wyville Grove and from the site from the north-east. Notes that the southern end is obstructed, and neither ends of the footpath signed. Comments that the Council should take required action to reinstate the footpath with a diversion if needed. However, the developer as a “contribution to the community” should be required, as a condition of any approval, to meet the associated costs.
- 7.17 **British Horse Society:** No response received.
- 7.18 18 local representations have been received of which all 18 are objecting to the proposal. A summary of the comments is provided below, however, please see website for full comments.
- 7.19 Objections include:

- Location, scale/size, nature, design, appearance of development / outside of development limits / unsustainable increase / greenfield site / not sensitive to local surroundings
- Development not plan led and contravenes development plan and national policy.
- Flood risk/development increases risk of flooding / increase risk in adjacent flood zone 3 areas.
- Drainage and sewerage concerns / surface water (with information on this being unclear) / Unpleasant odor from existing septic tank that serves the 6 dwellings adjacent to application site, the development potentially could add to this / concerns regarding waste water and ground water / owner will not grant access for sewerage system if it is to run through their land to sewerage treatment plant on Bedale Lane.
- Highway safety/ Access down narrow road / increase in traffic movements/volume
- Lack of facilities in village / lack of public transport
- Impact on biodiversity, existing wildlife, flora/fauna. / Increase in rodents
- Poor pedestrian access / the existing PROW is blocked/not accessible.
- Lack of / impact on and strain on existing infrastructure / limited services – limited bus service, no village shop, school at capacity. Strain on roads and waterways.
- No demand for additional housing
- Affordable housing need, type of AH not affordable.
- Loss of privacy (leading to overshadowing)
- No mains lighting

8.0 ENVIRONMENT IMPACT ASSESSMENT (EIA)

8.1 The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environment Statement is therefore required.

9.0 MAIN ISSUES

9.1 The key considerations in the assessment of this application are:

- Principle of development
- Highways and Access
- Housing Mix
- Affordable Housing
- Public Open Spaces
- Drainage and Flooding
- Contamination and Noise
- Residential Amenity
- Heritage and Archaeology
- Landscape Impact
- Protected Species and Biodiversity Net Gain
- Energy Efficiency
- The Public Sector Equality Duty
- Infrastructure and S106 Legal Agreement

10.0 ASSESSMENT

Principle of Development

- 10.1 The council has a 5-year land supply and therefore the 'titled balance' is not applied.
- 10.2 Spatial Principle SP2 (Settlement Hierarchy) classifies Hunton as a Secondary Service Village, with these settlements being defined as 'Settlements with fewer services that support the needs and sustainability of rural communities'.
- 10.3 Spatial Principle SP4 (Scale and Distribution of Housing Development) then goes on to set out the scale and distribution of housing development, specifically that a minimum of 3,060 dwellings will be delivered in the plan period at a rate 180 dwellings per year of which 12% will be in the Lower Wensleydale Sub Area where the site is located. Secondary Service Villages in the Lower Wensleydale Sub Area (Hunton and the cluster of Finghall-Harmby-Spennithorne) are to accommodate 1.5% of all housing growth, with this equating to 45 dwellings within the plan period which runs to 2028. It is important to note that this figure is the minimum target not the maximum or limit. There has also been a general expectation that this figure of 45 would be apportioned evenly across these settlements but again, the Plan does not stipulate this. To date permission has been granted for 32 dwellings in the cluster of Finghall-Harmby-Spennithorne and a total of 24 in Hunton (14 of which were at Adelphi House located to the north-east of the main settlement along Moor Lane), in total amounting to 56 dwellings in this area. Please note that this figure relates to permissions granted as opposed to actual completions. The Council's Annual Monitoring Report October 2021 details that the target has been met in the Lower Wensleydale Secondary Service Villages, with 45 net completions in this area noted.
- 10.4 Policy SP4 supporting text advises that *"The target of 180 homes each year is not a ceiling for the level of expected growth. It is considered to be realistic, deliverable and therefore an achievable target to address current and future needs. A managed approach will be taken should further suitable, sustainable and deliverable housing sites come forward - they will be considered on their merits"*. For this specific site and proposal it is considered the following are the key factors to consider in the developments merits: (a) is the location suitable; (b) can existing infrastructure accommodate the development; (c) housing numbers in the settlement/ proportion of development; and (d) land use. These key issues are discussed here in the principle of development sub-section.
- (a) is the location suitable*
- 10.5 The application site is located to the south of the settlement of Hunton. The northern boundary of the site is adjacent to and abuts the development limit of Hunton as defined by Policy CP4 (Supporting Sites for Development) and the Local Plan Proposals Maps. In this respect the site meets the locational requirements of adopted Local Plan policy.
- 10.6 The site is within a comfortable walking distance to the various services and facilities within the village, this further enhanced by the provision of a footpath link from within the site and connecting to the existing footpath to the north-west as well as the public right of way running to the east.

