

**Item Number:** 6  
**Application No:** 20/01223/73M  
**Parish:** Scagglethorpe Parish Council  
**Appn. Type:** Major Material Amendment  
**Applicant:** Scothern Construction Ltd  
**Proposal:** Variation of Condition 26 (Plans) of approval 09/01306/MFUL dated 01.02.2012 to allow amendments to the approved scheme  
**Location:** Land at Scagglethorpe Manor Farm Main Street Scagglethorpe Malton North Yorkshire

**Registration Date:** 15 December 2020  
**8/13 Wk Expiry Date:** 16 March 2021  
**Overall Expiry Date:** 25 March 2021  
**Case Officer:** Alan Goforth **Ext:** 43332

#### CONSULTATIONS:

<b>Scagglethorpe Parish Council</b>	Objection- parking & visibility
<b>NYCC Natural Services</b>	Recommend conditions
<b>Highways North Yorkshire</b>	No objection
<b>Highways North Yorkshire</b>	Recommends conditions
<b>Archaeology Section</b>	Original conditions should be complied with
<b>Yorkshire Water Land Use Planning</b>	Objection
<b>Housing Services</b>	No objection

**Representations (5):** Mrs Arnott, Charles & Rebecca Mackain-Bremner, Mr David Sonley, Janet Bates, Mr Paul Douthwaite (all objection)

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#### SITE:

The application site amounts to approximately 0.4 hectares and is located at the southern end of the village of Scagglethorpe, within the development limits for the settlement. Access is gained off Bull Piece Lane to the east of the site.

The modern portal framed farm building which previously occupied the site have been removed. The site is vacant with the exception of a traditional stone 'L' shape range of agricultural buildings which are located in the north eastern corner.

The detached dwelling known as 'Moonstones' is to the north with the village beyond. Scagglethorpe Manor is to the east on the opposite side of the road where residential properties (Southwood, Southwood Cottages & Southfield cul de sac) extend to the south east of the site. The land to west and south of the site is in agricultural use.

There is extant planning permission for the redevelopment of the site for 10 dwellings (see planning history below). This would comprise a barn conversion and nine new build dwellings arranged as a mix of detached, semi, detached and terraced properties of which four dwellings were to be provided as affordable housing. The pre commencement conditions were discharged and there was lawful commencement of development in January 2015.

#### HISTORY:

09/01306/MFUL- Change of use and alteration of agricultural buildings to form 1 no. three bedroom

dwelling with attached double garage, erection of 2 no. five bedroom detached dwellings with detached double garages, 1 no. five bedroom detached dwelling with attached double garage, 1 no. four bedroom semi-detached dwelling with attached single garage, 1 no. three bedroom semi-detached dwelling with attached single garage and a terrace comprising of 3 no. two bedroom dwellings and 1 no. three bedroom dwelling with parking spaces together with formation of vehicular access. APPROVED 01.02.2012. The permission is subject to a Section 106 legal agreement to secure financial contributions to open space and 4no. affordable dwellings.

14/01322/COND- Discharge of Conditions 02, 03, 04, 05, 06, 07, 08, 09, 11, 12, 13, 16, 17, 19, 20, 25 and 27 of approval 09/01306/MFUL dated 01.02.2012. APPROVED 16.01.2015.

## **PROPOSAL:**

Planning permission is sought for minor material amendments to the approved housing scheme.

There is no change to the number of dwellings or the house types. The proposed scheme consists of 3no. 5 bed detached (Plots 1-3); 1no. 3 bed semi (Plot 4); 1no. 4 bed semi (Plot 5); 3no. 2 bed terrace (Plots 6-8); 1no. 3 bed end terrace (Plot 9) and 1no. 3 bed barn conversion. Plots 1-5 and the barn conversion would include garages.

It is proposed that an amendment is made to the parking in that it will be provided to the front of the proposed terrace dwellings (Plots 6-9) which front onto the public highway to increase the size of the rear gardens for those four dwellings. This will be achieved by forming driveways which take access directly from the highway for these four plots. During the consideration of the application a revised site plan was submitted to illustrate that there will be space for two cars per terraced dwelling along the frontage of plots 6-9.

