

**North Yorkshire Council**

**Community Development Services**

**Selby and Ainsty Constituency Committee**

**13 DECEMBER 2023**

**ZC23/03465/DVCMAJ – MINOR MATERIAL AMENDMENTS TO CONDITION 2  
(APPROVED PLANS) TO ALLOW DORMER WINDOWS TO THE REAR OF PLOTS 1-6  
PURSUANT TO PERMISSION 21/01288/DVCMAJ  
AT LAND COMPRISING FIELD AT 444386 462084, BRANTON LANE, GREAT  
OUSEBURN, YORK YO26 9RJ S ON BEHALF OF BRIERLEY HOMES LTD**

**Report of the Assistant Director Planning – Community Development Services**

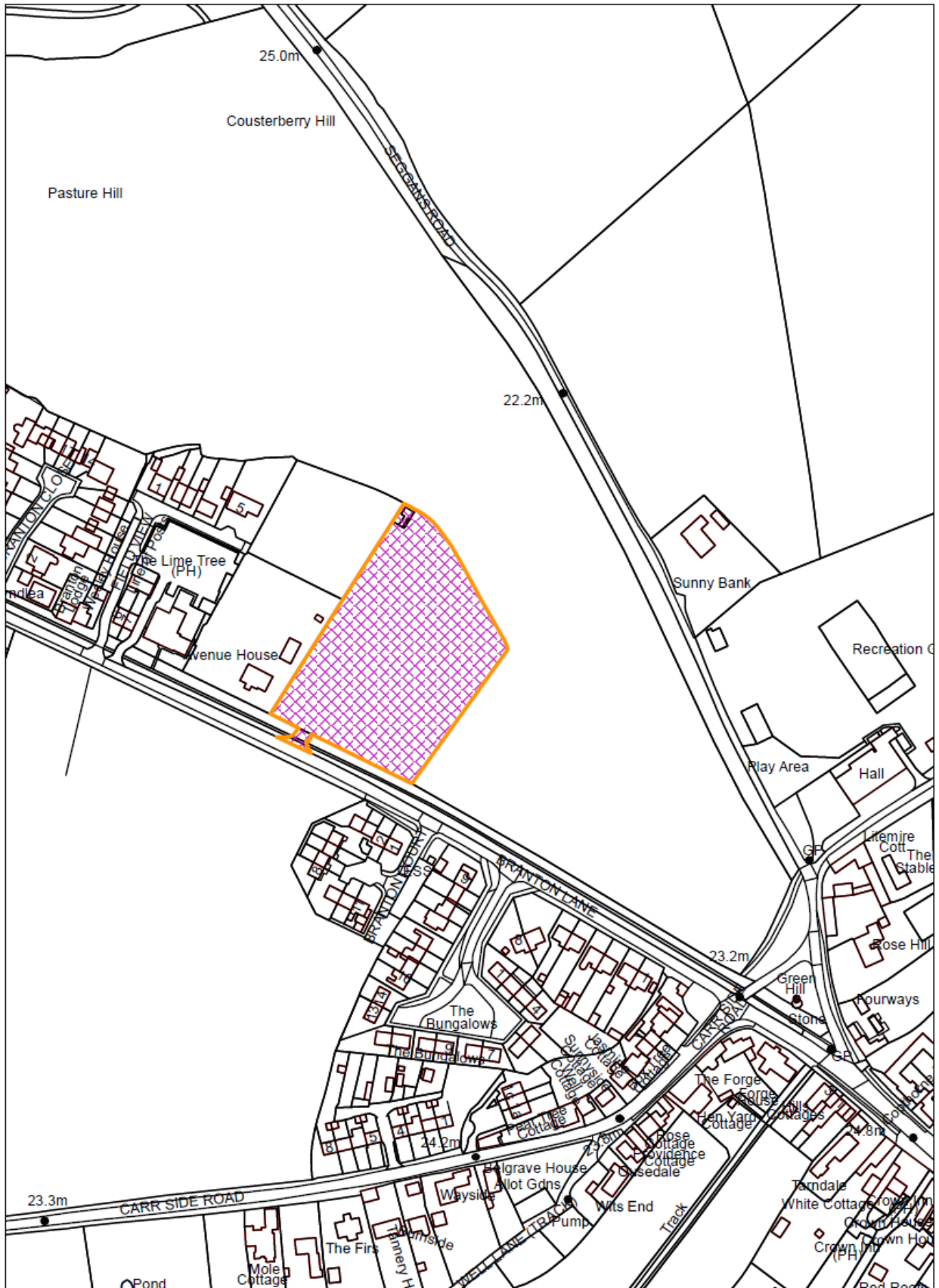
**1.0 Purpose of the Report**

- 1.1 To determine a planning application for Minor Material Amendments to Condition 2 (approved plans) to allow dormer windows to the rear of Plots 1-6 pursuant to permission 21/01288/DVCMAJ on land comprising Field at 444386 462084, Branton Lane, Great Ouseburn, York, YO26 9RJ.
- 1.2 The application is brought to the Planning Committee as Brierley Homes Ltd is a subsidiary of North Yorkshire Council.

**2.0 EXECUTIVE SUMMARY**

**RECOMMENDATION: That planning permission be granted subject to the conditions listed below.**

- 2.1. Planning permission was originally granted in October 2018 for the erection of nine houses with access, landscaping and parking on land off Branton Lane. The scheme was later amended in September 2021 to allow works to the site access and enabling works to start ahead of construction on the main development site.
- 2.2. This application seeks to amend Condition 2 to enable the substitution of revised plans to add dormer windows to the rear of Plots 1-6 of the approved development. Other incidental works to the roof of these plots include the insertion of rooflights and removal of two chimney stacks.
- 2.3. No other changes to the scheme are proposed that would affect the nature of the development as approved. The principle of development remains acceptable. The relevant issues for consideration relate to the design of the dormers, impact upon the character and appearance of the area and impact on residential amenities.
- 2.4. There are some issues concerning the design and number of the dormers and that the developer has constructed the dormers without the benefit of planning permission. However, for the reasons given in the report and taking all matters into consideration it is recommended that planning permission is granted.



# Location Plan

Scale 1:2,500



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12/4/2023

### **3.0 Preliminary Matters**

- 3.1. Access to the case file on Public Access can be found [here](#)