(b) can existing infrastructure accommodate the development

- 10.7 The LLFA, NHS, NYC Education, NYC Highways and Yorkshire Water have not objected to the application. NYC Education have requested a contribution to be sought to go towards the improvement of Hunton and Arrathorne Community Primary School (although with flexibility to spend it within the catchment area). The settlement of Hunton benefits from a handful of facilities as detailed in paragraph 4.3. It is considered that the facilities and services available are sufficient to accommodate residential development of the scale proposed.

(c) housing numbers in the settlement/ proportion of development

- 10.8 As set out in paragraph 4.3, the settlement of Hunton has a population of circa 431 (Census, 2021) and benefits from facilities such as a village hall, a public house/hotel, a Methodist Church and a primary school. It is considered that a development of 15 dwellings in addition to the already approved 24 dwellings is proportionate to the settlement and not 'excessive' or 'disproportionate' to the villages existing size, form, character and services and facilities. More specifically, it is around a 22% uplift since the 2021 Census.

(d) land use

- 10.9 Policy CP3 sets out that development will be encouraged to utilise previously developed land first (brownfield land), where that land is in a sustainable location and is not of high environmental value, in preference to greenfield sites. This has been raised as an objection to the application site given its current use as an agricultural field. However, there are limited brownfield sites within the settlement of Hunton and of those that are there, these are considered unlikely to come forward in the near future. In addition, there not any known brownfield sites which would provide 10 dwelling or more and thus also provide First Homes and affordable rent homes.
- 10.10 In summary, as detailed in paragraph 10.3 it is acknowledged that the minimum target of 45 dwellings within the plan period which runs to 2028 has been met and exceeded. Paragraph 10.4 then goes on to advise that a managed approach will be taken should further suitable, sustainable and deliverable housing sites come forward, with these considered on their merits. As per paragraph 10.5 it is found that the development site meets the locational requirements of adopted policy, being located adjacent to development limits. As per paragraph 10.6 and the relevant sections below it is considered that the existing infrastructure can sufficiently accommodate this level of development, with no objections being raised in this respect by statutory consultees. Further to this, the proposed development would allow for a policy compliant housing mix, a 40% on-site affordable housing contribution, public footpath linkages, a very good net gain in biodiversity and a contribution towards education at the local primary school. It is considered therefore on planning balance that the proposed site, and the cumulative benefits the scheme would bring, would be a suitable, sustainable and deliverable site for housing development. Ultimately, all the positives and negatives of the scheme need to be weighed up in the planning balance which is provided at the end of the assessment at Section 11 of this report.

Highways and Access

- 10.11 Access to the site would be via a new singular access point off Wild Hill Lane to the west of the application site.
- 10.12 Further information has been submitted during the course of the application including further details of the proposed access and footway as requested by NYC Highways, with their requested amendments incorporated into the final design. They have considered off-site road and junction capacity and safety and have found this acceptable. NYC Highways have raised no objection and recommend conditions, these being listed below in the Recommended Conditions section.
- 10.13 NPPF paragraph 111 advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. For this proposal, these thresholds are not considered to have been met and are found to accord with adopted Local Plan Policy CP4 and paragraphs 110 and 111 of the NPPF, subject to conditions.
- 10.14 Concerns have been raised by members of the public and The Ramblers Association regarding the existing public right of way access which runs to the east of the application site being blocked/not accessible. As part of this application it is the intention that footpaths through the site are provided which will in turn link the existing public right of way with the existing footpath which runs along Wild Hill Lane to the north. It is considered that the provision of this pedestrian link would improve existing connectivity and accessibility in this area, and would be in accordance with adopted local plan policy CP4 in this respect.

Housing Mix

- 10.15 Core Policy CP5 expects proposals for housing to take into account local housing requirements across all sectors of the community in terms of size, type and tenure, and also the accessibility and adaptability of dwellings.
- 10.16 The Council's latest Strategic Housing Market Assessment (SHMA) is 2019 and has not been publicly published and therefore has limited weight (age and non public), however, gives a steer on housing needs. This report advises the mix of dwellings: 1- bedroom 9.2%, 2-bedroom (33.6%), 3-bedroom (42.3%) and 4 or more bedroom (14.9%).
- 10.17 The proposal is for 15 dwellings, consisting of 7 two-beds, 6 3-beds and 2 4-beds. This equates to 47% 2 beds, 40% 3-beds and 13% 4-beds on-site. It is considered that the proposed housing mix is acceptable and in accordance with local plan policy CP5. The housing mix as above will be secured via condition.

Affordable Housing

- 10.18 Core Policy CP6 seeks to achieve affordable housing in all developments where there is a net gain in dwellings, generally with the expectation that this contribution being met on site. In the Lower Wensleydale Sub-Area it is expected there be a

40% affordable housing contribution.

