

Item Number: 7
Application No: 18/00662/MFUL
Parish: Wombledon Parish Council
Appn. Type: Full Application Major
Applicant: Maximus Projects Ltd
Proposal: Change of use of agricultural land to allow the siting of 29no. timber clad static holiday units with decking, 1no. static site managers accommodation unit and an office/reception static unit together with associated crushed stone site access roads, car parking spaces for individual units, installation of a package treatment plant, low level site entrance lighting, landscaping and hedgerow cutting back to improve visibility splays for existing vehicular access from Common Lane with closing off of the access from Moorfields Lane (except for emergency access).

Location: Land Off Moorfields Lane Wombledon Kirkbymoorside

Registration Date: 20 July 2018
8/13 Wk Expiry Date: 19 October 2018
Overall Expiry Date: 1 April 2019
Case Officer: Alan Goforth **Ext:** Ext 43332

CONSULTATIONS:

Initial consultation

Wombledon Parish Council	Objections
Countryside Officer	Recommend conditions
Environmental Health Officer	Unable to support (noise disturbance)
Caravan (Housing)	Comments (conditions & informative)
Vale Of Pickering Internal Drainage Boards	Comments (informative)
Flood Risk (LLFA)	Recommend conditions
Sustainable Places Team (Environment Agency)	Comments
Highways North Yorkshire	Recommend refusal
Yorkshire Water Land Use Planning	Recommend conditions

Re-consultation on revised details

Wombledon Parish Council	No objection
Countryside Officer	No further comments received
Environmental Health Officer	No objection
Caravan (Housing)	No further comments received
Vale Of Pickering Internal Drainage Boards	No additional comments
Flood Risk (LLFA)	No further comments - no objection subject to conditions
Sustainable Places Team (Environment Agency)	Previous comments unchanged
Highways North Yorkshire	Recommend conditions
Yorkshire Water Land Use Planning	Recommend conditions

Neighbour responses: Mrs Tracey Hunter, Mr C Sewell, Mrs Elizabeth Walters, Mr Gillian Wigley, Mr And Mrs Mercer, Mr Harry Bellamy, Mrs Claire Chew, Mr Ian Simpson, Mr B Smith, Ms Caroline Hilton, Mr Gary Grice, Mr Jack Woodhead, Mr Christopher Wigley, Mrs Eileen Howell, Mr Neil Herbert, Mr David Bingham, Mr John Storey, Dr Nigel Walters, Mrs S Taylor, Mr & Mrs R.S. Ham, Mr Nigel Johnson, Mrs Berenice Bellamy, Judith And Douglas

Oates, Mrs James, Mr P Tipping, Mrs H Spencer, Mr R
And Mrs J Gamble, Mr Matthew Simpson, Mrs Rowena
Robinson, Mr A Willoughby, Wombleton Caravan And
Camping Park (B Willoughby), W Foster, Mr Peter
Howell, Mr John Thorndycraft, Miss Ann Mansfield, M.
W. Clark And D. A. Clark.

BACKGROUND:

The planning application initially proposed the siting of 60no. static holiday units across a 4.87 hectare site. However, in light of objections to the proposal and following discussions between Officers and the agent representing the applicant the southern part of the application site was withdrawn and the overall number of static holiday units reduced to 29.

Members will be aware of an other planning application for a second holiday lodge site on part of the Wombleton airfield off Hungerhill Lane (18/00580/MFUL). That application was reported to Planning Committee on 20 November 2018 with a recommendation for refusal but was deferred at the request of the applicant. That application is the subject of ongoing negotiations and will be reported to a future meeting of Planning Committee.

SITE:

The site is situated within the open countryside 1.2km south of Wombleton and 1.9km north east of Harome. The site is within an Area of High Landscape Value.

The site is a roughly triangular shaped field approximately 2.7 hectares in area that is flanked by Common Lane and Moorfield Lane to the west and east respectively and agricultural land to the south. A private access in the form of a concrete road that is gated at both ends, runs east-west at the southern end of the application site and links Common Lane to Moorfield Lane. The level of the land gently rises in a south-north direction.

The area is characterised by open countryside in agricultural use, relatively isolated detached properties and tourist sites. Wombleton Caravan and Camping Park is 150m to the south east of the site and Foxholme Caravan and Camping Park is 380m to the north west of the site.

On the grass verge at the junction of Common Lane and Moorfields Lane, immediately to the north of the application site, stands a memorial dedicated to the Canadian air force and the RAF who served at Wombleton during World War II (dedicated in 2001).

The nearest residential properties are Moorfield bungalow 20m to the east of the site, Wombleton Grange 80m to the south west and Cote Garth 160m north of the site.

The agricultural buildings comprising Wombleton Grange Farm (which includes a grain dryer) are 140m to the south of the site. Wombleton Grange Farm is under separate ownership to the adjacent residential property of Wombleton Grange.

HISTORY:

17/00567/FUL- Erection of 6no. three bedroom holiday lodges and 3no. two bedroom holiday lodges with associated driveway, parking, landscaping and formation of vehicular access. APPROVED 03.10.2017. Permission not implemented and expires on 02.10.2020.

PROPOSAL:

Planning permission is sought for the change of use of agricultural land to allow the siting of 29no. timber clad static holiday units with decking, 1no. static site managers accommodation unit and an office/reception static unit together with associated crushed stone site access roads, car parking spaces for individual units, installation of a package treatment plant, low level site entrance lighting, landscaping and hedgerow cutting back to improve visibility splays for existing vehicular access from Common Lane with closing off of the access from Moorfields Lane (except for emergency access).

