
Appeal Decision

Site visit made on 24 May 2016

by Susan Heywood BSc(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 June 2016

Appeal Ref: APP/C2708/W/16/3144209

Land to the East of Laurel Croft, Embsay, North Yorkshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr M, J & R Brooksbank against the decision of Craven District Council.
 - The application Ref 26/2014/15324, dated 17 July 2015, was refused by notice dated 18 February 2015.
 - The development proposed is the erection of 9 dwellings.
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Decision

1. The appeal is allowed, subject to the conditions set out at Annex 1 to this decision.

Main Issues

2. The main issues in this appeal are:
 - i. the impact of the development on highway safety having regard to sight-lines at the junction of Laurel Croft with Main Street;
 - ii. whether the proposal would preserve or enhance the character or appearance of the Embsay and Eastby Conservation Area and whether it would preserve the special architectural or historic interest of the Grade II listed war memorial.

Reasons

3. The appeal relates to an outline application with all matters apart from landscaping to be considered at this stage.
4. The Development Plan includes the Craven District (Outside the Yorkshire Dales National Park) Local Plan 1999 (the Local Plan). The plan was adopted prior to the introduction of the National Planning Policy Framework (the Framework) in 2012. In such circumstances due weight is given to relevant policies according to their degree of consistency with the Framework.¹

Highway impact

5. The appeal site lies on Laurel Croft, a short cul-de-sac serving a retirement home. At its junction with Main Street visibility is constrained towards the west

¹ Framework paragraph 215

by the boundary wall and railings to the property at No. 18 Main Street. The appellants' speed survey indicates that vehicles travel at around 22 miles per hour along Main Street in an easterly direction and that vehicle flows are low. This accords with my observations at the site visit. I note that interested parties express concerns that vehicle speeds are high but I have no evidence which would suggest that this is a particular problem in the vicinity of the junction. The appellants estimate that the proposed development would generate a maximum of 5 additional vehicles departing from Laurel Croft during the peak hours. None of this evidence is disputed by the Highway Authority. The parties agree that a visibility splay of 2m x 30m would be required at the junction in accordance with Manual for Streets (MfS). The Highway Authority estimates that only 2m x 10m to the nearside kerb can be achieved. The appellants argue that a visibility of 2m x 23m can be provided if the visibility splay is measured to an oncoming eastbound vehicle.

6. MfS and MfS2 advise that the visibility splay can be measured to the centreline of the main road in circumstances where it is unlikely that vehicles approaching from the left will cross the centreline. In this case there are double yellow lines on the northern side of the road. Together with the bend in the road to the west, the appellants claim that these would make it unlikely that vehicles would need to cross into the opposite carriageway in order to pass other vehicles. I acknowledge that double yellow lines will not prevent vehicles stopping, loading or unloading on the northern side of the road, but they will be likely to deter vehicles from parking for any length of time in this location. Furthermore, along this length of the road there is nothing which would encourage drivers to stop in this location; for example, shops or take away premises. Parking along some of the length would also block the front forecourt of properties adjacent to the car park and is therefore unlikely. Thus, whilst vehicles may park along the northern side of this stretch of road occasionally and for short periods, this is not likely to be a regular occurrence. Having regard to the low flow of traffic on Main Street and the fact that it does not appear to be travelling at high speeds, together with the limited traffic generation from the appeal site, the occasional need for vehicles to cross into the opposite carriageway would be unlikely to cause any significant highway safety concerns. Consequently, I consider it reasonable in this instance to have regard to the visibility which is available to the centreline of the main road².
7. Nonetheless, the sight-lines would still fall short of the standards in MfS. However, research for MfS2 found no evidence that a failure to provide visibility in accordance with these standards increased the risk of injury collisions³. Consequently, paragraph 10.5.9 of MfS2 states that a reduction in visibility below recommended levels will not necessarily lead to a significant problem, unless there is local evidence to the contrary. A nearby resident has stated that accidents have occurred which have resulted in a wall being demolished at the corner house close to the junction. However, I have no further details relating to these accidents, their causes or when they occurred. It is not possible therefore to attribute these to sub-standard visibility at the junction. The appellants state, having regard to statistics of reported accidents, that there have been no accidents at any junction in the village in the last five years, although I note that the evidence (at Appendix C of the Transport Statement) relates to the nine year period between 2005 and 2013. However,

² This will be less than the 23m suggested by the appellants.

