

**Item Number:** 10  
**Application No:** 21/00794/73  
**Parish:** Great & Little Barugh Parish Council  
**Appn. Type:** Material Amendment  
**Applicant:** Mr G Wagstaff  
**Proposal:** Variation of condition 16 of planning approval 18/00429/FUL dated 03.07.2018 to allow alterations to the internal layouts design of the dwellings and to change one of the single garages to a double garage  
**Location:** Forge Cottages Barugh Lane Great Barugh Malton YO17 6UZ  
**Registration Date:** 25 May 2021  
**8/13 Wk Expiry Date:** 20 July 2021  
**Overall Expiry Date:** 14 October 2021  
**Case Officer:** Alan Goforth **Ext:** 43332

#### CONSULTATIONS:

##### *Initial consultation*

<b>Highways North Yorkshire</b>	No objection
<b>Great &amp; Little Barugh Parish Council</b>	Objection
<b>Yorkshire Water</b>	No response received. Any response received will be reported in the late pages or at the meeting.

##### *Re-consultation (re-levelling of the site and confirmation on foul & surface water drainage)*

<b>Highways North Yorkshire</b>	No objection
<b>Great &amp; Little Barugh Parish Council</b>	Objection

##### *Re-consultation (reduction in eaves & ridge height and footprint of double garage)*

<b>Highways North Yorkshire</b>	No objection
<b>Great &amp; Little Barugh Parish Council</b>	Comments
<b>Building Conservation Officer</b>	No objection

**Representations (1):** Mrs Janet Hagger (objection)

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#### BACKGROUND:

The application is to be determined by Planning Committee as representations received in response to the consultation exercise have raised objections based on material planning considerations.

#### SITE:

The application site is located on the eastern side of Great Barugh on the western side of Barugh Lane within the Development Limits of the village. The site is a mostly rectangular plot with an area of approximately 640m<sup>2</sup> and was previously occupied by a pair of semi-detached dwellings. The site has a frontage width of approximately 38 metres and depth of 18 metres. The site is currently grassland and there is an increase in level of the land of approximately 600mm from the front (east) to the rear (west).

The land immediately to the west of the application site is designated as a Scheduled Ancient Monument referred to in the listing as earthworks at Manor House Farm. The Old Forge (Grade II

listed) is a single storey dwelling to the north of the application site. Hill Brow Cottages are to the south of the site.

The detailed planning history for the site is set out below. The most recent permission (18/00429/FUL) for 2 no. 3 bedroom semi-detached dwellings has lawfully commenced. The approved plan as appended to this report. As currently approved each dwelling would measure 8m in depth, 7m in width, 4.4m to the eaves and 8.1m to the ridge. Each single garage would measure approximately 5.5m by 3m standing 2.2m to the eaves and 3.6m to the ridge. The approved external construction materials comprise clamp brick walls, pantile roofs and timber windows and doors.

Vehicular access is off Barugh Lane to the east. The 'as approved' plans show each dwelling having a single storey garage to the rear corner and parking and turning areas to the sides (north and south). Each dwelling would have gardens to the front and rear (east and west). The boundary treatments comprise 0.6m high hedgerow to the east (front), 1.2m high hedgerow to the southern boundary, 2.2m high hedgerow to the west (rear) and 1.6m high timber fencing to the north.

## **HISTORY:**

21/00728/COND- Discharge of Conditions 03, 04, 05, 06, 07, 13 and 14 of planning approval 18/00429/FUL dated 03/07/2018. APPROVED.

18/00429/FUL- Erection of 2 no. 3 bedroom semi-detached dwellings with detached single garages and formation of vehicular accesses. APPROVED 03.07.2018. Permission/development lawfully commenced.

15/00727/FUL-Erection of 2 no. three bedroom semi-detached dwellings with detached single garages and formation of vehicular accesses. APPROVED 14.07.2016. Expired unimplemented.

07/00081/FUL- Erection of 2 no. three bedroom semi-detached dwelling with parking/turning areas and formation of vehicular access to replace existing dwellings (revised details to refusal 06/01137/FUL dated 11.01.2007). APPROVED 22.03.2007. Expired unimplemented.

06/01137/FUL- Erection of 2 no. three bedroom semi-detached dwellings with parking/turning areas and formation of vehicular accesses to replace existing dwellings. REFUSED 11.01.2007.