The application is accompanied by a Design, Access and Planning Statement, Flood Risk Assessment and Drainage Strategy, Noise Impact Assessment, Ecological Impact Assessment, a Site Development Assessment (need and economic benefits), a Technical Transport Note and a Travel Plan.

The static holiday units and the manager's unit would be 13.71 metres in length, 6.09 metres in width and would stand 3.62 metres to the ridge. Internally each unit would comprise an entrance hall, three bedrooms, bathroom, and an open plan kitchen/living/dining area with two sets of double doors providing access out to a raised area of decking. For the majority of the units the decking would be on the south facing side of the building. Externally each unit would have stained timber clad walls, double glazed UPVC windows and doors and a felt shingle roof covering.

The applicant states that each holiday unit would be made available to rent or purchase with restricted holiday occupancy only and shall not be occupied as a person's sole or main place of residence. The manager's unit would be located at the northern end of the site and it is proposed that the building is occupied all year round.

An office/reception unit would be located adjacent to the southern boundary of the site to the north of the access road. The unit would be 11.58 metres in length, 3.65 metres in width and would stand 3.42 metres to the ridge. Internally the unit would comprise a reception area, store, office and WC. Externally the unit would have stained timber clad walls, double glazed UPVC windows and doors and a felt shingle roof covering.

Access would be off Common Lane in the southwestern corner of the site where 4.5m x 160m visibility splays would be created in both directions. The internal access road would lead eastward to a point half way along the southern side of the site where it would turn northwards into the site. There would be turning areas at the end of each of the three spurs off the central, crushed stone, access road. Parking would be provided in communal areas to the front of the units. The site layout plan indicates a total of 64 parking spaces within the site. The existing access off Moorfield Lane in the south eastern corner of the site would be closed off and only used for emergency access. There would be a footpath linking to Moorfields Lane in the north east corner of the site.

Foul drainage would be directed to the mains sewer system. However, if that cannot be achieved then a package treatment plant would be installed in the grass verge on the southern side of the site. The refuse area would be at the eastern end of the access and an electrical substation would stand further to the east.

The spacing between the units ranges from 7-10m. There are no proposals for any strictly defined boundary enclosure between units although the layout shows that native hedgerows and individual feathered and standard trees would be planted between units.

The existing boundary hedge would be subject to coppicing/hedgelaying and replanting. The proposed boundary planting would comprise a native woodland mix planted at 1.5m centres and a native understorey shrub mix planted at 1m centres.

The application details state that *"the vision is to develop a high quality development of static holiday units to provide an ideal 'retreat' for those wishing to get away for a short or longer holiday break, in peaceful and attractive surroundings"*.

POLICIES:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

- The Ryedale Plan- Local Plan Strategy (2013)

The Ryedale Plan - Local Plan Strategy (2013)

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP8 Tourism

Local Plan Strategy - Policy SP9 The Land-Based and Rural Economy

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP14 Biodiversity

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources

Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Local Plan Strategy - Policy SP21 Occupancy Restrictions

Material Considerations

Revised National Planning Policy Framework 2018 (NPPF)

National Planning Practice Guidance 2014 (PPG)

REPRESENTATIONS:

A number of representations received refer to both planning applications (18/00662/MFUL & 18/00580/MFUL). Members will be aware that the LPA is required to consider each proposal on its own, site- specific, merits in accordance with the policies of the adopted Development Plan, and taking account of material considerations. This is because neither application has been granted permission; and therefore it would be unreasonable to consider, in any substantive detail, concerns over the implications of both schemes at this stage.

As stated earlier in this report the application initially proposed the siting of 60no. static holiday units across a 4.87 hectare site. In response, the Authority received a total of 28 representations objecting to the application. The concerns raised are summarised below:-

- density of development/overdevelopment
- scale of the development
- impact on openness of the countryside
- traffic generation and congestion
- pollution from vehicles
- pedestrian safety/risk of accidents
- unsustainable travel modes
- loss of privacy for nearby residents
- lack of screening
- visual impact
- light pollution
- noise impact from grain dryer
- drainage
- loss of agricultural land
- conflict with agricultural operations in the vicinity
- need is met by existing businesses
- competition to existing businesses

- impact on wildlife and existing habitats

A total of 8 representations were received in support of the application from members of the public not local to the application site. However, only the five that have provided postal addresses are duly made and referred to in the below summary:-

- good for local business
- support local economy
- encourage leisure activity in the area
- bring tourists to the area
- the proposed landscaping would improve the site

Further representations have also been received following the re-consultation exercise on the revised application that reduced the size of the site and the number of units to 29. The following is a summary of the concerns raised:-

- density of development/overdevelopment
- impact on openness of the countryside
- traffic
- pedestrian safety
- lack of screening

APPRAISAL:

The main considerations in the determination of this application are:

- i) Principle of the development;
- ii) Landscape and visual impacts, incorporating layout and design;
- iii) Ecological impact;
- iv) Impact on amenity;
- v) Highway impacts;
- vi) Flood risk and drainage; and
- vii) Occupancy restrictions.

Principle of development

Policy SP1 states that development in the open countryside will be restricted to that which is necessary to support sustainable, vibrant and health rural economy and communities. Tourist-orientated schemes are a form of development which could be considered to be necessary to support the above policy objective. At the national level paragraph 83 of the revised NPPF supports a prosperous rural economy and states that planning decisions should, *inter alia*, enable “(a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; and...(c) sustainable rural tourism and leisure developments which respect the character of the countryside”.

