

Item Number: 10
Application No: 19/00177/FUL
Parish: Normanby Parish Meeting
Appn. Type: Full Application
Applicant: Mr & Mrs Keith & Elaine Dowell
Proposal: Erection of 1no. four bedroom detached dormer bungalow to include integral studio annex, erection of detached carport and formation of vehicular access and landscaping.
Location: Land South Of Pasture House Main Street Normanby Kirkbymoorside

Registration Date: 1 March 2019
8/13 Wk Expiry Date: 26 April 2019
Overall Expiry Date: 26 July 2019
Case Officer: Niamh Bonner **Ext:** 43325

CONSULTATIONS:

Normanby Parish Meeting No response received
NY Highways & Transportation Recommend conditions
Sustainable Places Team (Environment-Agency Yorkshire Area) No response received
Neighbour responses: Mr & Mrs Walsh, John & Rachel Riddell, Michael And Silvana Hine, Mr Haydn Steele,

SITE:

The application site is a partly wooded parcel of land directly to the south of Pasture House, Normanby. A small section of the proposed dwelling's location would fall just outside of the settlement's development limits, with the majority proposed to fall within the development limits.

It is noted that the application site is in close proximity to existing dwellings within the village of Normanby, which run along Main Street in a linear pattern.

Two sycamore trees benefitting from a Tree Protection Order (no 80/196) fall within the curtilage of Fellbridge to the south and overhang the application site.

To the rear of the site, part of the land falls within Flood Zones 2 and 3 but this would be at a distance of over 50m metres from the proposed dwelling.

PROPOSAL:

This application seeks approval for the erection of 1no. four bedroom detached dormer bungalow to include integral studio annex, erection of detached carport and formation of vehicular access and landscaping.

Revised plans were received during the determination period to reflect amendments made to the scheme, which were readvertised.

HISTORY:

There is no planning history directly relevant to the current proposal.

POLICIES

Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing

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 SP18 Renewable and Low Carbon Energy

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

National Planning Policy Framework

National Planning Practice Guidance

REPRESENTATIONS:

One letter of support has been received from the occupiers of The Lodge, Normanby.

Three letters of objection were received from the occupiers of Fellbridge, High Gables and Seven Lodge. These are available to view in full on the planning register of documents, where Members can review the original documents. The following summarised points were contained within the representations:

- Concerns over an additional dwelling given the existing speeding traffic coming through the village and difficulties of gaining visibility splays from the new access due to the position of the existing dwelling at Pasture house, should this be demolished this may be a safer option.
- Concerns that materials should reflect those within the existing village.
- Seeking clarification over whether following downsizing, will the original dwelling be demolished?
- Seeking clarification over whether the drainage ditch running from north to south in the middle of the plot will now be reopened?
- The prefabricated nature of the construction with Yorkshire Black Facing Stone and the corrugated bitumen carport are inconsistent with the village and will impact the street scene.
- The high level balcony are will overlook our garden (High Gables and Fellbridge responses) and will impact privacy.
- The south elevation which proposed a large scale ground floor window, a number of upstairs windows and front door directly overlooking our property (High Gables and Fellbridge responses)
- The proposed driveway and parking areas are located directly adjacent to our property patio area (Fellbridge) and would cause noise, disturbance and privacy issues.
- The soakaway shown on the garage floor plan seems to direct and discharge towards our property (Fellbridge)
- Protected Trees would be affected by the construction of the dwelling and car port areas
- Presence of Great Crested Newts identified in the Wold Ecology report are believed to also be present at Fellbridge.
- The excessive scattering of solar panels proposed on the roof is an appearance matter
- The footprint of the proposed development is not within the village development boundary.
- Two further letters of objection were received from the occupiers of High Gables and Fellbridge following formal reconsulation on the revised plans. These made the following summarised points:
 - Original objections have not been addressed in the response received from the occupiers of Fellbridge.
 - The occupiers of High Gables note that all their original objections have not been addressed and substantive issues remain. Concerns remain over the prefabricated nature of the construction being inconsistent with the street scene and the footprint of the dwelling is not

in the village development boundary.