- 10.19 The proposal is for 6 affordable units to be provided as part of the scheme, equating to a 40% on-site contribution. According to the submitted planning statement this would be split to 5 x 2-bed properties and 1 x 3-bed property. Provision of 40% affordable housing on-site is in accordance with adopted policy.
- 10.20 In terms of type of affordable housing, Policy CP6 requires 80% to be social rent and 20% intermediate. Originally the scheme proposed for all 6 affordable units to be social rent. Policy CP6 pre-dates the government guidance on First Homes which requires 10% of the overall number of homes for major development to be First Homes. In respect of the mix of affordable, the most recent Strategic Housing Market Assessment (2019 for Richmondshire), albeit unpublished, advises that the need is now 50:50 affordable rent and intermediate. As a result the scheme has been amended so 3 dwellings are to be First Homes (has benefits over intermediate) and 3 are affordable rent. It is considered that this proposed affordable housing mix is therefore acceptable. This will be secured via a S106 agreement should the committee resolve to approve.

Public Open Space

- 10.21 Core Policy CP11 expects new development to include provision of sufficient quality recreational facilities and, where on-site provision is not possible or appropriate, a contribution towards enhancing existing assets will be sought. More specifically, supporting text for Policy CP11 advises that “The Fields In Trust ‘Planning and Design for Outdoor Sport and Play’ (2008), formerly the National Playing Fields Association “Six Acre Standard”, provides minimum national standards for play and recreation space.”. This document has been superseded by the Fields in Trust (FiT) “Guidance for Outdoor Sport and Play, Beyond the Six Acre Standard, England, 2020” (FiT 2020 Guidance) which is now used for the purpose of applying Policy CP11. Using this more up to date guidance document there would be a requirement for 752.5sqm of formal outdoor space and 1120sqm of informal outdoor space, totalling 1872.5sqm which is 19.5% of the total site area. Notably the guidance recommends the provision of 87.5sqm of equipped/designated play area.
- 10.22 The indicative plans show 1,167 sqm of amenity open space to the north and south of the access and another 1,338 sqm of amenity green space to the east of the properties (labelled as Biodiversity Net Gain area), totalling 2,505 sqm. A LAP of 100sqm has been incorporated into the development as recommended by the guidance. It is considered that the proposal provides adequate open space provision and would be in accordance with Core Policy CP11 in this respect. The provision of open space including a detailed layout and future maintenance plan of such open space will be secured via the S106 agreement.

Drainage and Flooding

- 10.23 The site is within Flood Risk Zone 1 the lowest risk of flooding from rivers and seas. As this is a major development the application has been supported by a Drainage Strategy (by Andrew Moseley Associates, 21620-DS-002 Rev 1, Dated May 2023) and subsequently a Drainage Technical Note by Andrew Moseley Associates

(21620-Wild Hill Lane, Hunton, Date 16.07.2023).

- 10.24 Within the technical note it is confirmed that both surface water and foul water from the site has been proposed to be discharged to the local watercourse network via an unnamed ditch to the south. The submitted documents also confirm that *'Foul Water from the site will be treated through a packaged treatment plant on site and a combine outfall is formed into the watercourse to the south of the site. The packaged treatment plant will be a Vortex 30 (or similar) which will provide clean effluent - up to 98.9% pollutant reduction. This is through a complete aerobic digestion leaving no odour'*.
- 10.25 The LLFA consider that the submitted documents demonstrate a reasonable approach to the management of surface water on site and recommend a number of conditions be attached to any permission granted, these being listed below in the Recommended Conditions section. The LLFA have requested that, as a condition, the full route of the outfall connection is provided and an assessment of the outfall watercourse condition to confirm the receiving ditch has adequate capacity.
- 10.26 Furthermore, Yorkshire Water have raised no objections to the proposal and are satisfied with the findings and conclusions made within the submitted reports. Subject to all of the above measures, the proposal is considered acceptable with regards drainage and flood prevention and are in general accordance with adopted Local Plan Policy CP3.

Contamination and Noise

- 10.27 An Environmental Assessment Report Phase 1 (Dated 21.11.22) accompanies the application. This has been reviewed by NYCC's Environmental Health who are satisfied with the report which confirms that the site is at low risk from contamination. Notwithstanding this, it has been recommended as a precautionary measure that a condition be imposed requiring remediation of any 'unexpected' contamination found during the course of development.
- 10.28 Furthermore Environmental Health have noted that the development, being close to existing residential properties, has the potential for an adverse impact from noise and dust during the construction phase of the development. During construction, it has been recommended that a Construction Environmental Management Plan (CEMP) be submitted for approval prior to work commencing on site. This would include details of how noise and dust would be managed during construction. In addition, any noisy construction works audible outside of the site boundaries could also be controlled by condition, restricting such activities to between the hours of would only 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturdays and at no time on Sundays and Bank Holidays.
- 10.29 Overall, it is considered that the proposal satisfactorily addresses matters relating to contamination and disturbance and would accord with adopted Local Plan Policy CP3 in this respect.