Tourism makes a significant contribution to the local economy and local planning policy (Policy SP8) seeks to develop tourism in a sustainable way which does not undermine some of the very special qualities that visitors come to enjoy and experience. Policy SP8 supports tourist accommodation in the wider open countryside that, *inter alia*, involves “New touring caravan and camping sites and static caravan and chalet self-catering accommodation and extensions to existing facilities that can be accommodated without an unacceptable visual intrusion and impact on the character of the locality”.

The site is in relatively close proximity to the scenic landscapes of northern Ryedale and the type of accommodation proposed would contribute to the range and choice of tourist accommodation available to visitors to the District. Furthermore the site is currently agricultural land last used for grazing (not arable production) and Policy SP9 relates to the land-based economy and supports appropriate farm and rural diversification.

Local policy provides support in principle for sustainable tourist accommodation where the scale, nature of activity and visual intrusion can be accommodated, for example, in terms of the character and sensitivities of the locality, wider landscape and the road network. The proposed development represents new tourist accommodation and is considered acceptable in principle subject to consideration of the design, landscape and visual impact, highways safety and local amenity impacts.

A number of representations have referenced a lack of need for the development and possible oversaturation of such tourist facilities in the locality. However, the Local Planning Authority is not able to refuse applications on the grounds of competition and a refusal could not be substantiated on the basis of a perceived lack of demand for such holiday accommodation. The nearest tourist sites predominately catering for touring caravans. A report commissioned by the applicant has stated that need for this type of accommodation is not clear to establish, but indicates that there is a lack of unserviced lodge-style accommodation in the locality.

Landscape and visual impacts, incorporating layout and design

The site is within the locally designated Area of High Landscape Value. The land use in the locality is predominately agricultural with nearby tourist-orientated sites (caravans and camping). There are no public rights of way immediate to the site or residential receptors adjacent to the site.

The existing boundary hedgerow (predominately hawthorn) provides a sense of enclosure. There are mature trees (mainly oak) within the southern boundary hedgerow. A margin of young deciduous and coniferous trees has been planted around the edges of the site.

The site would benefit from the proposed understorey planting and the Council's Countryside Officer recommends the revitalisation of the existing hedge by a combination of coppicing/hedgelaying and replanting. The proposed boundary planting would comprise a native woodland mix planted at 1.5 metre centres and a native understorey shrub mix planted at 1 metre centres. A concern has been raised in relation to the proximity of the site to the war memorial referred to earlier in this report. The nearest units at the northern end of the field would be approximately 50 metres from the memorial. It is considered that a comprehensive landscaping scheme and the stand off distance should protect this viewpoint position and ensure that the existing hedgerow is augmented with native planting to continue to form a suitable backdrop to the memorial. It is considered that a suitable landscaping scheme can be achieved that provides screening comprising deciduous and evergreen native species that would soften the appearance of the development and make a positive contribution to the landscape character of the area.

If permission is granted conditions shall be imposed to secure the details of the additional native planting within the site and on the perimeter and also the retention and maintenance of the existing planting along the boundaries. The areas of grass and new and existing planting within the site and on the boundaries would involve comprehensive site management and this shall be secured by condition.

The Parish Council have confirmed that they do not object to the revised application provided that the development is only for the 29 units. The site layout has been amended to make the arrangement of the units less regimented and the buildings would be arranged in a generally circular pattern. The density and spacing is considered standard for such static unit developments. There would be no impermeable hardstanding laid within the site, the access road would be a permeable surface of crushed stone. This would serve to limit the urbanising features in the open countryside.

The proposed development would introduce new buildings in an open countryside location but would not interrupt the skyline views or the scenic qualities of the area to an unacceptable degree. The siting of the units in only the northern field results in a development that is less prominent than if extended across both fields. The proposed planting would allow the site to visually integrate with the locally valued landscape. The external materials for the buildings would blend with the rural backdrop and boundary planting and ensure the buildings are less conspicuous and to reduce visual intrusion. The final external materials and finishes shall be approved under condition if permission is granted. It is considered that the scale, design and appearance of the development would not conflict with Policies SP16 and SP20

and would not be detrimental to the locally valued landscape and complies with Policies SP8 and SP13.

Ecological impact

The application is accompanied by Ecological Impact Assessment that includes an extended Phase 1 habitat survey. The site is a field previously used for grazing and has been assessed as improved grassland of low ecological value. The field boundaries (hedgerows and sporadic mature trees) are of high ecological value and the inner margin of new tree planting, once established, will also be of high ecological value. The siting of the static units would only impact on the grassland and the existing planting would be retained and augmented by supplementary planting of native species and as result the ecological value of the site would not be detrimentally affected.

The assessment acknowledges that the existing vegetation provides suitable nesting habitats for birds. No nests were identified but as a precaution any vegetation clearance or cutting back should take place outside of the nesting season (March- Sept) and this can be included as an informative.

The assessment refers to records of barn owls at an adjacent property and that the site provides some foraging habitat. The development would have a negligible impact on barn owls due to the abundant of foraging habitat in the surrounding area but recommends the installation of a barn owl nest box on a large mature tree within the site.

The Council's Countryside Officer confirmed no objections to the application subject to the inclusion of conditions that relate to tree protection and ecological enhancement. It is considered that the development would not result in a net loss to biodiversity and the proposal is considered to be compliant with Policy SP14.