APPRAISAL:

The main considerations within the determination of this application are:

- i. Principle of the Development
- ii. Form and Character
- iii. Impact upon Neighbouring Amenity
- iv. Impact upon Ecology
- v. Impact Upon Trees
- vi. Impact upon Access and Highway Safety
- vii. Other matters, including consultation responses.

- i. Principle of the Development

The Ryedale Local Plan Strategy is the Development Plan and includes a settlement hierarchy, which directs the majority of development to the Market Towns and then to Service Villages. New dwellings will only be supported in 'other' villages, such as Normanby, when needed to support a sustainable, vibrant and healthy rural economy and communities and there is a local need for the dwelling.

Policy SP2 Delivery and Distribution of New Housing notes support within non service villages for *"Infill housing (small open sites in an otherwise continually built up frontage) restricted to local needs occupancy will be supported."*

The majority of the proposed new dwelling falls within the defined village development limits, including the new access and car port. Of the total c149 square metre footprint of the dwelling, only a small section (16.5 square metres) falls outside of this delineated limit. Although the proposed dwelling is set back behind the frontage trees, it is considered to meet the requirements of an 'infill' dwelling as described in the development plan.

In relation to the Local Needs Occupancy element of the policy, the applicant currently resides in Normanby in the adjoining dwelling at Pasture House. A statement was provided to the Local Planning Authority indicating the requirement for new building dwelling to meet specific family needs which cannot be provided elsewhere in the village. This remains confidential due to the personal nature of the contents. However Officers are satisfied that this is convincing justification to warrant the provision of a new dwelling for identified 'local need.' The design of the build includes ground floor level living accommodation that would provide a 'lifetime home.'

There is no policy requirement to necessitate the demolition of the existing dwelling, which will continue to contribute to the housing stock in the village.

- ii. Form and Character

The proposed dwelling would be located inset within the site, with the nearest point at a distance of approximately 27.5 metres from the highway. The proposed new dwelling incorporates a pitched roof design, with the ridge line orientated east/west. This is to be constructed under a Passivhaus ethos with a low carbon, low energy approach and will incorporate integrated solar panels within the proposed roof slopes. These integrated units are preferable in design terms to surface mounted panels.

Consideration has been given within the Design and Access Statement to the palette of materials found within the surrounding streetscene in Normanby. The proposed dwelling would be

constructed of York Stone (noted on the drawings as 'Yorkshire Black Stone') in addition to sections of white render and traditional pantiles on the roof. A small section of the flat roofed boiler room would be completed in GRP roofing which is considered acceptable. The dwelling would also incorporate a timber framed porch to the southern elevation and a small balcony to the rear eastern elevation, also externally accessible via a spiral staircase. Following concerns raised by the Case Officer and representations received from the occupiers of the neighbouring dwelling, this balcony would incorporate an obscured glass privacy screen along the southern side elevation. This will be further detailed in Section iii below.

Following comments raised by the Case Officer, the originally proposed roof lights and solar panels were reorganised and refined to incorporate a more regular and grouped appearance, together with improvements made to the verge/eaves detailing. The rationalisation of the roof lights and solar panels is considered to have improved the visual appearance of the scheme significantly, which was raised as a concern within the representations.

The use of 'Yorkshire Black Stone' has been raised as a concern within the representations received, however an indicative image was submitted in the revised Design and Access Statement which illustrates that this would be a slightly weathered cream coloured York Stone. This is considered to be a high quality material.

Concerns were also made in relation to the 'prefabricated' nature of the building, however notwithstanding the internal construction, all external materials proposed are high quality in nature would be subject to a recommended condition that would ensure samples are provided prior to the commencement of above ground construction. Therefore it is considered that the final appearance will not be incongruous in this location. Overall it is considered that the scheme would result in a high quality new build design that will form a sustainable new dwelling.

In the Design and Access Statement, the proposed location of the dwelling, set back from the Main Street was justified as this would facilitate the retention of the existed wooded area to the south of Pasture House between the highway and the siting of the proposed dwelling and would limit impacts upon neighbouring amenity, with consideration also given to the location of great crested newts.

It is not considered that the design nor the positioning of this dwelling would harm the character of the streetscene. It is acknowledged that whilst the street scene is mostly linear in form (with the majority of dwellings positioned closer to the highway) the proposed positioning is considered acceptable in part due to the presence of the dwellings to the north and south which are also set well back from the highway. The retention of the existed wooded area will also positively contribute to the streetscene and the relationship with the original dwelling is considered acceptable.