All other dwellings will be accessed via the main site access which is in the same location as that which has previously been approved. There are no changes proposed in relation to the scale or orientation of the dwellings (all two storey), or the construction materials (red pantile roofs and either Ancaster limestone or York brick walls).

There are some additional single storey elements but generally the layout and footprints of the dwellings do not vary significantly from the permitted scheme. There are only minimal differences in terms of general site arrangements such as the position of garages and space between dwellings. There are no changes to the previously approved drainage arrangements.

The supporting statement explains that the changes seek to make the houses more attractive to the market and are based upon the applicant's experience of demand within the area.

The application is accompanied by a Planning Supporting Statement; Viability Assessment; Ecology Survey Reports; and Transport Assessment. The viability appraisal concludes that the proposals do not support developer contributions in relation to affordable housing.

## **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 SP2 Delivery and Distribution of New Housing

Local Plan Strategy - Policy SP3 Affordable Housing

Local Plan Strategy - Policy SP4 Type and Mix of New Housing  
Local Plan Strategy - Policy SP9 The Land-Based and Rural Economy  
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 SP22 Planning Obligations, Developer Contributions and the Community Infrastructure Levy

### Material Considerations

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (PPG)

### **REPRESENTATIONS:**

The LPA has received five representations from local residents in response to the application. All raise objections to the application and the reasons are summarised as follows:-

- The layout for plots 6-9 (parking to front) will increase the likelihood of on street parking (no parking restriction on either side of road)
- On street parking would affect visibility at the proposed access near bend in road and would increase danger from passing HGVs
- The parking spaces to front of plots 6-9 are inadequate in size for two vehicles per dwelling
- Danger from cars reversing out from parking spaces onto the road
- On street parking causes access issues for properties opposite.
- The traffic assessment was undertaken during lockdown and is not true reflection of traffic through the village.
- Hardstanding for parking and bin storage/collection would affect appearance of frontage and not in keeping with the streetscene and rural appearance of the village

Two of the responses, whilst raising the abovementioned concerns, welcome the new housing development and acknowledge that the scheme will be constructed to a high standard creating attractive houses.

The Parish Council, in their response to consultation, welcomes the building of these houses in the village, but is very concerned about the proposed changes to plots 6-9 and therefore raises an objection. The concern is that it would encourage visitors or households with more than 1 car to park on the road which would affect sight lines. In addition, vehicles reversing out would cause a hazard and parking at the front of the houses does not reflect the appearance of existing terraced housing in the village.

The Parish Council and all third parties who have made representations have been notified of the revised site layout plan confirming two off street parking spaces per dwelling and the unilateral undertaking for the no waiting restrictions (double yellow lines) along the site frontage.

The further responses received reiterate concerns about the frontage parking and that double yellow lines outside the site would mean cars park on the opposite side of the road.

### **APPRAISAL:**

#### Principle of development

This application is made under Section 73 of the Town and Country Planning Act 1990 to vary the approved plans condition (Condition 26) in order to replace approved plan drawings with amended versions. It seeks minor material amendments to the internal and external layouts with minor changes to the footprints of the dwellings.

The application site is within the development limits of Scagglethorpe and there is an extant planning permission for residential development at the site that has been lawfully commenced but has not been built out. The consented development could be completed, however, the applicant considers that the extant scheme is not financially viable with affordable housing provision.

The extant planning permission is a significant material consideration that weighs in favour of granting planning permission for the proposed development in principle. The extant permission pre-dates the current Local Plan Strategy. The Local Plan Strategy introduced local occupancy requirements for new housing in certain locations as set out in Policies SP2 and SP21. However, in light of there being a valid permission for residential development at the site which has been lawfully commenced it is considered unreasonable to impose local occupancy restriction on a permission granted under Section 73 for minor material amendments.

The application site is 'stalled' in that it is in a state of partial implementation. The applicant seeks to address this through the implementation of a scheme fundamentally based on that previously approved but with no affordable housing provision.

NPPF recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. It is considered that the principle of the proposed development is well established and aligns with Policies SP1 and SP2 of the Local Plan.