Impact on amenity

The application is accompanied by a Noise Impact Assessment (NIA) that relates to the development of both fields for 60 units. The proposed development of the site of holiday units is not considered to be a particularly noise generating land use but the amenity levels of occupants of the units could be adversely affected by existing, adjacent land uses. In this regard the Council's EHO initially noted the close proximity of the southernmost units to the grain dryer at Wombledon Grange Farm.

Paragraph 182 of the revised NPPF states *“Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed”*.

Similarly Policy SP20 seeks to ensure that *“proposed uses and activity will be compatible with the existing ambience of immediate locality and the surrounding area and with neighbouring land uses, and would not prejudice the continued operation of existing neighbouring land uses.”* It further states that *“new development will not have a material adverse impact on the amenity of present or future occupants... by virtue of... proximity to neighbouring land uses. Impacts on amenity can include, for example, noise...”*

The NIA identified that to meet acceptable amenity and internal levels attenuation of 24dB was required and this was proposed in the form of an acoustic barrier and a silencer to be fitted to the grain dryer. However, the grain dryer is outwith the application site and within third party ownership and the required attenuation was not demonstrated to be either appropriate in planning terms or acceptable to the owner of the grain dryer. It was also unclear as to who would be responsible for both maintenance and future monitoring of the effectiveness of the barrier and silencer.

The EHO highlighted that the Authority has previously received complaints in relation to noise from the

grain dryer and the NIA made assumptions as to the effectiveness of the proposed noise attenuation which had not be evidenced. In light of this the EHO confirmed that the application would not be supported.

The revised plans removed the southern field from the proposed development and as a result the units on the southern side of the northern field would be approximately 160m from the grain dryer at Wombleton Grange Farm. It is pertinent to note that the units closest to the grain dryer would be approximately the same distance from the grain dryer as those that form the extant permission ref. 17/00567/FUL. In response the EHO has confirmed no objection to the revised plans.

The proposed manager's accommodation would constitute a residential dwelling, (albeit in connection with the management of the site). In the interests of the protection of residential amenity in principle, this requires specific consideration. This dwelling is to be situated at the northern end of the site furthest from the grain dryer. The occupant and any dependants would not be subjected to unacceptable levels of noise from the grain dryer and satisfactory levels of amenity can be achieved.

It is considered that the proposed development, as amended, would not be subject to unacceptable levels of noise. The arrangement of the units would allow for satisfactory parking arrangements and the spacing and orientation of the units would not give rise to unacceptable outlook or privacy levels for those staying at the site. External lighting would take the form of low level bollards to allow for safe movement of vehicles and pedestrians within the site and the applicant states that wall mounted lighting on the units would be low voltage. It is not anticipated that the development would give rise to any materially adverse light pollution although it is considered prudent to impose a condition that requires the approval of the external lighting details prior to installation.

The proposed development could be accommodated without giving rise to conflict with other neighbouring land uses. It is considered that the proposed development would not conflict with the aims of Policy SP20 in relation to the protection of amenity.

Highways impact

The site lies in the open countryside with the nearest settlements being the villages of Wombleton and Harome. Access to the site would be off Common Lane at a point where the national speed limit applies. The application drawings indicate that visibility splays of 4.5 metres by 160 metres can be achieved in both directions.

The Local Highway Authority (LHA) initially recommended refusal of the application stating that *“the roads leading to the site are by reason of their insufficient verge and carriageway widths, poor condition and lack of footways considered unsuitable for the pedestrian activity traffic which would be likely to be generated by this proposal with the consequence that such activity would resort to the private motor car and go against the key objective of presumption in favour of sustainable development advocated in the National Planning Policy Framework”*.

The LHA raised concerns in relation to the access route to and from the nearest settlement of Wombleton (1.4km from the site) which is an *“un-lit, de-restricted section of public highway with no separate footway provision”*. As a result very few or no trips would be undertaken to and from the site other than by private motor car.

The applicant sought to overcome the recommendation for refusal through the provision of a Technical Transport Note and a Travel Plan which detailed off-site improvements (to be secured via a Section 278 agreement) to link the footpath from the north-eastern corner of the application site to a route using Common Lane to the southern side of the village. The works involve the provision of widened passing places, sections of footway/verge improvements and crossing points of the carriageway to facilitate reasonable access without having to totally rely on walking in the carriageway.

Following consideration of the further highways information the LHA confirmed that the development would be acceptable subject to a number of conditions to secure the off site works.

The applicant subsequently revised the application to reduce the size of the development. The most recent LHA response confirms that the fundamental issue of off-site improvements is still pertinent in respect of the revised proposals. The highway improvements are set out in Conditions 10 and 11 of this report and relate to repairs to the existing access, verge maintenance and the provision of footways, passing places, crossings, drainage, signage and road markings.

The LHA have confirmed that the existing gated access from the site onto Moorfields Lane can be retained for emergency vehicle access and such traffic would not be considered significant to warrant improvements to Moorfields Lane. The LHA have also requested conditions relating to on site parking provision, a highway condition survey, a Travel Plan and a Construction Method Statement (CMS). The CMS would require, amongst other things, that HGV routing avoids Moorfields Lane and is only one-way travel through Wombleton village.

A number of the representations from local residents have raised concerns regarding the level of traffic generated by the development in relation to the local road network and Wombleton itself. It is acknowledged that the proposed land use would give rise to an increase in traffic movements through Wombleton and the surrounding roads. However, this increase is not considered to be unacceptable in the view of the LHA. There is no clear symmetry in traffic levels between residences and the holiday units. They are for different uses, and will not compete for facilities and services, nor be in the majority of commuting traffic. Tourist enterprises do not result in peaks in the traffic movements, resulting in congestion (unlike residential development which has more marked travel patterns).