Residential Amenity

- 10.30 There are residential neighbouring properties to the north and north-west of the application site. Environmental Health have considered the potential impact on amenity and the likelihood that the proposed development will cause a nuisance to neighbouring properties to be low. As this is an outline application the more specific details such as design, exact location and orientation of dwellings for example will be a consideration as part of any reserved matters application. Notwithstanding this, the submitted Proposed Site Plan (Drawing no. 3333-DEN-ZZ-XX-DR-A-1000) and Outline Soft Landscape Plan (Drawing no. MR22-057/101) (Date Received 10.08.2023) do provide an indicative layout showing the general locations of dwellings and open space. These plans demonstrate that a suitable level of separation should be able to be achieved between main elevations on the development and those of any surrounding neighbouring properties, and also between main facing elevations and secondary/side elevations.
- 10.31 In addition to this the Outline Soft Landscape Plan (Drawing no. MR22-057/101) (Date Received 10.08.2023) details potential landscaping within the site as well as proposed planting around the periphery of the site, (which would assist in maintaining a satisfactory relationship between the existing properties and the site). Again these details will be finalised as part of any reserved matters application.
- 10.32 For these reasons, it is considered that based on the submitted plans as part of this application and thus any reserved matters scheme coming forward can achieve a suitable level of amenity with the layout, design, positioning and orientation of any dwellings proposed not adversely affecting the outlook or privacy of any residents; either those in the existing neighbouring properties or the new ones that are proposed. Conditions have been added, as listed below in the Recommended Conditions section, including the submission of: a detailed scheme of both hard and soft landscaping for the site; a detailed layout of the open space areas; details of external lighting; and the limitation of dwelling heights being to two storey. It is considered therefore, subject to the conditions as suggested, that the proposal would meet the requirements of adopted Local Plan policy CP4.

Heritage and Archaeology

- 10.33 A Heritage Statement has been submitted as part of the application. The application site is not located within a conservation area and there are no listed buildings on the site. The Heritage Statement confirms that no recorded designated or non-designated built heritage assets fall within the site. The information does identify *'a number of designated assets, as recorded on the National Heritage List for England, fall in relatively close proximity and include the Grade II Listed Buildings the Old Hall and Old Hall Cottage (list entry number 1301780) to the north-west and Low Hall (11314500) and an associated barn (1179782) and granary (1131451) to the east'*. The statement concludes that other designated assets, with them being located within the historic core of Hunton to the north given distancing and intervening existing residential development, would remain unaffected. The statement further identifies the site retains earthwork evidence of ridge and furrow field patterns with this being classified as an undesignated heritage asset.

- 10.34 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid in the exercise of planning functions to the desirability of preserving the Listed Building(s) or its setting or any features of special architectural or historic interest which it possesses.
- 10.35 The Heritage Statement concludes that the proposed development would have a limited impact upon the visual setting to the Old Hall and the building group at Low Hall. The statement details that the *'visual enclosure of the site to the west and north, along with distancing from the assets, will ensure that the settings, and positive elements within them, of these assets will be sustained. As such minimal harm is assessed subject to detailed consideration of design, material treatment and scale of the new dwellings. Given distancing and mitigation through the arrangement of open space and landscape planting it is considered that development can be achieved without harm to significance'*. The design, material treatment and scale of the new dwellings will be considered and determined at the reserved matters stage, however it is considered likely there will be harm at the lower end of less than substantial and this would be outweighed by the benefits of new housing in a sustainable location.
- 10.36 In terms of undesignated heritage assets and archaeology, as detailed within the Heritage Statement *'the site retains earthwork evidence of ridge and furrow field patterns which continue to the south and these likely date to the later medieval or early modern period. The development will remove these patterns from much of the site although opportunities may arise for some retention within open space and landscape buffer areas. The loss will give rise to a degree of harm although given distancing from the historic settlement core and the existence of other patterns surrounding the village this impact will be relatively localised and minimal in extent and effect'*. A Geophysical Survey OSA Report No. OSA22EV29 (November 2022) has also been submitted as part of the application. The survey itself reveals a large enclosure which would have likely formed part of the medieval plan of the village. The aforementioned enclosure extends to the west and was partly excavated in 2013 in advance of the construction of the properties at Chapel Garths.
- 10.37 NYC Archaeology have reviewed the submitted document and notes that the *'...archaeological features at the development site are of interest as they can shed light on the layout and form of the medieval settlement at Hunton and in particular the uses of what appear to be an outlying plot on the south side of the village. The excavations at the adjacent site indicated that these uses might include agriculture, industry and potentially settlement. Although these remains are of interest they are unlikely to be of such significance as to preclude development provided that further archaeological recording takes place in advance'*. NYC Archaeology have advised that a scheme of archaeological mitigation recording is undertaken in response to the ground disturbing works associated with this development proposal, this being listed below in the Recommended Conditions section.
- 10.38 For the reasons as set out above, subject to suggested conditions, the proposal is not considered to be harmful to the setting of those Listed Buildings that are nearby or any archaeological remains. Consequently, the proposal accords with both the Framework and adopted Local Plan policies CP3, CP4 and CP12.