### Affordable Housing

The extant planning permission ref. 09/01306/MFUL relates to 10 dwellings and has a Section 106 legal agreement securing 4 affordable houses comprising of 3 social rented units and 1 intermediate dwelling.

Paragraph 63 of the NPPF states that the provision of affordable housing should not be sought for residential developments that are not major developments. The application relates to a major development (10 dwellings or more). Under Policy SP3 Scagglethorpe is a 35% affordable housing contribution area. The application under consideration does not propose any affordable housing (on-site or financial contribution) and as a result is not policy compliant.

National Planning Practice Guidance confirms that planning obligations can be revisited and renegotiated at any point where the LPA or the developer wish to do so.

The applicant has submitted a viability assessment which concludes that due to low developer profits (anticipated 4.5%) Section 106 contributions towards affordable housing cannot now be sustained by the development.

The assessment has been considered by an independent valuation surveyor from a neighbouring Local Authority and the assessment is fair and sound and can be accepted.

The Council's Housing Officer acknowledges the change in affordable provision and the conclusions reached on the viability of the scheme and therefore has no objections.

Whilst the lack of affordable housing is unfortunate it is considered that the proposed development represents a viable and deliverable scheme that can bring housing to a 'stalled' site that has been previously approved for that use.

### Design

As per the approved scheme the application proposes a mix of detached, semi-detached and terraced properties and a barn conversion.

The amended plans do not seek to alter the general positioning or orientation of the approved dwellings on the site. There are only minimal difference in terms of general site layout, footprints and space

between dwellings. The proposed dwellings do not differ from those previously approved in that they are of a traditional design and would be constructed in a mix of brick and stone, with traditional timber windows and fenestration detailing.

The development site is visible when approaching the village from the south, as was the farm complex which previously occupied the site. The proposed dwellings would be seen against the backdrop of the village. The parking area to the frontage of the terrace of dwellings would be landscaped to soften the appearance and whilst frontage parking is not generally common within the village it is not considered to be incongruous on this development site on the edge of the village. The southern and western perimeter of the development would be planted with a traditional hedge interspaced with trees which not only breaks up views of the development but restores the traditional field boundary appearance common to the area. It is considered that the design and appearance of the development (as amended) would not conflict with Policies SP16 and SP20.

### Highways

The representations made by local residents raise highway safety concerns in relation to the parking arrangements for the frontage dwellings and the likelihood of on-street parking and the resultant issues with visibility.

The application is accompanied by a Transport Assessment which confirms the required visibility splays for the access and driveways based on a speed survey.

The highways officer notes that the proposed site plan has been revised to show the frontage parking bays for plots 6-9 as shown as 4.8m x 4.8m which is acceptable. This would allow two cars to be parking within the curtilage of each of those dwellings.

The original planning consent showed one parking space for each of these frontage properties. It is now shown as two spaces, which is in line with the adopted parking standards and, together with the yellow lining, will ensure this arrangement can be self-enforcing.

The highways officers also acknowledges that the applicant is prepared to enter into an agreement with the LHA to underwrite and make a Traffic Regulation Order to install 'no waiting' restrictions (double yellow lines) along the adjacent channel line of the carriageway along the whole 'red line' frontage. This is referred to in the informative recommended by the highways officer and will be secured by a legal agreement.

There are no local highway authority objections to the proposed development and it is considered that the development is acceptable and would not result in conditions prejudicial to highway safety.

### Residential Amenity

The nearest property to the proposed development site is that which adjoins the site to the north; Moonstones. In approving the earlier scheme consideration was given to the impact on the residential amenity of Moonstones, particularly in relation to proposed plots 3, 4, and 5, and the barn conversion in the northern part of the site.

In terms of the layout the separation distances between those dwellings and the northern boundary remain the same. There are no amendments to the previously approved proposal for permanent obscure glazing for all first floor windows on the northern elevations of plots 3, 4 and 5. In addition the condition which prohibits any windows, other than those shown on the approved plans in respect of Plots 3,4 and 5, and the barn conversion, being formed in the walls or roof of the buildings shall be carried forward. The brick wall along the common boundary north of plots 3-5 will continue to be retained and maintained at the existing height and this condition is also carried forward.