There has been concerns raised in relation to highway safety and the users of the proposed footpath along Common Lane. The paths within the nearby village are not being changed by the development, their narrow nature is a feature which is already present. Pedestrians are aware of this, and drivers should pay due regard to the road conditions.

The proposed footpath within the public highway would be subject to a Section 278 Agreement. The path would extend only as far as a point south of Pear Tree Cottage at the southern end of the village. The proposed footpath route has been met with criticism, based on the fact that it does not run into the village. The rationale for this is that the amount of traffic and its speed reduces to the extent that the footpath is not considered necessary. Individuals will be able to walk in the road. This is acceptable to the LHA. Driver behaviour is not a material planning consideration- as it is responsibility of the driver to drive with due care and attention based on the conditions of the road, recognising the potential for wide farm vehicles, horses, and pedestrians. Likewise those pedestrians would also be expected to use the road with care.

The footpath is to be constructed to the required highway specification with associated road markings and signage with subsequent maintenance. The route would allow for sustainable modes of travel between the site and the village and it is considered that it can be accommodated and operated without giving rise to unacceptable highway safety issues.

Paragraph 109 of the NPPF states 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”*.

The local concern is acknowledged, however, the LHA is satisfied that the off-site highway improvements and the conditions relating to the operation of the development address the highway safety and sustainable transport matters. It is not anticipated that the proposed development would create additional traffic movements that would give rise to a materially significant adverse impact on highway safety either individually or cumulatively and there would be no conflict with Policy SP20 in relation to highway safety and sustainable modes of travel.

Flood risk and drainage

The application site is within Flood Zone 1 with a less than 0.1% chance of flooding in any year. The site is at low risk from all sources of flooding. However, by dint of the site area exceeding 1 hectare a Flood Risk Assessment accompanies the application. The LLFA acknowledges that whilst they have no

record of flooding, that does not mean that flooding has not occurred. There is still a need to ensure that both foul and surface water management are addressed satisfactorily.

The parking areas would be constructed from interlocking plastic grid pavers installed on top of an aggregate stone sub-base to prevent long term compaction of the subsurface. There would be no hardstandings below the units and the proposed development would not involve any increase in impermeable areas. Surface water drainage is to be provided through the use of SUDs. There would be no increase in peak flow and volume of flow from the site as all surface water would continue to drain to the land within the site.

The Lead Local Flood Authority (LLFA) has confirmed that the submitted documents show a reasonable approach to the management of surface water on site and has no objections to the application. The LLFA is satisfied that the recommended conditions will secure the full drainage details prior to the commencement of development. The Vale of Pickering Internal Drainage Board, have advised that on the basis that SUDs are proposed, and they then prove to be unsuitable, discharge will be to the nearby watercourse. There are such watercourses in close proximity maintained by the Board. If it is necessary to discharge, this must be restricted to a maximum of 1.4 litres/second/hectare.

It is anticipated that subject to final detailed investigations foul water drainage would be via the public sewer as opposed to via a package treatment plant and the Environment Agency would have raised no objection to a mains connection as the method of foul water drainage. Yorkshire Water have not raised any concerns provided their standard conditions for foul and surface water drainage systems are imposed on any permission granted.

The proposed development can incorporate satisfactory drainage arrangements and operate safely in flood risk terms without increasing flood risk elsewhere and would not conflict with the requirements of the NPPF or Policy SP17.

Occupancy restrictions

The Housing Officer has requested that if planning permission is granted conditions are included to prevent permanent residency at the site (with the exception of the manager's accommodation). As stated earlier in the report the applicant proposes the 29 units on the basis of holiday occupancy only and not as a person's sole or main place of residence.

Local Policy SP21(e) relates to Time-Limited Occupation and states "*New un-serviced holiday accommodation (holiday cottages, caravan parks (static and touring), log cabins and holiday chalets) will be subject to the following conditions: □ The accommodation is occupied for holiday purposes only; and not as a person's sole, or main place of residence; and □ It shall be available for commercial holiday lets for a least 140 days a year and no let must exceed 31 days; and □ The owners/operators shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request*". The standard conditions shall be imposed restricting the occupation of the holiday units to ensure compliance with Policy SP21. The occupancy restrictions would apply regardless of ownership of the individual units.

Conclusion

The principle of the development is in line with national and local planning policy relating to the sustainable development of tourism and the rural economy. Taking account of the location of the development in terms of topography and existing and proposed boundary planting it is considered that the holiday units can be accommodated without giving rise to unacceptable visual intrusion or impact on the character of the locality.

The proposed development would not have an unacceptable impact on local amenity or highway safety and any adverse impacts can be controlled by condition. In light of the above assessment, it is considered, on balance, that the proposal is acceptable and complies with Policies SP1, SP8, SP9, SP13,

SP14, SP16, SP17, SP19, SP20 and SP21 of the adopted Ryedale Plan - Local Plan Strategy and the revised National Planning Policy Framework. The recommendation to Members is one of conditional approval.

RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

OS Plan

Site Location Plan drawing ref. W-CL-1.0 Rev A, dated 28.03.19

Site Layout drawing ref. W-CL-1.1 Rev D, dated 08.03.19

Plans and Elevations (Holiday units) drawing ref. W-CL-1.2, dated 22.05.18

Plans and Elevations (Reception/Office) drawing ref. W-CL-1.3 Rev D, dated 22.05.18

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

Materials

3 Before the development hereby permitted is commenced, details and samples of the materials to be used on the exterior of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. No variation of the approved materials shall be undertaken without the express consent in writing of the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to comply with Policy SP20 of the adopted Ryedale Plan - Local Plan Strategy.

Surfacing

4 Before the development hereby permitted commences, details of the ground surfacing materials shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- To ensure a satisfactory external appearance.

Landscaping

5 No development shall take place detailed scheme of landscaping based on drawing No. W-CL- 1.1 Rev D and the accompanying planting schedule has been submitted to the Local Planning Authority for written approval. Such details shall include:- a) details of advance planting; b) specification of on-site planting (including types, sizes, numbers, spacing and species) and details of any vegetation to be removed; c) details of any screen mounding, fencing; d) specification for seeding and surface finishes; and e) details of management, maintenance and aftercare of existing and proposed planting. Thereafter landscaping of the site shall be carried out in accordance with the approved scheme within the first available planting season (March-November) following completion of the development. In the event of any plant material dying or become seriously diseased or damaged within a 5 year period of planting, it shall be replaced with similar species to a specification that shall be first agreed in writing with the Local Planning Authority unless the Local Planning Authority give written consent to any variation.

Reason: To ensure a satisfactory external appearance and to comply with Policy SP20 of the adopted Ryedale Plan - Local Plan Strategy.

- Tree protection fencing
- 6 No development shall take place until details of the form and position of fencing, which shall comply in full with BS5837:2012 Trees in relation to design, demolition and construction - Recommendations, for the protection of those trees, shrubs and natural features not scheduled for removal has been submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be erected in the positions approved before the development is commenced and thereafter retained until such completion of the development. Hereafter, the fencing shall be referred to as the 'approved protection zone'.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area.

- Tree protection zone
- 7 No trees and/or hedgerows on the site, unless dead or dangerous shall be felled, topped, lopped or destroyed without the consent in writing of the Local Planning Authority. Furthermore, the following work shall not be carried out within the approved protection zone of any tree or hedgerow, except with the consent of the Local Planning Authority:-

- (i) Levels shall not be raised or lowered in relation to the existing ground level within the approved protection zone of the tree or hedgerow
- (ii) No roots shall be cut, trenches dug or soil removed within the approved protection zone of the tree or hedgerow.
- (iii) No building, roads or other engineering operations shall be constructed or carried out with the approved protection zone of the tree or hedgerow
- (iv) No fires shall be lit within the approved protection zone or in a position where the flames could extend to within 5m of the foliage, branches or trunk of the tree or hedgerow.
- (v) No vehicle shall be driven over the area within the approved protection zone of the tree or hedgerow.
- (vi) No materials or equipment shall be stored within the approved protection zone of the tree or hedgerow as per the requirements of BS5837-2012.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area.

- Arboricultural Method Statement
- 8 Before development commences a full Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority which shall include numbering and detailing trees, confirming root protection areas, routing of service trenches, overhead services and carriageway positions and any details of no dig techniques along with associated use of geotextiles and an indication of the methodology for necessary ground treatments to deal with compacted areas of soil. The works shall implemented in accordance with the approved details.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area.

- Ecological mitigation
- 9 No development shall take place until an ecological design strategy (EDS) addressing mitigation, compensation, enhancement and restoration has been submitted to and approved in writing by the Local Planning Authority. The EDS shall include the following.

1. Purpose and conservation objectives for the proposed works
2. Review of site potential and constraints
3. Detailed design and working methods to achieve stated objectives.
4. Extent and location/area of proposed works on appropriate scale maps and plans
5. Type and source of materials to be used where appropriate, e.g. native species of local provenance

6. Timetable for implementation to demonstrate that works are aligned with the proposed phasing of the development.
7. Persons responsible for implementation
8. Details of initial aftercare and long term maintenance of existing and proposed grasslands, hedges, shrubs and trees
9. Details for monitoring and remedial measures
10. Details for disposal of waste arising from works

The EDS shall be implemented in accordance with the approved details and features shall be retained in that manner thereafter.

Private Access/Verge Crossings

10 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements

a. The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority

c. The existing vehicular accesses onto Common Lane and Moorfields Lane shall, where considered necessary, be improved by reinstatement / repair of existing damaged / failed areas of concrete and / or macadam surfacing in accordance with the specification on standard Detail numbers E2 & DC/E9A.

d. The pedestrian / cycleway crossing of the highway verge and/or footway on Moorfields Lane shall be constructed in accordance with the approved details and/or Standard Detail number E6.

e. Any gates or barriers shall be erected a minimum distance of 18 metres back from the carriageway of the existing highway along Common Lane and 10 metres back from the carriageway of the existing highway along Moorfields Lane and shall not be able to swing over the existing or proposed highway.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

Approval of details for site works in the highway

11 Unless otherwise approved in writing by the Local Planning Authority, 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 building(s) or other works until:

(i) The details of the following off site required highway improvement works, works listed below have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority:

b. Regulate surface with topsoil, repair, re-seed and re-plant Spring bulbs (all where appropriate) within existing eastern verge of Moorfields Lane (from opposite proposed pedestrian / cycleway access from application site) up to junction with Common Lane and thereafter along the existing south-eastern verge of Common Lane up to the proposed crossing point opposite OS Field No. 7434 (as shown highlighted in RED on Drawing No. C2793_TSK001 of Appendix I Transport Technical Note dated 5 October 2018) and thereafter to undertake periodic maintenance to ensure the verge remains at a reasonable standard for use by pedestrians including regular mowing (minimum 10 times per annum or as

dictated by grass growing conditions) under appropriate Licence (Section 142 of the Highways Act 1980) from the Local Highway Authority.