- 3.2. The following planning history is particularly relevant to this application:
- 17/04317/FULMAJ: Erection of 9 dwellings with associated access, parking and landscaping. Approved 25 October 2018
  - 21/01288/DVCMAJ: Minor Material Amendments to Condition 4 (highways and dirt), 5 (highway surface water), 6 (highway works), 12 (surface water drainage) and 13 (surface water infrastructure) to enable access and enabling works to start ahead of commencement of the main development pursuant to permission 17/04317/FULMAJ. Approved 13 September 2021.
- 3.3. Construction works on site have commenced with the scheme approved under 21/01288/DVCMAJ being the one that has been implemented. The variation to the wording of various conditions sought as part of that application allowed for works to the Branton Lane carriageway, site access as well as other tree protection and drainage works to take place ahead of works commencing on the main part of the site. No other changes to the scheme as originally approved were made.
- 3.4. Amended drawings were received on 30 November 2023. A further round of public or statutory consultation has not taken place because the revisions made correct minor discrepancies shown on the elevations.

### **4.0 Site and Surroundings**

- 4.1. The application site is located on the north-eastern side of Branton Lane located outside of, but immediately adjacent to, the development limit for Great Ouseburn village. It is approximately 0.87 hectares in size.
- 4.2. The site originally comprised a vacant self-contained paddock. Works commenced in October 2021 to implement the approved development with the houses fronting Branton Lane (Plots 1-6) now at a relatively advanced stage of construction. Access to the housing scheme is via a new access point off Branton Lane.
- 4.3. Great Ouseburn Conservation Area is located about 160m to the south-east which contains listed buildings, the closest of which are on Main Street.
- 4.4. There is one footway to Branton Lane on the northern side of the carriageway, outside of the application site, where there is a double-staggered line of Lime trees linking Great Ouseburn village and Branton Green (to the north-west). These trees are protected under Tree Preservation Order 2/1970.
- 4.5. Agricultural fields adjoin the site to the south-east and north-east. To the west there are residential properties along Branton Lane and the Lime Tree Inn. To the south, on the opposite side of Branton Lane, is a development for 46 dwellings under construction by Stonebridge Homes