³ MfS2 paragraph 10.4.2

the Highway Authority have not disputed any of the appellants' evidence relating to accident rates nor have they provided any contrary evidence. I am not therefore satisfied that there is sufficient local evidence to demonstrate that a reduction in visibility below recommended levels would be likely to create a significant highway safety problem.

8. The appellants have suggested that the junction could be altered by moving the location of the give-way markings. This would improve visibility slightly, but I have very little evidence to demonstrate what impact this would have on Main Street. In any case, sight-lines would still be below recommended levels. Consequently, I have not had regard to this proposed alteration in this appeal.
9. I understand that vehicles park on Laurel Croft when dropping off and picking up at the nearby primary school. I noted too the parking which takes place in the vicinity of the junction. Concerns have also been raised, although not by the Highway Authority, regarding sight-lines to the east, which can be obscured by parked cars and buses. MfS2 indicates that parking in visibility splays does not appear to create significant problems in practice. It states that in such circumstances vehicles tend to edge out of the side road until they are able to see oncoming traffic. That oncoming traffic is able to see the emerging vehicle and will adjust its speed.
10. There are concerns that the proposal would increase the level of on-street parking on Laurel Croft, but there is no reason why this should be the case as sufficient parking would be available on site. Even if residents were to park on street, they would be likely to do so outside the houses where the road could accommodate this and where it would not interfere with the junction. The road is also of sufficient width to allow emergency vehicles to pass a parked vehicle. Whilst I accept that existing drivers may experience congestion at certain times of the day, this does not mean that the junction would be unsafe due to the additional traffic generated by the proposed development. Although the entrance to the public car park is almost directly opposite Laurel Croft, there is no inherent danger in this situation which occurs in many places on the highway network. In relatively lightly trafficked situations and where speeds are not unduly high, such as in this appeal, this is unlikely to cause any highway safety concerns.
11. I noted that there are other junctions onto Main Street which are substandard in terms of their sight-lines. This is often the case in rural areas and drivers tend to exercise caution in such circumstances. I also saw that, when no cars are parked on Main Street to the west of the junction, visibility is greater than suggested by either the Council or the appellants as it is possible to see through the railings at the front of 18 Main Street.
12. In conclusion, the achievable visibility splay in the vicinity of the site would be below the recommended standards. However, this would be unlikely to result in significant harm to highway safety given the relatively low vehicle flows on Main Street, the limited traffic generation likely from the proposed development and the fact that vehicle speeds do not appear to be unduly high.
13. Policy T2 of the Local Plan requires the access to a development to be acceptable to the Council and to achieve a high standard of safety. The proposal would conflict with this policy. However, the policy is more onerous than the Framework which requires safe and suitable access and which states

that development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe.

14. For the reasons set out, I conclude that the proposal would provide a safe and suitable access and the residual cumulative impacts would not be severe. This matter does not therefore weigh against the appeal proposal.

Impact on the Conservation Area and Listed Building

15. The centre of the Embsay Conservation Area is characterised by its linear, stone terraced properties fronting onto Main Street, Pasture Road and East Lane. The rural landscape is important to the setting of the village and views into the surrounding countryside can be gained from some vantage points in the central village core. These aspects contribute to the significance of the Heritage Asset.
16. The Grade II listed stone war memorial, dating from 1921, lies on Main Street adjacent to the village hall. It has a square stone plinth raised on steps with a square stone column and Saxon cross above. The dates of the First and Second World Wars and the names of those who died are inscribed on the plinth. The small paved area around the memorial is enclosed by large trees and shrubs on open land to the east. To the west the area is enclosed by the village hall, built in the 1980s. The memorial is also partially enclosed to its south by the row of trees running between the appeal site and the land to the east. A framed view of the open countryside beyond is gained between the trees and the village hall, across the open area of land to the east of the appeal site. Thus the setting of the memorial is partly an enclosed, contemplative space, but views to the wider countryside also make an important contribution to that setting.
17. The appeal site forms part of a larger area of open, agricultural land which projects into the built environment of the village. That part of the open land located to the east of the appeal site adjoining, and running south from, Main Street is important to the character and appearance of the village. It provides an attractive area of open space bounded to the north by a dry stone wall and mature trees. A row of trees also runs north to south separating the appeal site and land to the east. As I have said, these trees also provide a verdant backdrop to the war memorial. This area of land brings the surrounding rural character into the heart of the village and it contributes to the significance of the conservation area.
18. However, the appeal site is not integral to this larger area of land. It comprises a sloping grassy field bounded to its west by a dry stone wall and is separated from Main Street by the village hall. A retirement home, a modern group of buildings built around the 1970s, lies on the opposite side of Laurel Croft to the west. Being an area of open space, I accept that the appeal site is undoubtedly valued by adjoining residents and users of the village hall. Nevertheless, due to its separation from Main Street, it is not as prominent within the village scene as the adjoining land to the east and it does not make such a significant contribution to the character or appearance of the conservation area. Views of the site can be gained from the junction with Laurel Croft and from higher land to the north, within the Yorkshire Dales National Park. From these vantage points, the site is seen in the foreground of views of mature trees and the rising open countryside to the south. These aspects are the most important