Landscape Impact

- 10.39 A Landscape and Visual Impact Assessment (LVIA) has been submitted as part of the application. The immediate surrounding landscape of the area consists of residential/built up infrastructure in association with Hunton as well as agricultural buildings and farmland. The wider landscape setting generally consists of open agricultural fields with drystone wall enclosures and native hedgerows and trees located along field boundaries. The application site itself is agricultural grassland with a mixture of boundary treatments including native hedgerow, stock proof timber and mesh fencing. The LVIA further describes the site to fall *'gradually towards the north-east with a small embankment into the adjacent field to the eastern boundary. The natural topography of the surrounding landscape is undulating with pockets of rises and dips of approximately 40m within the locality to the north, east and south'*. Open views can be achieved from within the site but are disrupted by existing surrounding built form and mature vegetation. Views of the site can be achieved from the immediate locality and the wider landscape but are again disrupted by existing and mature vegetation, the built form and road infrastructure. It is considered therefore that the proposal would have a limited impact on setting, landscape or approach to the village.
- 10.40 The Outline Soft Landscape Plan (Drawing no. MR22-057/101) (Date Received 10.08.2023) has been developed in accordance with the findings and recommendations of the LVIA and includes for suitable boundary treatment including native hedgerow planting and tree planting. The area to the east of the site is proposed to be a landscape buffer and an area to provide a net gain in biodiversity. It is proposed that the southern boundary will be improved with soft landscape planting with the introduction of a native hedgerow and an area of native whip/scrub planting implemented to create a thick buffer to this boundary.
- 10.41 The precise details of the landscaping of the site will be secured by condition, but the indicative layout and relevant documentation as submitted as part of this application indicate that the proposed development of the site would not have a negative impact on the immediate and wider landscape setting. It is considered therefore that the proposal would be in accordance with adopted local plan policy CP12 in this respect.

Protected Species and Biodiversity Net Gain

- 10.42 Policies CP3 and CP4 of the RLPCS seek to support developments that promote biodiversity and avoid adverse impacts in terms of biodiversity. Accordingly, a Preliminary Ecological Appraisal (PEA) Survey Report (dated 25th October 2022), Biodiversity Net Gain Report (Date December 2022, Updated 01.02.2023) and Ecological Statement Update (Dated 10.08.2023) have been received as part of the application. The PEA concludes that there were no priority habitats were recorded within the site boundary and there were no active/inactive nests recorded within the site however noting the hedgerow within the western aspect recorded potential to support breeding birds within the breeding season. With regards to bats, the site was deemed suitable to support minor foraging and commuting grounds within and immediately outside the site however no suitable roosting features were recorded within the site at the time of survey. Furthermore suitable habitat for hedgehog is present throughout the site and connectivity within the immediate environment and

adjacent land.

- 10.43 The PEA contains ecological mitigation, compensation and enhancement measures to be incorporated into the proposal. NYC Ecology have recommended that the ecological mitigation measures recommend in section 6.3 of the report should be adhered to, and this secured by condition.
- 10.44 In terms of Biodiversity Net Gain, the submitted BNG Report projects large gains for both area-based habitats 62.37% (a gain of 1.18 units) and hedgerows 440.95% (a gain of 1.27 units) which would be very comfortably compliant with policy. Following amendments to the landscaping, namely the addition of an open space LAP on-site of 100sqm it was confirmed that the BNG score would not alter/would remain applicable. NYC Ecology were satisfied with this explanation and confirmed that if further amendments to the scheme were made at the reserved matters stage then an updated BNG calculation would be sought. This can be secured by way of condition.
- 10.45 Provided the measures that are set out in the submitted documents are incorporated into any final designs, the proposal is, on balance, not considered to have any cumulative impacts on protected species or biodiversity. Furthermore, there is clearly the potential to deliver biodiversity net gain on site and wider improvements out with, the final detail of such would need to be conditioned to be determined at the Reserved Matters Stage. With such measures in place, the proposal would bring positive benefits to biodiversity in the area and would accord with adopted Local Plan Policies CP3 & CP4 in this regard.

Energy Efficiency

- 10.46 As the application has only been made in outline, there is no detail at this stage regarding energy efficiency or carbon savings. However, as a modern development with no obvious site constraints, there should be no reason why it ought not to be capable of exceeding the requirements of Part L of the Building Regulations as required by Policy CP2. As such, it would be reasonable to impose a condition requiring submission of an energy statement for approval at the reserved matters stage. On this basis, the proposal is considered to generally accord with adopted local plan policy CP2 in this respect.

Infrastructure and S106 Legal Agreement

- 10.47 The NHS have not requested any contributions for health care improvements.
- 10.48 NYC Education have requested a contribution of £63,472.50 to go towards education facilities at Hunton and Arrathorne Community Primary School. This will be secured via a S106 agreement.
- 10.49 NYC Highways have not requested any monies for off-site improvements. However, have requested a footpath to be secured by condition.
- 10.50 It is considered that the above S106 Heads of Terms are necessary, directly related to the development and fairly and reasonably related in scale and kind to the development and as such complies with the Community Infrastructure Levy (CIL)

Regulations 2010.

The Public Sector Equality Duty

10.51 Under Section 149 of The Equality Act 2010 Local Planning Authorities must have due regard to the following when making decisions: (i) eliminating discrimination, harassment and victimisation; (ii) advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (iii) fostering good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age (normally young or older people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Having regard to these requirements, it is considered that there will be no negative impact to persons who share a relevant protected characteristic.