The carport, to be located along the southern boundary of the site would be constructed of timber posts with a black corrugated bitumen roof. Concerns have been raised about the appearance of this element within the representations received. However the form and materials proposed are considered acceptable and this clearly subservient structure would assimilate effectively with the main dwelling. This would be low profile and inconspicuous from public views.

The landscaping of the site is considered significant currently and as will be explored in Section V below. Appropriate steps will be taken to ensure that no trees are impacted as a result of the proposed development. It is not considered that any further landscaping is necessary. However it is requested that details of proposed boundary treatments at the site are submitted.

iii. Impact upon neighbouring amenity

The proposed dwelling would be located in closest proximity to the properties of Fellbridge and High Gables to the South. The original Pasture House dwelling would also be located in relatively close

proximity to the north west and Seven Lodge is located further to the north.

Concern was raised within the consultation responses in relation to overlooking from the openings along the southern elevation of the proposed dwelling. It is not considered that the proposed openings at ground floor level within this elevation would result in harmful loss of privacy within the dwellings to the south, given the distance. The proposed dwelling would be situated c14 metres inset from the shared boundary. Whilst some limited views of the private amenity spaces associated with High Gables and Fellbridge may be realised, the significant level of landscaping at this point would interrupt direct views, even in winter conditions.

The first floor level rooflights along the side southern elevation have been supported by cross sectional drawings, which indicate that the bottom cill levels would remain a minimum of 1.8 metres above floor levels. This would prevent any harmful overlooking from elevated openings at the property. Permitted development rights to create openings along this elevation at first floor level would be removed to protect neighbouring amenity in the future.

Concerns were raised by the Case Officer in relation about the potential harmful loss of privacy to the occupiers of the neighbouring property to the south High Gables as a result of the elevated balcony to the south/east. As noted, whilst there is significant mature landscaping to the southern boundary, the distances between the balcony and the private rear amenity space of High Gables was lower than could be accepted given the raised nature of the balcony. It was considered that in the times of the year where the tree is not in leaf glimpsed views could be achieved from the elevated balcony. Following negotiations, a privacy screen was agreed for installation along the southern side of the balcony with a height of 1.8 metres from the floor level at this point. This will be conditioned for obscuration of the highest level and to be retained in perpetuity to secure the privacy of this adjoining property.

It is not considered that future occupiers of Pasture House would experience any harm in terms of direct overlooking either within the dwelling or the private amenity space associated with the dwelling as a result of the proposed openings along the western or northern elevations. Some views of the expansive grounds associated with this dwelling could be achieved but these are not considered harmful. Sufficient amenity space would be provided for the new dwelling, whilst retaining sufficient amenity space for Pasture House.

It is not considered any other properties would be affected in terms of privacy, nor would any properties experience harmful overshadowing as a result of the proposed development.

The point in relation to the position of the access in close proximity to Fellbridge to the south is noted. However it is not considered that a new access for a single property in this location would result in harmful loss of amenity by virtue of noise, particularly given the likely background noise levels associated with the proximity of the main road directly adjoining this property. It is not considered that harmful loss of privacy could be experienced by virtue of this parking/access route.

iv. Impact upon Ecology

The application is supported by an Extended Phase 1 Habitat Survey prepared by Wold Ecology Ltd (May 2018) This found that the proposals would not result in harm to Bats, Badgers, Birds (including Owls) Reptiles and Hedgehogs.

Wold Ecology did not recommend any further specific bird surveys. However any trees, shrubs or hedgerows to be removed should be cleared outside of the bird nesting season. An informative will be recommended in relation to nesting birds.

In relation to Great Crested Newts, eDNA sampling detected their presence in one of the five ponds

on site that were sampled.

The report noted *“In order to comply with the requirements of the latest Natural England Guidance, a population size class assessment of all accessible watercourses within 500m of the Application Site must be undertaken. The survey will comprise 6 survey visits during the period mid-March to mid-June. Due to the construction zone occurring 50m to a known great crested newt population and comprising viable terrestrial habitat, a Natural England development licence will need to be obtained prior to site clearance and building works commencing. Any works in which there is a significant risk of great crested newts being harmed or killed requires a Natural England Licence.”*

Consequently, appropriate conditions will be recommended to secure the safety of the Great Crested Newts on site.