c. Provision of a minimum width 0.9 metre macadam footway with precast concrete kerbs to the roadside and timber edging to detail TE1 to the rear edge within the existing western verge of Common Lane across the frontage of OS Field No. 7434 including dropped kerb crossing points at either end; 2 no. road gullies, covers/frames and piped connections into adjacent ditch and reinstatements in carriageway around kerbs and gullies along this section as agreed by the highway engineer on site at time of construction. Provide approximately 600mm high timber 'birdsmouth' post and single rail fencing to rear of footway along whole route. All construction to be in accordance with the specification of the Local Highway Authority.

d. Provision of a minimum width 0.9 metre remote footway within existing western verge of Common Lane across the frontage of OS Field No. 8650 from the existing pumping station access to the existing 30mph speed limit signs and within the existing eastern verge of Common Lane across the frontage of OS Field No. 9958 (the change-over point as shown highlighted RED on Drawing No. C2793_TSK001 of Appendix I Transport Technical Note dated 5 October 2018) including dropped kerb crossing points at either end and at passing places / field entrances as required. Any existing tree branches within 2.4 metres above finished footway level to be trimmed back clear of the footway route and thereafter periodically maintained to ensure this clearance. Footway construction to be 150mm compacted thickness Type 1 sub-base, geotextile netting weed growth barrier above and to inside of TE1 timber edging rails with 150mm thickness graded, rolled and compacted tar-free road planings to surface. All construction to be in accordance with the specification of the Local Highway Authority.

e. Provide highway drainage within carriageway edge along the existing western verge of Common Lane along section (d) above where considered necessary as agreed by the highway engineer on site at time of construction and connect into existing highway drainage and/or soakaway within existing verge in accordance with details that shall be prior approved and in accordance with the specification of the Local Highway Authority.

f. Provide 2 no. passing places on opposite sides of Common Lane at positions to suit existing field entrances to OS Field Nos. 9943 & 9958 as agreed by the highway engineer on site at time of construction. Each passing place to be constructed to provide an overall carriageway width of 5.5 metres for a minimum distance of 10 metres, plus 1:3 end tapers, and constructed in accordance with the specification of the Local Highway Authority as typically shown on Drawing Number dev 4959/2/spec.

g. 2 no. pedestrian crossing points across Common Lane as described in points (b) & (d) above to be highlighted with red anti-skid surfacing 2 metres wide and provision of 2 no. prescribed warning signs to diagram no. 562 and first associated plate legend 'Pedestrians crossing for 440 yards' to diagram no. 563 of the Traffic Signs Regulations and General Directions Act (TSRGD 2016 complete with 76mm diameter poles at positions in advance of the crossing points in either direction to be agreed by the highway engineer on site at time of installation.

h. Provision of 3 no. prescribed warning signs to diagram no. 544.1 of the TSRGD Act 2016 complete with 76mm diameter poles at positions to be agreed by the highway engineer on site at time of installation generally being on Common Lane, Main Street and Hungerhill Lane at the approaches to the junction of these roads and on the approach to Wombledon village along Common Lane.

i. Provision of new and renewed 'SLOW' road markings and yellow '3-2-1' countdown strip road markings as shown highlighted on Drawing No. C2793_TSK001 of Appendix I Transport Technical Note dated 5 October 2018 and hatched white edge road markings in passing places where appropriate to denote footway route.

(ii) An independent Stage 2 Road Safety Audit for the agreed off site highway works has been carried out in accordance with HD19/15 - Road Safety Audit or any superseding regulations and the recommendations of the Audit have been addressed in the proposed works or departures to the recommendations have been put forward and agreed between all parties.

(iii) A programme for the completion of the proposed works has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority.

Reason: To ensure that the details are satisfactory in the interests of the safety and convenience of highway users.

Completion of works in the highway (before occupation)

- 12 Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority, the development shall not be brought into use until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority under condition number 11 (above):

Works as described in that condition.

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

Parking spaces to remain available for vehicle parking

- 13 Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Drawing Nos. W-CL-1.0-Rev. A & W-CL-1.1-Rev. D for parking spaces, turning areas, access and visibility splays shall be kept available for their intended purposes at all times.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

Highway condition survey

- 14 Unless otherwise approved in writing by the Local Planning Authority, there shall be no HCVs brought onto the site until a survey recording the condition of the existing highway along Common Lane in the vicinity of the site entrance (100 metres either side of the site access) has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority. Prior to the development thereafter being brought into use the applicant shall carry out a second survey recording the condition of the same portion of highway. The survey shall be submitted to the Local Planning Authority for approval and thereafter any works reasonably required in order to rectify any damage to the highway resulting from traffic arising as a consequence of construction of the development and allied infrastructure shall be completed within an agreed timescale to the satisfaction of the Local Planning Authority in consultation with the highway authority.

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

Travel plans

- 15 Prior to the development being brought into use, a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

This shall include:

- a. the appointment of a travel co-ordinator
- b. a partnership approach to influence travel behaviour
- c. measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site
- d. provision of up-to-date details of public transport services
- e. continual appraisal of travel patterns and measures provided through the travel plan
- f. improved safety for vulnerable road users

- g. a reduction in all vehicle trips and mileage
- h. a programme for the implementation of such measures and any proposed physical works
- i. procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

The Travel Plan shall be implemented and the development shall thereafter be carried out and operated in accordance with the Travel Plan.