11.0 PLANNING BALANCE CONCLUSION

- 11.1 The development would provide 15 new homes adjacent to the Secondary Service Village of Hunton. The amount would exceed the minimum target for the settlement; however, this would not be an amount which is considered to be excessive or disproportionate to its existing size or position within the settlement hierarchy.
- 11.2 The proposed development would allow for: a policy compliant housing mix; 40% of the proposed being provided as affordable dwellings; adequate open space and provision of a LAP; public footpath linkages from the existing public right of way to the east through the development site and to the existing footpath to the west of the site; a net gain in biodiversity; and a financial contribution towards the improvement of local primary school facilities.
- 11.3 Technical aspects including highways & access, protected species, biodiversity net gain, drainage, flooding and contamination have all been found to be acceptable subject to conditions.
- 11.4 Given the application is for outline consent the details of appearance, landscaping, layout and scale will be considered at the reserved matters stage. From the information provided as part of the application however it can be considered that a scheme can achieve a suitable level of amenity with the layout, design, positioning and orientation of any dwellings proposed not adversely affecting the outlook or privacy of any residents; either those in the existing neighbouring properties or the new ones that are proposed.
- 11.5 The development would not have a negative impact on the immediate and wider landscape setting. The proposal would not have a harmful impact on the setting of nearby Listed Buildings or any archaeological remains.
- 11.6 Having regard to the above, it is considered that the proposal comprises a suitable, sustainable and deliverable housing site which on balance provide a number merits which in turn justify the housing target in this area being exceeded. As such approval of the application is recommended.

12.0 RECOMMENDATION

- 12.1 That outline consent be **GRANTED** for 15 dwellings with details of appearance, landscaping, layout and scale to be reserved matters; subject to conditions listed below and completion of a S106 agreement for affordable housing, public open space and education contribution.

Conditions:

Condition 1 – In accordance with approved plans

The development hereby permitted shall be carried out precisely in accordance with the approved drawings and particulars as set out below, together with any conditions attached to this approval which may require any variation thereof:

- (a) Application form and certificate
- (b) Location Plan (Drawing no. 3333-DEN-ZZ-XX-DR-A-1001)
- (c) Proposed Site Plan (Drawing no. 3333-DEN-ZZ-XX-DR-A-1000)(in relation to access position only)
- (d) Biodiversity Net Gain Report (Date December 2022, Updated 01.02.2023)
- (e) Ecological Statement Update (Dated 10.08.2023)
- (f) Drainage Strategy by Andrew Moseley Associates (21620-DS-002 Rev 1, Dated May 2023)
- (g) Drainage Technical Note by Andrew Moseley Associates (21620-Wild Hill Lane, Hunton, Date 16.07.2023)
- (h) Site Access Design (Drawing no. AMA/21620/SK005)
- (i) Site Access Design and Carriageway Widening (AMA/21620/SK004 Rev B)
- (j) Report on a Geophysical Survey OSA Report No. OSA22EV29 (November 2022)
- (k) Preliminary Ecological Appraisal (PEA) Survey Report (dated 25th October 2022)
- (l) Environmental Assessment Report Phase 1 (Dated 21.11.22)
- (m) Highways Supporting Statement (Dated 19.12.2022)

Reason: To ensure the development is carried out in accordance with the approved particulars and plans.

Condition 2 – Reserved Matters

Approval of the details of the appearance, landscaping and layout and scale of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To reserve the rights of the Local Planning Authority with regards to these matters.

Condition 3 – Time Limit

Application(s) for approval of reserved matters of each phase, or part thereof, shall be made to the Local Planning Authority before the expiration of five years beginning with the date of this permission. Thereafter, the development must be begun no later than the expiration of two years from the final approval of the reserved matters.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended.

Condition 4 – Maximum number of dwellings

The development hereby approved is for up to 15 dwellings only.

Reason: To ensure the density of development is appropriate for the site size and configuration together with enabling sufficient levels of residential amenity to be protected and created.

Condition 5 - Standard Detailed Drainage Design

With the layout reserved matter application a Drainage Strategy and Plans shall be submitted to and approved in writing with the Local Planning Authority which accord with standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document). Principles of sustainable urban drainage shall be employed wherever possible. The Strategy and Plans shall be designed to/include:

- (a) Restrict the flowrate from the site to a minimum flowrate of 3.69 litres per second for up to the 1 in 100 year event.
- (b) Incorporate 45% allowance for climate change effects and a further 10% for urban creep for the lifetime of the development.
- (c) Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event.
- (d) Treatment system for all surface water flows from parking areas and hardstanding through the use of road side gullies, oil interceptors, reedbeds or alternative treatment systems. Roof water shall not pass through the treatment scheme.
- (e) Exceedance Flow Plan
- (f) Phasing of the development and phasing of drainage provision, where appropriate.
- (g) A detailed maintenance and management regime for the drainage system including: 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.