The submission of a Natural England development licence or confirmation from them that a licence is not required in relation to the Great Crested Newt presence on site will be required to be submitted to the Local Planning Authority prior to any development works commencing on site. As detailed within the Wold Ecology report, in order to support the application for this licence a high level of data from further surveys will be necessary. This condition will therefore ensure that the works on site are undertaken in accordance with the requirements of the licence and the provisions of the Wildlife and Countryside Act 1981.

Further to this, a Biodiversity Method Statement will be required for approval prior to the commencement of any on site works.

v. Impact Upon Trees

A Tree Survey was submitted with the application prepared by Elliot Consultancy Ltd, which categorised the class of trees, including their species and indicated on the revised version the location and canopy spread of the two protected trees. This plan also indicates the Root Protection Zone of the trees.

In tandem with this plan, the proposed site block plan indicates that the proposed access and car port would be provided within the canopy spread of some of the trees.

Confirmation was sought on how the proposed carport and driveway could be constructed in a manner that would not result in harm to the trees along the southern boundary of the site, including the two Sycamores that are afforded statutory protection.

It is proposed that the drive will be installed using low impact ‘no dig’ method to avoid potential damage to the roots of trees both on site and within the adjoining properties. The area which would be completed with root protection systems is indicated on the Revised Site Block Plan (Drawing A02 Rev E) and a method statement of the proposed membrane system was provided. This will be conditioned for use unless otherwise agreed in writing.

Confirmation was also provided that there are a two potential methods to be used for the construction of the proposed carport to limit the digging of extensive foot holes incorporating manual and helical screw methods. The final details of this construction will be requested prior to commencement via a planning condition.

A condition in relation to the precise location and type of tree protective fencing is also recommended.

These methods were considered to be acceptable following a site visit with the Tree Officer. The drainage ditch on site was noted along the southern boundary which may have lessened the root expansion of these trees northwards, however it remains imperative to ensure these are adequately

protected.

vi. Impact upon Access and Highway Safety

The proposed development would be accessed via a new access taken from Main Street to the west which would run along the southern boundary of the site. Parking provision would be provided within a gravelled parking/turning area and the proposed double car port.

North Yorkshire Highways Officers have been consulted and have confirmed no objection to the proposed development, subject to a range of conditions being attached to any approval.

It is not considered therefore that the proposed development would result in harm to access and highway safety. The demolition of Pasture House has not been put forward as part of the proposal and the considerations in terms of visibility splays have been taken on the basis of the existing surrounding developments in this location.

vii. Other matters, including consultation responses.

No part of the proposed dwelling or domestic curtilage would be located in Flood Zones 2 or 3. Part of the rear of the site falls within Environment Agency Flood zones 2 and 3. However given the distance from the proposed residential dwelling of over 50m, this should not impact upon the proposed development. The EA did not respond to a consultation on this proposal.

The proposed surface water would be directed to a newly constructed soakaway. This was indicated on revised plans submitted following concerns raised by neighbouring dwellings in relation to this being originally located discharging to the drainage ditch to the south of the site. The soakaway would be directed to a new field pond to the north east of the dwelling, at a significant distance from neighbouring properties. A condition is considered necessary to ensure that the soakaway operates in line with the relevant British Standards and to the satisfaction of an approved Building Control Officer. If this cannot be provided satisfactorily, the LPA must be advised and prior written approval for another method of surface water disposal agreed in writing.

The proposed plans note that Foul Water would be discharged to a new septic tank however the application was submitted together with a specification relating to a Waste Water Package Treatment Plant. The agent confirmed by email that the references to the septic tank should have read 'Package Treatment Plant.' The use of a Package Treatment Plant is preferred to the use of a Septic Tank and the precise details of this will be verified by Building Control. It is noted that the development would be located at a significant distance from mains sewers in the village. It is however considered reasonable to request a condition to ensure that the foul water system is completed to the satisfaction of the Building Control Officer. If this cannot be provided satisfactorily, the LPA must be advised and prior written approval for another method of foul water disposal agreed in writing. Informative will be added in relation to the potential applications to the Environment Agency for discharge.