## **5.0 Description of Proposal**

- 5.1. This application seeks minor material amendments to Condition 2 (approved plans) of permission 21/01288/DVCMAJ to enable the substitution of revised plans to include dormer windows to the rear roof slopes of Plots 1-6. Other incidental works include insertion of roof lights to the front roof slope and removal of two chimney stacks along the length of the terrace.
- 5.2. At the time of an officer site inspection on 17 November 2023, the dormer windows were in place as well as the other works to the roof albeit construction works to the dwellings on Plots 1-6 had not finished. Above grade works to the remaining plots on the rear half of the site have not commenced.

## **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:

- Harrogate and District Local Plan 2014-2035 (adopted March 2020)

### Emerging Development Plan – Material Consideration

- 6.3. The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

### Guidance - Material Considerations

- 6.4. Relevant guidance for this application is:

- National Planning Policy Framework 2023
- National Planning Practice Guidance
- National Design Guide 2021
- House Extensions and Garages Design Guide SPD 2005
- Great Ouseburn Conservation Area Character Appraisal 2009

## **7.0 Consultation Responses**

- 7.1. The following consultation responses have been received and have been summarised below.
- 7.2. **Great Ouseburn Parish Council:** No objections but comments that the work has already been undertaken.
- 7.3. **Ministry of Defence Safeguarding Team:** The site occupies the statutory safeguarding zones surrounding RAF Linton-on-Ouse. No safeguarding objections to the proposal.

### Local Representations

- 7.4. No local representations have been received.

## **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:
- Are the amendments acceptable?

## **10.0 ASSESSMENT**

### Are the amendments acceptable?

- 10.1. An application can be made under Section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. Such applications are to be considered against the development plan, material considerations and conditions attached to the original permission. The Harrogate District Local Plan 2014-2035 was approved in March 2020.
- 10.2. The principle of development has already been established with the previous planning permissions of which 21/01288/DVCMAJ has been implemented. There are no changes to the number of dwellings, building footprint, access arrangements and landscaping from that previously approved and so there is no change in terms of impacts in relation to highways, parking, flood risk, trees, landscaping or ecology.
- 10.3. The principal matters for consideration relate to design, impact upon the character and appearance of the area and impact upon residential amenities.

### Design

- 10.4. Policy HP3: Local Distinctiveness advises that development should incorporate high quality building, urban and landscape design that protects, enhances or reinforces the local distinctiveness of the area. Matters relating to scale, visual relationships, views and context are key considerations here.
- 10.5. As approved, Plots 1-6 comprise a row of two storey terraced properties containing two and three bedrooms (with small study). The proposal seeks to convert the roofspace within each dwelling to provide an additional bedroom. Two small rear dormer windows are provided per dwelling (12 in total). They have a flat roof and will be finished with similar materials to those used in the approved scheme. The dormers line up vertically with the main windows below.
- 10.6. In addition, rooflights are inserted in the front roof slope of each property to provide additional light and ventilation to the new bedroom.