No part of the development shall be brought into first use until the approved drainage strategy has been delivered in full and in a working condition or in accordance with the approved phasing. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To mitigate additional flood impact from the development proposals and ensure that flood risk is not increased elsewhere

Condition 6 - Outfall Destination/Impact on network

Development shall not commence until a scheme for the accommodation of additional flows impacting upon the watercourse network have been submitted to and approved in writing by the Local Planning Authority. The scheme shall cater for

the impact resulting from the minimum 1 in 100 year return period storm event including a 45% allowance for climate change effects and a further 10% for urban creep for the lifetime of the development. No part of the development shall be brought into use until the works comprising the scheme approved under this condition have been completed in full.

Reason: To accommodate flows in storm events and allow for future maintenance.

Informative - The scheme to be submitted shall demonstrate that surface water drainage system(s) are designed in accordance with the standard details as set out in the North Yorkshire County Council's SuDS Design Guidance document.

Condition 7 – Foul Water

Prior to commencement of development a foul water discharge scheme shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a timetable, any phasing where proposed and a management and maintenance scheme. The development will thereafter be constructed in complete accordance with the approved details and no dwelling shall be occupied until it is served with a working foul drainage system. There afterwards, the system shall be retained and maintained in accordance with the approved details.

Reason: To ensure appropriate foul water discharged is provided.

Condition 8 - Ecological Mitigation Measures

All ecological mitigation and enhancement measures and works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (PEA) Survey Report (dated 25th October 2022) and shall be delivered in full prior to first occupation of the development hereby approved unless alternative mitigation and enhancement measures and first agreed in writing with the Local Planning Authority.

Reason: To ensure that any impacts on biodiversity and ecology are mitigated and that appropriate enhancement works are secured.

Condition 9 - Biodiversity Enhancement and Mitigation Plan

Development shall not commence until a Biodiversity Enhancement and Mitigation Plan (BEMP) has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this shall provide an overview of habitat enhancement and creation based upon the recommendations set out in the Preliminary Ecological Appraisal (PEA) Survey Report (dated 25th October 2022) and the Biodiversity Net Gain Report (Date December 2022, Updated 01.02.2023).

Once agreed, all of the measures contained within shall then be implemented within a timescale to be first agreed in writing with the Local Planning Authority and maintained thereafter for the lifetime of the development.

Reason: To ensure the full and proper implementation of the approved development in the interests of ecology any protected species.

Condition 10 - Detailed Plans of Road and Footway Layout

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 shall take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads, drains 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 shall only be carried out in compliance with the approved engineering drawings.

Reason: 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.

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

Condition 11 – Construction of Adoptable Roads and Footways

No part of the development shall be brought into first 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, shall 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.

Reason: 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.

Condition 12 - New and altered Private Access

The development shall not be brought into first use until the access to the site has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:

- The crossing of the highway footway shall be constructed in accordance with the approved details as shown on Drawing Number AMA / 21620 / SK 004 Revision B and Standard Detail Number A1 and the following requirements:
- Details of measures necessary to prevent surface water from the site discharging onto the existing Public Highway shall be agreed with the Local Planning Authority prior to commencement. The measures shall then be constructed in accordance with the approved details and maintained thereafter to prevent such discharges.

All works must accord with the approved details.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

Informative: Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site. The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

Condition 13 – Closing of Existing Access

The development shall not be brought into first use until the existing access onto Hunton Road has been permanently closed off in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the amenity of the area.

Condition 14 – Visibility Splays

There must be no access or egress by any vehicles between the highway and the application site until splays are provided giving clear visibility of 43 metres measured along both channel lines of Hunton Road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres.

Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety.

Informative: An explanation of the terms used above is available from the Local Highway Authority.

Condition 15 – Details of Access, Turning and Parking

There shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or buildings until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- Vehicular and cycle parking (to include facilities to charge electric vehicles)
- Appropriately sized turning heads

No part of the development shall be brought into use until the vehicle access, parking, manoeuvring and turning areas have been constructed in accordance with the details approved in writing by the Local Planning Authority.

Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.

Informative: The proposals should cater for all types of vehicles that will use the site. The parking standards are set out in North Yorkshire County Council's 'Interim guidance on transport issues, including parking standards' and subsequent amendments.

Condition 16 – Parking for Dwellings

No dwelling shall 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.

Reason: 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.

Condition 17 – Garage Conversion to Habitable Room (Removal of PD Right)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Order, the garages shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason: In order to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity of the development.

Condition 18 - Construction Management Plan

No development shall 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:

- The provision of wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway by vehicles exiting the site
- An area for the parking of all contractors, site operatives and visitors vehicles clear of the Public Highway
- An area for the storage of all plant and materials used in constructing the development clear of the Public Highway
- Measures to manage the delivery of materials and plant to the site including the location of loading and unloading areas
- A photographic survey to record the condition of the carriageway and adjacent verges of Hunton Road along the entirety of the site frontage and for a distance of 100 metres on each side shall be undertaken before the development commences and submitted to the Planning Authority and the Highway Authority.