Therefore subject to the identified conditions we can be satisfied that this proposal conforms with Policies SP2, SP14, SP16, SP17, SP18, SP19, SP20 and SP21 of the Ryedale Local Plan, Local Plan Strategy and the National Planning Policy Framework.

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 plan(s):

Site Location Plan

As Proposed Site Block Plan (Drawing no. A02 Rev D)

As Proposed Site Dimensions (Drawing no. A03)

Ground Floor Plan (Drawing no. SK01 Rev R)

Draft First Floor Plan (Drawing no. SK02 Rev P)

South Elevation (Drawing no. SK03 Rev J)

West Elevation (Drawing no. SK04 Rev F)

North Elevation (Drawing no. SK05 Rev G)

East Elevation (Drawing no. SK06 Rev G)

Car Port Elevations (Drawing no. SK07 Rev C)

Garage Floor Plan (Drawing no. SK08 Rev A)

Schematic Sections (Drawing no. SK09 Rev B)

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

- 3 The dwelling house hereby approved shall be occupied by a person(s) together with his/ hers spouse and dependants, or a widow/widower of such a persons who;
Have permanently resided in the parish, or an adjoining parish (including those outside the District), for at least three years and are now in need of new accommodation, which cannot be met from the existing housing stock; or
Do not live in the parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past three years, or service men and women returning to the parish after leaving for military service; or
Are taking up full time permanent employment in an already established business which has been located within the parish, or adjoining parish, for at least the previous three years; or
Have an essential need arising from age or infirmity to move to be near relatives who have been permanently resident within the District for at least the previous three years

Reason: To meet local housing need in non service villages and to satisfy the requirement of Policy SP2 and Policy SP21 of the Ryedale Plan - Local Plan Strategy

- 4 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or amending that Order) development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:
Class A: Enlargement, improvement or alteration of a dwellinghouse
Class B: Roof alteration to enlarge a dwellinghouse
Class C: Any other alteration to the roof of a dwellinghouse
Class D: Erection or construction of a domestic external porch
Class E: Provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure

Reason: To ensure that the appearance of the areas is not prejudiced by the introduction

of unacceptable materials and/or structure(s).

- 5 Notwithstanding the submitted details, prior to the commencement of the above ground works of the development hereby permitted, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the buildings the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 6 Unless otherwise agreed in writing with the Local Planning Authority, Prior to the commencement of the development hereby permitted, the developer shall construct on site for the written approval of the Local Planning Authority, a one metre square free standing panel of the external stone walling to be used in the construction of the development hereby approved . The panel so constructed shall be retained only until the development has been completed.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 7 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) no further doors, windows or any other openings shall be created within the southern elevations of the dwelling hereby approved at first floor level.

Reason: To protect the privacy of adjoining properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 8 Unless otherwise agreed in writing with the Local Planning Authority, the privacy screen to be located to the southern elevation of the balcony at first floor level shall be obscured to the highest level of obscuration (Pilkington Glass Level 5 or equivalent) and retained for the life time of the development.

Reason:- To protect the privacy of adjoining properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 9 Unless otherwise agreed in writing with the Local Planning Authority, all surface water from the extension hereby approved shall be directed to a soakaway in accordance with the British Standard requirements to the satisfaction of an approved Building Control Inspector. If this cannot be provided satisfactorily, the LPA must be advised and prior written approval for another method of surface water disposal agreed in writing.

Reason: To ensure that no foul discharges take place until proper provision has been made for their disposal and to satisfy the requirements of Policies SP17 and SP19 of the Ryedale Plan - Local Plan Strategy.

- 10 Notwithstanding the submitted plans, unless otherwise agreed in writing with the Local Planning Authority, prior to the occupation of the dwelling hereby approved, one of the following methods of foul water discharging must be provided, either;

- (i) a connection to the public sewer or;
- (ii) the installation of a package treatment plant.

The method of foul water discharging must be completed to the satisfaction of an

approved Building Control Officer. If this cannot be provided satisfactorily, the LPA must be advised and prior written approval for another method of foul water disposal agreed in writing.