It is considered that the development would not have any unacceptable impacts on the levels of amenity enjoyed by neighbours in terms of loss of privacy/overlooking, overbearing impacts or any pollution or disturbance.

## Drainage

The drainage scheme is unchanged from the approved and implemented scheme. However, Yorkshire Water have raised an objection as the drainage layout plan indicates a manhole connection for surface water, however, it is unclear what the manhole connects to. It is understood that it connects to watercourse, but there is no evidence to confirm this.

Further information is to be provided prior to determination to confirm surface water drainage arrangements. This matter will be covered in the late pages and an update will be provided to Members at the meeting.

## Ecology

The application is accompanied by surveys of the existing buildings for bats and barn owls. The County Ecologist notes that the barn was found to be used by a roosting Barn Owl. To compensate for the loss of this roosting site it is recommended that provision is made for a temporary nest box followed by a permanent nesting/roosting place. The survey report includes a method statement for these works. The County Ecologist is satisfied subject to the recommended mitigation being secured by condition.

The bat survey identified three day roosts occupied by individual bats. The County Ecologist notes that such roosts are of relatively low conservation significance and their loss can be compensated for by appropriate mitigation measures. Subject to mitigation, the proposed development is therefore compatible with the test set out in Regulation 55(9)(b) of the Conservation of Habitats & Species Regulations 2017 (as amended) that, *“that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”*. The report includes a detailed method statement for works; requirements for further bat activity surveys; and mitigation in the form of temporary and permanent roost sites. The County Ecologist is satisfied subject to the recommended method statement and mitigation being secured by condition.

## Conditions

Permission granted under Section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. For the purpose of clarity the conditions imposed on the earlier approval continue to have an effect and are relevant and as a result are carried forward taking account of details submitted under the terms of condition which have been deemed acceptable.

## Conclusion

The site is within the development limits of the village and there is an extant permission for housing development on the land. The proposed development, as amended, would result in a high quality housing development sympathetic to the character and appearance of the village. The layout, siting and appearance of the proposed dwellings is not fundamentally different to that covered by the extant permission. There is no change to the number, type, style, density or scale of dwellings proposed and there would be no adverse impacts on neighbours which cannot be controlled by conditions.

There have been concerns raised locally in relation to highway safety specifically the frontage parking arrangements and visibility implications. The application has been considered by the highways officer and the plans have been amended to ensure two off street parking spaces per terraced dwelling along the frontage. In addition a unilateral undertaking confirms the applicant's commitment to funding the implementation of no waiting restrictions on the public highway to the front of the application site. In light of this it is considered that the development would not give rise to unacceptable highways conditions.

The lack of affordable housing provision is unfortunate and does give rise to conflict with Policy SP3.

However, the applicant's viability assessment, which concludes that the development cannot support developer contributions for affordable housing, has been reviewed independently and is considered robust and can be accepted. There are no objections from the Council's Housing Officer.

The development of this partially progressed site for residential purposes is supported and, whilst not wholly policy compliant, the development is considered viable and would make a contribution towards housing supply in the area. This benefit weighs in favour of the approving the application.

It is considered that, on balance, the proposal is acceptable and the recommendation to Members is one of conditional approval.

**RECOMMENDATION:**                    **Approval** subject to the prior completion of a unilateral undertaking to confirm the works required by the Traffic Regulation Order and the following conditions:-

- 1     Unless otherwise agreed in writing with the Local Planning Authority, the external construction materials shall be in accordance with the details approved under application ref. 14/01322/COND.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP16.

- 2     Unless otherwise agreed in writing with the Local Planning Authority, all boundary treatments and means of enclosure shall be in accordance with the details approved under application ref. 14/01322/COND.

Reason:- To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality and to satisfy the requirements of Policy SP20.

- 3     Unless otherwise agreed in writing with the Local Planning Authority, the development shall proceed in accordance with the programme of archaeological works set out in the written scheme of investigation approved under application ref. 14/01322/COND.