features in these views and the appeal site, being rather featureless, has only a moderate, albeit positive, visual impact.

19. The Council refer to the 1997 Conservation Area Assessment for Embsay with Eastby. This document notes that the site is an '*Important Open Space*' and describes it as "*an area of open rough pasture bounded by a stone wall and containing hedgerow with several larger trees. Important in maintaining an open rural character in an area otherwise dominated by modern housing*". A recent appraisal carried out for the emerging Craven Local Plan also provides a plan which identifies the area as "*an area of open space that makes a strong contribution to the character and appearance of the conservation area*". However, this document is in draft form only and elsewhere in the document under a heading titled "*Description of the areas of open space in and around the Conservation Area and their contribution*" it refers to the importance of the open spaces which "*front onto Main Street*" as being important elements which contribute positively to the character of the conservation area.
20. In addition, I note that the Council in their most recent version of the emerging Craven Local Plan (the Consultation Document approved for consultation by Craven Spatial Planning Sub Committee on 4th April 2016) have included the appeal site as one of the options within their "*pool of site options with potential for residential or mixed use*". Within this document consideration is given to the potential for development on the wider site, including the land to the east of the appeal site. The summary of issues and recommendations concludes as follows: "*The western portion of the site may be utilised for residential development as it has an existing access (Laurel Croft), but the laneway dividing the site and the eastern portion may be left as open green space due to its strong landscape character*". Whilst very little weight can be given to this document at present, this does indicate that the Council themselves consider that there is a difference in the importance, in landscape character terms, between the appeal site, comprising the western portion of the larger area of land, and the land to the east.
21. As part of the evolution of the proposal, the appellants discussed the development with Historic England (HE) and HE were also consulted on the planning application. In response to pre-application discussions, HE indicated that they were content with the current proposal subject to detailed treatment of the car park. In response to the planning application consultation they stated that the site and the adjoining land make a strong contribution to the significance of the conservation area. Development of the site would cause some harm to the conservation area by reducing the area of open space at the heart of the village. But they go on to say that the scheme represents a reduced development, following earlier applications, and the current layout enables some aspects of the rural appearance of the conservation area to be retained behind the war memorial. They recommend that the proposal should be determined in accordance with the Framework which requires an assessment as to whether the public benefits of the proposal outweigh the harm caused. Subject to detailed considerations, the National Park Authority reached a similar conclusion on the proposals.
22. The appellants' Heritage Impact Assessment concludes that the site makes a neutral contribution to the conservation area and its loss would not cause significant harm to its character, appearance or significance. It is pertinent to note that the Council's heritage advisor agreed with this conclusion and Council

officers recommended that, having regard to the benefits of the scheme, the proposal would not unacceptably impact on the significance of the conservation area.