Reason: To ensure that no foul discharges take place until proper provision has been made for their disposal and to satisfy the requirements of Policies SP17 and SP19 of the Ryedale Plan - Local Plan Strategy.

11 Unless otherwise agreed in writing with the Local Planning Authority, no development shall take place on site (including further site clearance) until the local planning authority has been provided with either:

- a) A license issued by Natural England pursuant to the Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead; or
- b) A statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a license.

Reason:- In the interests of maintaining species protected under the Wildlife and Countryside Act, and to satisfy the requirements of Policy SP14 - Biodiversity of the Ryedale Plan - Local Plan Strategy.

12 Unless otherwise agreed in writing with the Local Planning Authority, no development shall take place until a method statement in relation to the protection of Great Crested Newts has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include:-

1. Purpose and objectives
2. Detailed designs and working methods for ground works and construction
3. Extent and location of proposals works
4. Timing of works
5. Responsible persons
6. Aftercare and long term maintenance.
7. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason:- In the interests of maintaining species protected under the Wildlife and Countryside Act, and to satisfy the requirements of Policy SP14 - Biodiversity of the Ryedale Plan - Local Plan Strategy.

13 Unless otherwise agreed in writing with the Local Planning Authority, no additional external lighting shall be installed within the application site, without the prior written approval of the Local Planning Authority.

Reason: Inappropriate lighting in this location may result in harm to residential amenity in discordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

14 Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of development details of the form and position of temporary protective 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 shall be submitted to and be to the written approval of the Local Planning authority, and such fencing shall be erected in the positions approved before the development is commenced and thereafter retained until such completion of the development, to the approval of the Local Planning Authority (with the exception of during the installation of the proposed root protection system as indicated on the

proposed plans.) Hereafter, the fencing shall be referred to as the 'approved protection zone'. No storage of plant or machinery shall be undertaken in the Root Protection Zone.

Reason: To preserve trees and hedges on and adjoining the site in the interests of visual amenity and the character of the area, having regard to Policy SP13 of the Ryedale Plan, Local Plan Strategy, coupled with the NPPF.

- 15 Prior to its installation, the precise method of car port foundation system construction shall be submitted to and approved by the Local Planning Authority.

REASON: To preserve trees and hedges on and adjoining the site in the interests of visual amenity and the character of the area, having regard to Policy SP13 of the Ryedale Plan, Local Plan Strategy, coupled with the NPPF.

- 16 Unless otherwise agreed in writing, the proposed root protection system for use within the site (in the location indicated on the approved Block Plan - Drawing no. A02 Rev D) shall be provided in line with the Core TRP system method statement.

Reason: To preserve trees on and adjoining the site in the interests of visual amenity and the character of the area, having regard to local plan policy SP13, coupled with the NPPF.

- 17 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
- d. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number DC/E9A (over the first 5 metres measured from the carriageway edge) to cater both for construction and delivery traffic during the build phase and use by the occupants and servicing vehicles thereafter.
- e. Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway 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.

HI-07 INFORMATIVE

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.

Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience

- 18 There shall be no access or egress by any vehicles between the highway and the application site
(except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 59 metres measured along the adjacent channel line of the major road Main Street in a northerly direction from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
NOTE: This visibility splay extends beyond the application site, over land shown in blue as being under the control of the applicant.

Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and in the interests of road safety.

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

- 19 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing number A02 Rev. D. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

- 20 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal

Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

- 21 Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:
- a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
 - b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
 - c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

Reason: In accordance with Policy SP20 of the Ryedale Plan, Local Plan Strategy and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

- 22 Prior to the occupation of any part of the development hereby approved, or such longer period as may be agreed in writing with the Local Planning Authority, full details of the materials and design of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these shall be erected prior to the occupation of any dwelling to which they relate.

Reason: To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality in accordance with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

INFORMATIVE(S)

- 1 All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). Additional protection is afforded to a number of birds listed on Schedule 1 of the Act. Operations likely to injure or kill any wild bird or damage its nest and operations likely to disturb a Schedule 1 species must be avoided. Therefore any work likely to affect any birds nesting on the site should be undertaken out of the bird nesting season ie no work between March and August inclusive.
- 2 The applicant's attention is drawn to the potential permissions which may need to be sought from the Environment Agency in relation to discharges to watercourses.