- 10.7. The original scheme included 8 chimney stacks along the length of the row of terraced properties. Two chimney stacks have been removed to facilitate the conversion of the loft spaces.
- 10.8. The Harrogate House Extensions and Garages SPD provides useful guidance relevant to the assessment of the dormer windows. The guidance advises that wide flat-roofed dormers are generally unacceptable and where dormers are acceptable, they should not be so numerous or large that they dominate the roof.
- 10.9. In this case the flat-roofed dormers are small and contained within the roofslope, set well below the ridge, above the eaves and set in from the side walls. To that extent the dormers appear subservient. However, due to the number of dormers and their flat-roof design they appear as one large wide dormer in certain views as discussed below.
- 10.10. The SPD further advises that dormers should be located to the rear of the dwelling wherever possible to preserve the character of the street. In this case the dormers are located at the rear and as such do not significantly impact the immediate streetscape along Branton Lane.
- 10.11. The rear roof slopes are however prominent in some longer distance views given that the approved development is surrounded by fields to the south-east (side) and north-east (rear). The dormers are visible from Seggans Road (particularly during winter months) and when viewed from an oblique angle, the dormers read as one wide dormer rather than a series of small individual roof extensions which adds to their prominence and visual bulk in this view.
- 10.12. The dormers are visible from the village green on the edge of the Great Ouseburn Conservation Area. There is a key view identified in the Conservation Area Appraisal looking across Seggans Field towards the approved development. The appraisal mentions that views of the open countryside across Seggans Field and towards the protected Lime trees along Branton Lane are important to the setting of the village.
- 10.13. Although there is a side view of the dormers from the village green given the separation distance (circa 160m) the dormers do not materially change the view or detract from the open setting of the village over and above that already considered acceptable with the approved development in place. Long distance views towards other nearby existing houses are possible in this view.
- 10.14. In coming to this conclusion, regard has been had to the requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that special attention is paid in the exercise of planning functions to the desirability of preserving and enhancing the character and appearance of a conservation area.
- 10.15. It is important that any development makes a contextual response to its surroundings. There are very few existing dormer windows within the wider Great Ouseburn village and none within the vicinity of the approved development site with the exception of 'The Avenue' residential property adjacent to the site's western boundary. Here the pitched roof dormer is sited well below the main roofline being positioned in the centre of the catslide roof at the rear. No dormers are proposed within the new build development

under construction opposite the site. In this context, the dormer windows on the subject site appear uncharacteristic of the area, especially when considering the number of dormers and their flat roof design.

- 10.16 No issues are raised with the insertion of the roof lights to the front roof slope. They are set at an appropriate height within the roofslope and rooflights are a common feature of other nearby properties. The loss of two chimney stacks is acceptable on the basis that there are six remaining stacks along the terrace.

Impact upon Residential Amenity

- 10.17 Policy HP4 of the Local Plan: Protecting Amenity advises that development proposals should be designed to ensure that they will not result in significant adverse impacts upon the amenities of occupiers and neighbours. Amenity considerations include overlooking, overbearing, loss of privacy and pollution impacts.
- 10.18 There are no existing neighbouring properties that could be affected by the dormers in terms of overlooking and loss of privacy. The orientation and siting of the three detached houses to the rear (Plots 7-9) of the approved development mean that the dormers would not harm the residential amenities of future occupiers of these properties.

Permitted Development

- 10.19 Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) sets out the types of improvements or extensions of homes that can be undertaken without the need to apply for planning permission. Class B and C of the Order deal specifically with additions and other alterations to the roof of a dwellinghouse.
- 10.20 It is often the case that permitted development rights are either removed or restricted by condition when new residential development is granted planning permission. In this case permitted development rights were not removed or restricted at the time of the original permission and so the dormer windows as well as the other incidental works to the roof (i.e. insertion of the rooflights and alterations to the chimney stacks) could be undertaken in the future under permitted development Classes B and C of the Order.
- 10.21 A Section 73 application seeking approval for minor changes to the scheme has been submitted as permitted developments do not apply while houses are under construction. Brierley Homes wish to undertake the works to facilitate the provision of an additional room in each of the six terraced dwellings.
- 10.22 In this scenario, the issue here is the timing of the works which as noted earlier have already been carried out ahead of either planning permission for changes to the scheme being granted or else the works being undertaken under permitted development.

**11.0 PLANNING BALANCE AND CONCLUSION**

- 11.1. The principle of the development has already been established through the previous permissions for residential development on the site.