Reason:- The site is of archaeological interest and to satisfy the requirements of Policy SP12.

- 4     Unless otherwise agreed in writing with the Local Planning Authority, the landscaping of the development shall proceed in accordance with the scheme approved under application ref. 14/01322/COND. All planting, seeding and/or turfing comprised in the above scheme shall be carried out in the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved and to satisfy the requirements of Policy SP20.

- 5     Unless otherwise agreed in writing with the Local Planning Authority, the existing brick wall on the northern elevation shall be permanently retained, managed and repaired in accordance with the scheme approved under application ref. 14/01322/COND.

Reason: In order to protect the amenity of the adjoining property and to satisfy Policy SP20.

- 6 Unless otherwise agreed in writing with the Local Planning Authority, the landscaping of the development shall be managed in accordance with the 20 year management plan approved under application ref. 14/01322/COND.
- Reason: To enhance the appearance of the development hereby approved and to satisfy the requirements of Policy SP20.
- 7 Unless otherwise agreed in writing with the Local Planning Authority, all first floor and landing/ stair windows on the northern elevations of plots 3,4 and 5 (as shown on Proposed Site Plan ref. WG904 02 Rev D) shall be permanently obscure glazed with opaque, stained or obscure glazing in accordance with the details approved under application ref. 14/01322/COND.
- Reason: In order to satisfy Policy SP20 and to protect the amenity of the adjoining neighbours.
- 8 Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall proceed in accordance with the Method Statement and mitigation measures set out in Sections 7.3 to 7.8 of the Bat Survey dated September 2020 produced by Wold Ecology Ltd and also follow the precautionary advice set out in Sections 7.10/7.11 of the report regarding Barns 1 & 3.
- Reason: In order to fully take account and encourage any protected species that may be using the site and to satisfy Policy SP14.
- 9 Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall proceed in accordance with the mitigation measures and method statement set out in Section 6.2 of the Barn Owl Survey, dated September 2020 produced by Wold Ecology Ltd. [N.B. Paragraph 6.2.1 should read “Within 30 days prior...”]
- Reason: In order to fully take account and encourage any protected species that may be using the site and to satisfy Policy SP14.
- 10 Unless otherwise agreed in writing with the Local Planning Authority, all ground surfacing materials shall in accordance with the details approved under application ref. 14/01322/COND.
- Reason: In order to ensure a satisfactory external appearance and to satisfy Policy SP16.
- 11 Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall proceed in accordance with the land contamination reports approved under application ref. 14/01322/COND.
- Reason: In order to fully take account of any potential contamination and to satisfy Policy SP17.
- 12 Unless otherwise agreed in writing with the Local Planning Authority, the proposed finished ground floor levels shall in accordance with the details approved under application ref. 14/01322/COND.
- Reason: In order to ensure a satisfactory external appearance and to satisfy Policy SP16.
- 13 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or amending that Order), development of the following classes shall not be undertaken on Plots 3, 4, 5, 6, 7, 8, 9 and the barn conversion adjacent to Main Street as shown on the proposed site plan, 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 area is not prejudiced by the introduction of unacceptable materials and/or structure(s) in compliance with Policies SP16 and SP20.

- 14 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, (or any order revoking, re-enacting or amending that order) no windows, other than those shown on the plans hereby approved in respect of Plots 3,4 and 5, and the barn conversion adjacent to Main street, shall be formed in the walls or roof of the buildings, hereby permitted without the prior written consent of the Local Planning Authority following a specific application in that respect.

Reason: To safeguard the privacy and the amenity of adjoining residents and to satisfy Policy SP20.

- 15 Unless otherwise agreed in writing with the Local Planning Authority, all windows, doors and garage doors shall in accordance with the details approved under application ref. 14/01322/COND.

Reason: To ensure an appropriate appearance and to comply with the requirements of Policy SP16.

- 16 Unless otherwise agreed in writing with the Local Planning Authority, all highway works shall in accordance with the details approved under application ref. 14/01322/COND. No dwelling shall be occupied until the highway works have been constructed in accordance with the approved details.

Reason:- In accordance with Policy SP20 and to secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users.