Reason: To establish measures to encourage more sustainable non-car modes of transport.

Construction method statement

- 16 No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:

- a. the parking of vehicles of site operatives and visitors
- b. loading and unloading of plant and materials
- c. storage of plant and materials used in constructing the development
- d. erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate
- e. wheel washing facilities
- f. measures to control the emission of dust and dirt during construction
- g. a scheme for recycling/disposing of waste resulting from demolition and construction works
- h. HGV routing to avoid use of Moorfields Lane and only one-way travel through Wembleton village.

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

External lighting

- 17 No external lighting shall be installed on site until details have been submitted to and approved in writing by the Local Planning Authority. The details shall include the position, height, angle of lighting, illuminance level and hours of operation. The lighting shall therefore be installed on site only in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure that the proposal satisfies Policy SP20 of the adopted Ryedale Plan - Local Plan Strategy.

Drainage

- 18 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interests of satisfactory and sustainable drainage.

- 19 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.

- 20 Development shall not commence until a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate.

Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk.

- 21 Development shall not commence until a scheme restricting the rate of development flow runoff from the site has been submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted for up to the 1 in 100 year event. A 30% allowance shall be included for climate change effects and a further 10% for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. 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.

- 22 No development shall take place until a suitable maintenance of the proposed SuDS drainage scheme arrangement has been demonstrated to the Local Planning Authority. Details with regard to the maintenance and management of the approved scheme to include; drawings showing any surface water assets to be vested with the statutory undertaker/highway authority and subsequently maintained at their expense, and/or any other arrangements to secure the operation of the approved drainage scheme/sustainable urban drainage systems throughout the lifetime of the development.

Reason: To prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage system

- 23 The development shall not commence until a scheme, detailing the treatment of all surface water flows from parking areas and hardstanding through the use of road side gullies, oil interceptors, reedbeds or alternative treatment systems, has been submitted to and approved in writing by the Local Planning Authority. Use of the parking areas/hardstanding shall not commence until the works comprising the approved treatment scheme have been completed. Roof water shall not pass through the treatment scheme. Treatment shall take place prior to discharge from the treatment scheme. The treatment scheme shall be retained, maintained to ensure efficient working and used throughout the lifetime of the development.

Reason: To prevent pollution of the water environment from the development site

- 24 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 30% 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.

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

- 25 No development shall take place until an appropriate Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority. Site design must be such that when SuDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood

pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site.

Reason: to prevent flooding to properties during extreme flood events and to mitigate against the risk of flooding on and off the site.

- 26 The development shall not commence until details of finished floor levels of the development hereby approved have been submitted and approved in writing by the Local Planning Authority. The details should include levels of all properties adjoining the application site. Finished Floor Levels should be set above the 1 in 100 year plus climate change flood level with an additional 300mm freeboard above the flood level. The development shall be carried out in accordance with the approved scheme satisfying this condition.

Reason: In the interest of amenity of the occupiers of the adjoining properties and flood risk mitigation.

Limitation

- 27 The permission hereby granted shall only authorise the use of this site for the stationing of 29 static holiday units, in the positions shown on the approved Site Layout drawing ref. W-CL-1.1 Rev D, dated 08.03.19. The permission hereby granted shall not authorise the use of the land for touring caravans or camping.

Reason:- Additional units would result in a cramped and unsatisfactory site layout.

Occupancy restrictions

- 28 The accommodation hereby permitted shall be occupied for holiday purposes only; and not as a person's sole or main place of residence.

Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 29 The accommodation hereby permitted shall be available for commercial let for at least 140 days a year and no let must exceed a total of 31 days in any one calendar year.

Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

- 30 The owners/operators of the accommodation hereby permitted shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request. The register shall include full details of the following:

- o the main address(es) of all the occupiers of the accommodation hereby permitted
- o the start date of every one of the letting/occupation of all the occupiers of the accommodation hereby permitted
- o supporting evidence of the main address(es) of all the occupiers of the accommodation hereby permitted

Reason: It is not considered that the application site is suitable for permanent residential use because it is located in open countryside, in an area where permanent residential development

is only permitted in exceptional circumstances and the application has only been considered in relation to holiday use, and to satisfy the requirements of Policies SP20 and SP21 of the Ryedale Plan - Local Plan Strategy.

INFORMATIVES

- 1 Water supply- The developer should contact YW's New Supplies team with respect to provision of a water supply for the development.
- 2 If it is necessary to discharge surface water into any of the IDB maintained watercourses the discharge must be restricted to a maximum 1.4 litres/second/hectare.
- 3 Foul Sewage- If a package treatment plant is to be used then, in addition to planning permission, this development will need an Environmental Permit for a Water Discharge Activity under the Environmental Permitting Regulations 2010. There must be no discharge of foul drainage without the necessary permit.
- 4 The applicant is required to apply to the Council's Housing department for a caravan site licence.
- 5 (Condition 10) You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
- 6 (Condition 12) There must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and the Highway Authority.
- 7 The development is required to be undertaken without harming breeding birds or destroying their nests. The main nesting and breeding season runs from 1 March to 31 August. Reason: In order to prevent disturbance to breeding birds which are protected by the Wildlife and Countryside Act 1981 (as amended).