- 11.2. The number of dormer windows and their flat-roof design are not reflective of guidance contained in the House Extensions and Garages SPD. Nor are dormer additions typical in the immediate locale. The rear roof slopes of the houses are more exposed in some views than perhaps would normally be the case because the site adjoins fields on two of its boundaries. As a result, the dormers appear prominent and bulky in some longer distance views (particularly in winter). The immediate streetscape of Branton Lane is not seriously affected.
- 11.3. Although the dormers are visible from the edge of the Great Ouseburn Conservation Area they are not significantly detrimental to the rural setting of the village given the distance from the conservation area and presence of other houses in this view. The character of the conservation area is therefore preserved.
- 11.4. A key factor for consideration is that the roof additions and alterations could be undertaken by individuals in the future under permitted development rights once the houses were finished. The fact that the developer has carried out the works does at least ensure consistency in size and design of the dormers across the terrace.
- 11.5. That the works have already taken place without the benefit of planning permission is not an approach that is supported by officers. However, in this case, it is considered that this of itself does not provide justification for planning permission to be refused.
- 11.6. The planning judgement here is finely balanced but when taking all matters into consideration it is concluded that the changes to Condition 2 (approved drawings) to allow the roof additions and other alterations are acceptable.

## **12.0 RECOMMENDATION**

- 12.1 That planning permission be GRANTED subject to conditions listed below.

### **Recommended conditions:**

1. The development hereby permitted shall be carried out strictly in accordance with the following approved drawings:

Location Plan – Drawing 1508-100  
 Site Plan – Drawing 1682-100 Rev J  
 House Types A, B & K – Drawing 1682-116 Rev C  
 House Types H & J – Drawing 1508-117 Rev B  
 House Types Garages – Drawing 1508-118  
 Streetscapes – Drawing 1682-119 Rev B

Reason: For the avoidance of doubt and in the interests of proper planning.

2. Works to establish the site compound, site clearance, demolition, excavation or depositing of material in connection with the construction of the development must be carried out in accordance with the details approved in writing by the Local Planning Authority under 22/04503/DISCON which makes provision for:



- on site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway;
- on site materials storage area capable of accommodating all materials required for the operation of the site; and
- the approved areas shall be kept available for their intended use at all times that the construction works are in operation.

Reason: To provide for appropriate on-site construction vehicle parking and associated facilities in the interests of highway safety and the general amenity of the area.

3. Measures to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site must be carried out in accordance with the details approved under 22/04503/DISCON. The approved measures must be kept available and in full working order until such time as the Local Planning Authority agrees in writing to their withdrawal.

Reason: To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

4. The measures to prevent surface water from non-highway areas discharging onto the existing or proposed highway must be carried out in accordance with the details approved in writing by the Local Planning Authority under 22/04503/DISCON.

Reason: In the interests of highway safety.

5. Following completion of the access and enabling works, the development must be carried out in accordance with the following details approved in writing by the Local Planning Authority under 22/04503/DISCON:

1. Detailed engineering drawings showing:

- highway layout including the highway boundary
- dimensions of any carriageway, cycleway, footway and verges
- visibility splays
- buildings and site layout including levels
- accesses and driveways
- drainage and sewerage system
- lining and signing
- all types of surfacing (including tactiles) kerbing and edging

2. Full highway construction details including:

- typical highway cross-sections with specifications for all types of construction for carriageways, cycleways, and footways / footpaths

- cross sections at intervals along the roads showing existing and proposed ground levels
  - kerb and edge construction details
  - typical drainage construction details
3. street lighting
  4. drawings for new roads and footways / footpaths with all relevant dimensions for their setting out including reference dimensions to existing features.
  5. Full working drawings for any structures which affect or form part of the highway network.
  6. Programme for completing the works.

The development must be carried out in accordance with the approved drawings and details unless otherwise agreed in writing by the Local Planning Authority (in consultation with the Highway Authority).

Reason: To secure an appropriate highway constructed to an adoptable standard (where practicably possible) in the interests of highway safety and the amenity and convenience of highway users.