23. Turning to the proposed dwellings, these would be a row of two storey, terraced properties with staggered rooflines and frontages. They would be built in a traditional style with random coursed stone walls, sawn stone door and window surrounds, timber windows, pitched slate roofs, chimneys and traditional decorative eaves. The front gardens would be surrounded by low dry stone walls. Whilst parking spaces would be provided on the frontages of 4 of the 9 dwellings proposed, a parking area between the development and the village hall would ensure that car parking would not dominate the frontages of the terrace. Land would be retained between the rear garden boundaries and the trees on the adjoining land to the east. This would ensure that the trees would not be affected by the proposed development and it would retain the framed, long distance views towards the open countryside from the war memorial. The setting of the listed building would therefore be preserved. The submitted plans indicate that this retained open land would remain within the ownership of the current landowner of the appeal site and land to the east. Consequently, the land remaining would not be an isolated strip of land, which may be vulnerable to future development, but part of the larger area of land to the east. Subject to satisfactory detailing, the scale, linear form, design and materials of the proposed development would ensure that the dwellings would complement the historic environment of the village and sit comfortably into the village form.
24. Bringing together the above, it is clear that the proposed development would result in the reduction in the amount of open land at this point in the village. But, a significant proportion of the land to the east of the site, and the mature trees within it, would be retained. That land would still be visible from Main Street and from Laurel Croft through gaps either side of the proposed terrace. This would maintain the rural character and projection of former agricultural land into the heart of the village. It would also maintain the separation of the modern housing development to the south east from the historic development in the village core. It is these aspects which are important to the significance of the conservation area. The loss of the appeal site would cause some harm to the character of the conservation area because it would reduce the amount of open land in the heart of the village. However, the harm caused would be less than substantial. The proposal would preserve the setting of the listed war memorial.
25. Policy H4 of the Local Plan seeks to ensure that residential development does not adversely affect areas or buildings of historic interest. Whilst this is broadly in line with the Framework's aim to conserve heritage assets, policy H4 does not set out the balanced approach adopted by the Framework to the consideration of harm versus benefits of a proposal. Consequently, I give greater weight to the Framework in this appeal. Paragraph 132 of the Framework sets out that great weight should be given to the conservation of heritage assets. Paragraph 134 states that where development would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal. I consider the public benefits of the development later in this decision.

Other matters

26. Concern has been expressed regarding the impact of the development on the uses within the village hall. The area to the rear of the hall is used as a play area for a children's nursery which operates within the hall. It is the case that the existing field would be lost and replaced by a car park immediately adjoining the rear boundary of the hall. However part of the play area, to the rear of the war memorial, would not adjoin the proposed car park. Furthermore, the car park would not have the same level of use as a public car park. Although there may be a few vehicles leaving and returning during the day, many residents would tend to leave the car park in the morning and return in the evening. Vehicles would also be likely to be travelling slowly into and out of a parking space and safety of children playing to the rear of the hall would not therefore be prejudiced. Consequently, the proposal would not cause significant harm to the use of the village hall by the day nursery. The Council have confirmed that they do not consider that other uses in the village hall would be incompatible with a residential use of the appeal site and I have no evidence to the contrary.
27. Whilst concern has been raised regarding drainage and flooding, there is no evidence to demonstrate that the appeal site is within a flood risk area and the Environment Agency raised no objections to the proposal. Yorkshire Water require the site to be drained on separate systems for foul and surface water to prevent overload of the foul drainage system. On this basis they raised no objections. The Council are satisfied that appropriate conditions could be imposed to ensure satisfactory drainage of the site and I see no reason to come to a different conclusion.
28. Local residents have raised concern regarding the impact on the local school. The Council have confirmed that no request from the Education Authority was received for a financial contribution towards the provision of additional school places. I have no evidence therefore that the school could not accommodate the number of pupils likely to be generated by the proposed development.
29. The Council confirm that the village is not isolated and that it has access to a wide range of services and facilities in nearby Skipton which is accessible to residents from the village. At the application stage the Council considered, but dismissed, concerns regarding the impact on tourism, the loss of agricultural land and ecological impacts. I have no evidence to cause me to disagree with the Council's conclusions on these matters. Whilst the impact of construction traffic on existing residents has been raised, this would be a time limited impact and a suitable condition can be imposed to minimise the impacts.

The benefits

30. The Council and appellants agree that the Council cannot demonstrate a 5 year supply of deliverable sites to meet their housing requirements, although the extent of the shortfall is disputed. On this basis, paragraph 49 of the Framework states that relevant policies for the supply of housing should not be considered up-to-date. This would apply to that part of policy H4 of the Local Plan which seeks to limit housing development. Paragraph 14 of the Framework states that, where relevant policies are out-of-date, planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole, or where specific policies in the Framework indicate

that development should be restricted. The Council accept that significant weight in favour of the proposal should be given to the provision of housing to meet the identified need.