- 17 No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.

The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.

Reason:- In accordance with Policy SP20 and to ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.

- 18 Unless otherwise agreed in writing with the Local Planning Authority, all measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway shall in accordance with the details approved under application ref. 14/01322/COND.

Reason:- In accordance with Policy SP20 and in the interests of highway safety.

- 19 Unless otherwise agreed in writing with the Local Planning Authority, all highway improvement works (paving, kerbed footway, positive drainage) shall in accordance with the details approved under application ref. 14/01322/COND. No dwelling shall be occupied until

the highway improvement works have been constructed in accordance with the approved details.

Reason:- In accordance with Policy SP20 and to ensure that the details are satisfactory in the interests of the safety and convenience of highway users.

- 20 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved Proposed Site Plan ref. WG904 02 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 and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interests of safety and the general amenity of the development.

- 21 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 2015 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity of the development.

- 22 Unless otherwise agreed in writing with the Local Planning Authority all doors and windows on elevations of the building(s) adjacent to the existing and/or proposed highway shall be constructed and installed, such that from the level of the adjacent highway for a height of 2.4 metres they do not open over the public highway, and above 2.4 metres no part of an open door or window shall come within 0.5 metres of the carriageway. Any future replacement doors and windows shall also comply with this requirement.

Reason: In accordance with Policy SP20 of the Ryedale Local Plan and to protect pedestrians and other highway users.

- 23 Unless otherwise agreed in writing with the Local Planning Authority, the contractors on-site parking and materials storage areas shall be in accordance with the details approved under application ref. 14/01322/COND. The approved areas shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.

Reason: To provide for appropriate on-site vehicle parking and the storage facilities, in the interests of highway safety and the general amenity of the area in compliance with Policy SP20.

- 24 The development hereby permitted shall be carried out in accordance with the following approved plan(s);

Site Location and Block Plan ref. WG904 01 Rev F, dated 30.09.20

Proposed Site Plan ref. WG904 02 Rev D, dated 20.05.21

Plot 1 ref. WG904 03 Rev E, dated 30.09.20

Plot 2 ref. WG904 04 Rev G, dated 26.11.20

Plot 3 ref. WG904 05 Rev F, dated 26.11.20

Plots 4 and 5 ref. WG904 06 Rev E, dated 26.11.20

Barn Conversion ref. WG904 07 Rev E, dated 26.11.20

Plots 6 to 9 ref. WG904 08 Rev C, dated 30.09.20

Proposed Drainage Layout Sheet 1 of 2 ref. TCE-1955-DRG-02, Rev P6, dated 11.11.20

Proposed Drainage Layout Sheet 2 of 2 ref. TCE-1955-DRG-03, Rev P4, dated 08.10.20

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

- 25 Unless otherwise agreed in writing with the Local Planning Authority the use of decentralised and renewable or low carbon sources shall be in accordance with the details approved under application ref. 14/01322/COND.

Reason: - In the interests of energy efficiency and to satisfy the requirements of Policy SP18 of the Ryedale Local Plan.

## **INFORMATIVES**

- 01 To make the proposals acceptable to the Local Highway Authority a Traffic Regulation Order type of Statutory process is required. This is governed by legislation outside the planning process and administered by the Local Highway Authority. Consequently, you should not commence your permitted works until details of the Traffic Regulation Order for NO WAITING restrictions type of Order at Land at Scagglethorpe Manor Farm along the adjacent carriageway edge of the RED LINE SITE FRONTAGE location have been submitted to the Local Highway Authority. The approved details will be required to undergo the legal process required, including any public consultation, at the applicant's expense. Subject to the successful completion of this legal process the measures will be implemented at the applicant's cost.
- 02 You should satisfy yourself, prior to commencement of any work related to this project, that no part of the works hereby approved (including foundations and/or guttering) extended onto or over adjoining land unless you have first secured the agreement of the appropriate landowner(s).
- 03 The Local Highway Authority recommends that there shall be no HCVs brought onto the site until a survey recording the condition of the existing highway has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- 04 The Local Highway Authority there must be no works in the existing highway until on Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and the Highway Authority.