6. The enabling works and access works must be carried out in accordance with the following details approved in writing by the Local Planning Authority (in consultation with the Highway Authority) under 21/04073/DISCON:
  1. Detailed engineering drawings showing:
    - Highway layout including the highway boundary
    - Dimensions of any carriageway, cycleway, footway and verges,
    - Visibility splays
    - Access (including measures approved to ensure the principal site access is constructed to the satisfaction of the Highway Authority without harming existing trees)
    - Drainage and sewerage system
    - Lining and signing
    - Traffic calming scheme on Branton Lane, outside of the site, including timetable for implementation
    - All types of surfacing (including tactiles) kerbing and edging in relation to the site access
  2. Full highway construction details including:
    - Typical highway cross-sections showing a specification for all types of construction proposed for works in relation to access works
    - Cross sections at intervals along the proposed roads showing existing and proposed ground levels
    - Kerb and edging construction details
    - Typical drainage construction details

3. Drawings for new roads and footways / footpaths with all relevant dimensions in relation to the site access for their setting out including reference dimensions to existing features

4. Full working drawings for any structures which affect or form part of the highway network

5. The programme for completing the works.

The development must be carried out in accordance with the approved drawings and details.

Reason: To secure an appropriate highway and site access constructed to an adoptable standard (where practicably possible) in the interests of highway safety and the amenity and convenience of highway users.

7. No dwelling shall be occupied until the carriageway and any footway / footpath from which it gains access is constructed to base course macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.

The completion of all road works, including any phasing, shall be carried out in accordance with a programme of works approved in writing by the Local Planning Authority (in consultation with the Highway Authority) before first occupation of the development hereby permitted.

Reason: To ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of future occupiers.

8. There shall be no access or egress by any vehicles between the highway and the application site (except for the purpose of constructing the initial site access) until splays are provided giving clear visibility of 2.4m x 43m measured along both channel lines of Branton Lane. Once created these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety.

9. The highway improvement works (listed below) must be carried out in accordance with the details approved in writing by the Local Planning Authority (in consultation with the Highway Authority) under 21/04073/DISCON:

- An independent Stage 2 Safety Audit carried out in accordance with HD19/03 Road Safety Audit or any superseding regulations

- Programme for the completion of the proposed works

The required highway improvements include the provision of a traffic calming scheme on Branton Lane and associated works undertaken to the satisfaction of the Local Planning Authority (in consultation with the Highway Authority).

Reason: In the interests of the safety and convenience of highway and other road users.

10. No dwelling shall be occupied until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority (in consultation with the Highways Authority): Provision of a traffic calming scheme on Branton Lane and associated works.

Reason: In the interests of the safety and convenience of highway and other road users.

11. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and approved in writing by the Local Planning Authority.

Where remediation is necessary, a remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The approved remediation scheme must be carried out in accordance with its terms prior to commencement of development other than that required to carry out remediation, unless otherwise approved in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to and approved in writing by the Local Planning Authority.

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

12. The development hereby approved must be carried out in accordance with the scheme for the provision of surface water drainage works approved in writing by the Local Planning Authority under 22/04503/DISCON. The approved scheme must be implemented prior to first occupation of the development.

The approved scheme demonstrates that there is sufficient on-site attenuation to accommodate a 1 in 30 year storm. Storm water resulting from a 1 in 100 year rainfall event, plus 40% to account for climate change and urban creep is to be stored on site without risk to people or property and without increasing the restricted flows to the watercourse.

Reason: To prevent the increased risk of flooding, to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity.

13. The development hereby approved must be carried out in accordance with the scheme for the provision, implementation and maintenance of a surface water regulation system approved in writing by the Local Planning Authority under 22/04503/DISCON. The rate of discharge would not be expected to exceed that of a “greenfield site” taken as 1.4 lit/sec/ha. The approved scheme shall be implemented prior to first occupation of the development.

Reason: To ensure that the development can be properly drained.

14. The development hereby permitted must be carried out in accordance with the Ecological Enhancement and Management Plan approved in writing by the Local Planning Authority under 21/04073/DISCON. The approved plan includes measures to avoid harm to Great Crested Newts and nesting birds and the provision of integrated bat and swift bricks as well as habitat improvements through landscaping and using native species to external boundaries. The approved scheme must be implemented according to the agreed timescales.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

15. The development hereby permitted must be carried out in accordance with the hard and soft landscaping scheme approved in writing by the Local Planning Authority under 22/04503/DISCON. The approved scheme includes details of the tree and/or shrub planting, all surface materials and boundary treatments, including walls and fences. The scheme also specifies the materials, species, tree and plant sizes, number and planting densities, timing of implementation of the scheme, including any earthworks required, and thereafter the long term management and maintenance measures to be in place. The landscaping works must be carried out in accordance with the approved details and must be retained for the lifetime of the development.