31. The proposal would include the provision of affordable housing equating to 40% of the units or 4 properties. The Council's committee report, which they rely on as evidence relating to this matter, states that the 2011 Strategic Housing Market Assessment (SHMA) identifies a shortfall of 17 affordable homes per year in Embsay with Eastby between 2011-2017. To date no affordable homes have been delivered in this ward, although I note that recent housing approvals would make a contribution. It would appear therefore that there is a significant shortfall of affordable housing provision in the ward. The appellants also refer to the 2013 SHMA which identifies a shortfall of 114 affordable dwellings per year across the District.
32. In accordance with the Written Ministerial Statement (WMS) of 28 November 2014, affordable housing and tariff style contributions should not be sought for sites of 10 units or less. However, as the site is located within a Designated Rural Area, the WMS indicates that authorities may choose to implement a lower threshold of 5 units or less below which affordable housing contributions should not be sought. The Council's document 'Negotiating Affordable Housing Contributions' (2015) sets out the Council's aim to seek 40% of affordable units on sites of 5 dwellings or more. The parties' views were sought following a recent Court of Appeal judgement in relation to this WMS⁴. Both parties are content that the Council's approach is in line with the WMS and I agree. A condition is suggested in order to secure the provision of affordable housing. Significant weight is therefore given to the provision of both market and affordable housing in this proposal.

Overall balance

33. The proposal would not cause harm to highway safety but it would cause some harm to the character of the conservation area. Great weight is to be given to the conservation of heritage assets. Having regard to the three strands of sustainable development set out in the Framework, the proposal would therefore cause some environmental harm.
34. However, significant weight is given to the provision of both market and affordable housing in this appeal. This would also contribute to the economic and social aspects of sustainability as outlined in the Framework. For the reasons set out above, the harm that would be caused by the loss of the open space would be less than substantial and the proposed dwellings would complement the historic context of the village. The benefits in terms of the provision of market and affordable housing are sufficient in this case to outweigh the less than substantial harm caused by the loss of the area of open land.
35. On balance therefore, I conclude that the proposal would be sustainable development. There would be some conflict with the Development Plan but I have determined that greater weight should be given to the more up to date policies in the Framework, with which the proposal would comply. The adverse

⁴ Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council C1/20015/2559; [2016] EWCA Civ 441

impacts of the proposal would not significantly and demonstrably outweigh the benefits and the appeal should therefore succeed.

Conditions

36. Standard conditions relating to outline planning permissions and the submission of reserved matters relating to landscaping are imposed. A condition is required to specify adherence to the submitted plans in order to provide certainty regarding the development permitted. However, the condition excludes the installation of solar panels to the roofs. Although a notation on the plans makes reference to solar panels, they have not been shown on the elevations and there are no details elsewhere within the application. Accordingly, I have not considered their impact in this appeal.
37. Details of external materials and hard surfacing areas are required in the interests of the character and appearance of the conservation area. Whilst the plans specify many of the boundary treatments, full details of the design and heights of all boundary treatments not already specified are required due to the sensitivity of the site's location. A condition requires the submission of a construction method statement in order to mitigate the impacts of the construction phase on surrounding residents. Conditions requiring the submission of details of foul and surface water drainage are imposed in order to ensure that these aspects are satisfactory and to ensure the investigation of a sustainable urban drainage scheme.
38. As the contribution towards affordable housing is one of the benefits of the scheme which has been weighed in the overall balance, a condition is imposed to secure its provision either on or off-site. I have altered the wording of the Council's suggested condition to include less detail, allowing the parties to negotiate the detailed scheme. Conditions are required to ensure the laying out of the car park and turning area prior to the occupation of the dwellings in the interests of highway safety. Car parking and the garage to plot 9 are thereafter to be retained for parking, in the interests of highway safety and the character and appearance of the area. Details of measures to protect the existing trees to the east and south of the site during construction are required in the interests of the character and appearance of the conservation area. A scheme is also required for the construction of the footpath running beneath the branch spread of the tree to the south to ensure no harm is caused to its roots. Construction of the bin storage area is required prior to the occupation of the dwellings also in the interests of the character and appearance of the area.
39. The appellants' Archaeological Desk Based Assessment concludes that an archaeological watching brief is recommended for the initial ground disturbance works on the northern side of the site. A condition is imposed requiring the details of the brief to be agreed with the local planning authority.
40. As the development is within a conservation area, large scale details are required of aspects of the elevations including window and door design and materials, the garage door to plot 9, proposed eaves details, window and door surrounds, chimneys and gable wall detailing. The plans show low boundary fencing to the rear gardens in order to protect the setting of the listed war memorial. Permitted development rights are removed for boundary treatments to the rear in order to protect this setting.