The survey will be used in order to establish if any damage or degradation to the Publicly Maintainable Highway has occurred during the period of work on the site and any such damage deemed to have taken place as a consequence of the development works will require to be rectified at the cost of the applicant.

Reason: In the interest of public safety and amenity.

Condition 19 - Construction Environmental Management Plan

No development must commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan. The Plan must include, but not be limited to, arrangements for the following in respect of each phase of the works:

1. The parking of contractors, site operatives and visitor's vehicles clear of the highway.
2. Measures to manage the delivery of materials and plant to the site including the routing and timing of deliveries and the location of loading and unloading areas.
3. The provision of areas for the storage of plant and materials used in constructing the development clear of the highway.
4. The provision of wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway.
5. The control of noise during construction.
6. Contact details for the responsible person (site manager / office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity

Condition 20 - Noisy Construction Hours of Work

Noisy construction works audible outside the site boundary shall only take place between the hours of 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturdays and at no time at all on Sundays and Bank Holidays.

Reason: In the interest of public amenity

Condition 21 - Archaeological Mitigation Recording

(a) No demolition/development shall commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- The programme and methodology of site investigation and recording
- Community involvement and/or outreach proposals
- The programme for post investigation assessment
- Provision to be made for analysis of the site investigation and recording
- Provision to be made for publication and dissemination of the analysis and records of the site investigation
- Provision to be made for archive deposition of the analysis and records of the site investigation
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

- (b) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).
- (c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: This condition is imposed in accordance with Section 16 of the NPPF (paragraph 205) as the site is of archaeological significance.

Condition 22 – External Materials

Prior to the erection of external walls, external wall, roof and window materials shall be submitted to and approved in writing by the Local Planning Authority. A sample of the external wall and roof material shall be made available at site upon request of the Local Planning Authority. The development shall be thereafter be constructed in accordance with the approved materials.

Reason: For the visual amenity of the development locality.

Condition 23 – Height of Dwellings

For the avoidance of any doubt, the details to be submitted in accordance with condition no. 2 shall provide for dwellings to be of a maximum height of two storeys.

Reason: To ensure a satisfactory relationship with surrounding properties and in doing so ensure that there is no unreasonable impact on the privacy and amenity of neighbours; together with creating an appropriate transition from countryside to village.

Condition 24 – Energy Statement

An Energy Statement and Plans shall be submitted to and approved in writing by the Local Planning Authority prior to erection of any external walls. The development shall there afterwards take place in full accordance with the approved details and any associated technology for specific plots, installed and made fully functional prior to that plots first occupation. The approved measures shall be retained and maintained in perpetuity unless replaced for a more sustainable system such as lower embodied energy, greater energy generation output etc.

Reason: To improve upon Building Regulations Part L (as of date of decision) as required by Policy CP2 of the Richmondshire Local Plan 2012-2028 Core Strategy adopted 2014.

Condition 25 – Hard and Soft Landscaping

No part of the development shall be brought into use until there has been submitted to, and approved in writing by the Local Planning Authority, a detailed scheme of both hard and soft landscaping for the site. Soft landscape works shall include planting plans; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/densities when planted; and (where appropriate) details of phasing. For the avoidance of doubt, the scheme shall use best

endeavours to incorporate measures so as to achieve a minimum net biodiversity gain of at least 10% for the lifetime of the development.

Reason: In the interests of the appearance and biodiversity of the development and to reserve the rights of the Local Planning Authority with regard to this matter.

Condition 26 – Maintenance of Approved Hard and Soft Landscaping Scheme

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason for Condition: In the interests of the appearance of the proposed development and to reserve the rights of the Local Planning Authority with regard to this matter.

Condition 27 – Housing Mix

The development shall provide a housing mix consisting of x7 two bedroom, x6 three bedroom and x 2 four bedroom properties.

Reason: To reserve the rights of the Local Planning Authority with regard to this matter and to ensure the development provides an acceptable housing mix in accordance with adopted local plan policy CP5.

Condition 28 – External Lighting

Details of any external lighting to be used on the site shall first be submitted to, and approved in writing by, the Local Planning Authority prior to its installation. The information shall include a layout plan with beam orientation and schedule of equipment in the design (luminaire type, mounting height, aiming angles, and luminaire profiles) and shall detail any measures to be taken for the control of any glare or stray light arising from the operation of artificial lighting. Thereafter the artificial lighting shall be installed, operated and maintained in accordance with the approved scheme. Changes to any element of the lighting scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the changes taking place.

Reason: To reserve the rights of the Local Planning Authority in this matter and in the interests of amenity, ecology and minimising light pollution.

Condition 29 – Boundary Treatments

Prior to the erection of any external walls a Boundary Treatment Plan shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall include details of the positions, design, materials and type of boundary treatment to be erected. The boundary treatments shall be completed before occupation of the adjoining dwelling; or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the proposed development and to reserve the rights of the Local Planning Authority with regard to this matter.

Target Determination Date: 10.05.2023

Case Officer: Harriet Westwood, harriet.westwood@northyorks.gov.uk