In the event of failure of any trees or shrubs planted in accordance with the approved scheme to survive for a period of five years from the date of completion of implementation of that scheme such trees and/or shrubs shall be replaced by the developer with live specimens of such species in such number as may be approved by the Local Planning Authority.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

16. The development must be carried out in accordance with the measures detailed in the Arboricultural Method Statement approved by the Local Planning Authority under 21/04073/DISCON. The approved method statement includes the following:

- hand dig and/or air spade investigation to area for access into the site noting the location, size and number of roots within the proposed access area
- details of how the access will be constructed to avoid harm to the existing trees
- details of the root protection area fencing around the trees or shrubs or planting to be retained on the entire site. The fencing must be in accordance with the requirements of BS 5837:2012 Trees in Relation to Construction – Recommendations, or any subsequent amendments to that document.

The developer must maintain the root protection fences on site in accordance with the approved details until all development the subject of this permission is completed. The level of land within the fenced areas shall not be altered and the site access must be constructed in accordance with the approved details.

Reason: To ensure the protection of trees and/or shrubs during the carrying out of the development.

17. No dwelling shall be occupied until the associated car parking facilities have been constructed in accordance with the approved site layout. Once created, the car parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for adequate provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

18. The measures to incorporate facilities for charging plug-in and other ultra low emission vehicles approved in writing by the Local Planning Authority under 22/04503/DISCON in connection with Plots 1 to 6 must be implemented and made available prior to first occupation of these plots.

Reason: In the interests of air quality and to support sustainable transport modes.

19. Before any work is carried out above grade for Plots 7 to 9, details of the measures to incorporate facilities for charging plug-in and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented and made available prior to first occupation of these plots.

Reason: In the interests of air quality and to support sustainable transport modes.

20. Before the first use of any materials in the external construction of the roofs and walls of Plots 7 to 9 and their associated garages, details of the materials, including samples of those materials to be made available for inspection on site, as well as the design and materials used to construct the windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason: In order to ensure the quality of the external materials and that they are contextual and conform to the amenity requirements of the locality.

21. The lighting for Plots 1 to 6 approved in writing by the Local Planning Authority under 22/04503/DISCON shall be implemented in accordance with the approved details and made available prior to first occupation of these plots.

Reason: In the interests of the amenities of neighbouring properties, landscape character and security of the development.

22. Prior to commencement of above grade works of Plots 7 to 9, details of the proposed lighting, including siting, height, design and position of any lighting, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be



implemented in accordance with the approved details and made available prior to first occupation of these plots.

Reason: In the interests of the amenities of neighbouring properties, landscape character and security of the development.

### **Informatives**

The planning permission hereby granted must be read in conjunction with the accompanying S106 Legal Agreement dated 25 October 2018.

The area subject to the access and enabling works is shown on Drawing No. BH19004-APP-ZZ-ZZ-DR-A-3105 Rev P1. The access and enabling works are defined as:

- Branton Lane carriageway: works to a 75m length to improve, realign, and lift the carriageway level to suit the site access bellmouth, tree protection works, visibility splays and match the improvement works undertaken to the west of the site.
- Branton Lane: traffic calming measures include speed table, road marking works and associated traffic signs.
- Site access bellmouth: carriageway works to construct the site access bellmouth
- Site access road: carriageway works to construct the first 10m of the site access road.
- Tree protection works: works to install an approved system to protect the Lime tree root systems and provide a suitable foundation beneath the new bellmouth and access road.
- Footpath works
- Drainage works associated with the above.
- Utility protection and supply connections beneath new or improved carriageway

**Target Determination Date:** 28 December 2023

**Case Officer:** Helen Goulden, [helen.goulden@northyorks.gov.uk](mailto:helen.goulden@northyorks.gov.uk)