41. A number of conditions suggested by the Council and Highway Authority have not been included. There is no need to condition adherence to the Design and Access Statement or Heritage Impact Assessment as these documents do not contain any further information which is not covered either in the approved site plan or by other conditions. Details of site levels have already been included on the submitted plans and there is no specific need for finished floor levels to be specified. The site is some considerable distance from the railway line and thus conditions relating to noise from and access to the railway line are not required. The Highway Authority have suggested several standard conditions, many of which are not relevant to the appeal proposal. Necessary highway conditions have been included. Although HE recommended a condition to ensure that land to the east remains undeveloped and under grass, any future development of this site would require separate planning approval and a condition is not therefore necessary.

Conclusion

42. For the reasons given above, and having regard to all other matters raised, the appeal is allowed subject to the conditions at Annex 1.

Susan Heywood

INSPECTOR

ANNEX 1 – CONDITIONS

- 1) Details of landscaping (hereinafter called "the reserved matter") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matter shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall begin not later than two years from the date of approval of the reserved matter.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Plan Nos. 2489.5A and 2489.6A, except in respect of the photo-voltaic (pv) panels referred to on plan 2489.6A.
- 5) No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2: Glossary of National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:
 - i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 40% of housing units;
 - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no affordable housing provider is involved;
 - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Or:

 - vi) details of an equivalent affordable housing contribution to be provided in lieu of affordable housing on site and the means by which such a contribution shall be provided.

The affordable housing shall be retained in accordance with the approved scheme.
- 6) No development shall commence until a programme of archaeological work for the northern part of the site has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.

- 7) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - vii) the parking of vehicles of site operatives and visitors
 - viii) loading and unloading of plant and materials
 - ix) storage of plant and materials used in constructing the development
 - x) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - xi) wheel washing facilities
 - xii) measures to control the emission of dust and dirt during construction
 - xiii) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - xiv) delivery, demolition and construction working hours.
- 8) No development shall commence until the trees and hedges close to the eastern and southern boundaries of the site, and/or any trees whose canopies overhang the site, have been protected by strong fencing, the location and type of which is to be approved in writing by the local planning authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.
- 9) Before the gravel path is constructed beneath the canopy of the tree to the south of the site details of a 'no-dig' construction method for the proposed path shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 10) Before construction of the dwellings begins samples of the materials to be used in the construction of the external surfaces of the dwellings and the hard surfacing areas hereby permitted, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 11) Before construction of the dwellings begins drawings shall be submitted to and approved in writing by the local planning authority indicating the design and height of all boundary treatments to be erected unless these are already detailed on plan no. 2489.5A. The approved boundary treatments shall be completed in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.
- 12) Before construction of the dwellings begins large scale drawings, to 1:20 or similar, of the proposed window and door design and the garage door to the dwelling on plot 9 (including materials, opening mechanisms and depth of reveals), eaves detailing, sawn stone door and window

surrounds, chimneys and gable wall detail shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

- 13) No dwelling shall be occupied until the parking and turning areas have been laid out within the site in accordance with drawing No. 2489.5A. These areas shall thereafter be kept available at all times for the parking of vehicles.
- 14) No dwelling shall be occupied until the bin storage area shown on the approved plans is constructed and available for use. The area shall thereafter be kept available at all times for the storage of bins from the proposed dwellings.
- 15) No dwelling shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a timetable for its implementation; and
 - iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 16) No dwelling shall be occupied until works for the disposal of sewage shall have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted to and approved in writing by the local planning authority.
- 17) The garage provided to plot 9 shall be kept available at all times for the parking of motor vehicles by the occupants of the dwelling and their visitors and for no other purpose.
- 18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the rear curtilage of any dwellinghouse, other than as hereby permitted.

End of conditions.