## **PROPOSAL:**

Planning permission is sought the variation of condition 16 of planning approval 18/00429/FUL dated 03.07.2018 to allow alterations to the internal layouts, design of the dwellings and to change one of the single garages to a double garage.

The condition the subject of this application is the approved plans condition.

The proposed changes are as follows:-

- Increase in frontage width of each dwelling by 1.5 metres (8.5 metres)
- A double garage (instead of single garage) to serve the northern dwelling ('House 1') measuring 5.5m by 5.4m standing 2.2m to the eaves and 4.4m to the ridge
- An additional dormer window to front elevation of each dwelling
- Juliet balcony (revised to omit platform) to the rear of each dwelling
- No first floor windows in northern and southern gables end elevations
- Door on front (east) elevation repositioned (centred) for each dwelling
- Foul sewage – previously to public foul sewer now to package treatment plant (no change to surface water arrangements- soakaway)
- Re-levelling of the site- the plans indicate an existing level change of approx. 600mm from the front (east) of the site to the rear (west).

For completeness there are no changes to the following:-

- Number and type of dwellings to be constructed
- Siting and orientation of the dwellings and garages
- Ridge and eaves height of the dwellings
- Gable depth of the dwellings
- Access arrangements and location of parking areas
- Siting and size of single garage to southern dwelling ('House 2')
- External construction materials and finishes
- Number/size/position of rooflights
- Boundary treatments

It should be noted that during the course of processing the application the proposal has been amended in response to Officer concerns and comments raised by consultees and the occupants of the Old Forge.

The planning application initially proposed a larger double garage with dimensions of 6.4m by 5.6m standing 2.8m to the eaves and 5.2m to the ridge. The garage was also to include loft space. The size of the double garage has been reduced to that described above omitting the loft space. In addition the initial drawings which accompanied this application included a rear balcony for each dwelling with platforms projecting approximately 500mm from the west elevation. In response to concerns of potential overlooking/loss of privacy to neighbours the drawings have been amended to show those openings being limited to Juliet balconies (no projecting platform).

#### **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 SP4 Type and mix of new housing

Local Plan Strategy - Policy SP12 Heritage

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

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (PPG)

#### **REPRESENTATIONS:**

An objection has been received from the occupants of The Old Forge to both the initial submission and the subsequent amended plans. The reasons for objection are summarised below:

- The ridge height of the double garage with loft would be higher than the ridge of the Old Forge and would be overbearing and result in loss of light to the garden

- The size of the garage would be out of character and would not in keeping with the Grade II listed Old Forge
- Close proximity of garage and parking area to bedroom window of the Old Forge
- The height of the dwellings would overwhelm the single storey Old Forge
- The dwellings are out of proportion/ not in keeping with surrounding homes
- Construction may increase drainage towards the Old Forge due to change in level
- The erection of the garage may damage the pipework associated with the sewage treatment plant
- The proposed dwellings may overload the sewage treatment plant

In response to the most recent re-consultation the occupants of The Old Forge acknowledge the reduced size and height of the double garage but raise objections stating the following concerns:-

- The impact of excavations on existing soakaways
- The proposed dwellings may overload the sewage treatment plant and detailed design of the entire proposed sewerage/waste removal from the two dwellings is required
- The construction materials to be used will be out of character with the area and not in keeping with the Old Forge a Grade II Listed building
- The balconies shown on the plans appear to be a balcony which projects from the doors and could be sat or stood on giving a full view into our currently private back garden/patio which we consider would be an invasion of our privacy. (N.B. the drawings have since been amended to show balconies as Juliet balconies only)

The Parish Council has also objected to both the initial consultation and subsequent re-consultation in relation to amended plans. The reasons for objection are:

- The scale of the proposed double garage will cause significant loss of light and aspect to the occupants of The Old Forge.
- The proposed dwellings are larger and now 2 metres closer to the boundary with the Old Forge.
- The waste water demands of the proposed dwellings may overwhelm the sewage treatment plant
- The proposed soakaway may not work due to ground conditions

In their most recent response the Parish Council welcome the reduced ridge height and the reduced footprint of the double garage and the confirmation that the balconies will be limited to Juliet balconies. The Parish Council confirm that their main concern remains the sewerage and waste water disposal and request a site meeting with all interested parties.

It should be noted that the above responses also referred to the following matters which are not material planning considerations:

- Agreements in relation to rights of connection to private treatment system.
- Rights of access for inspection and maintenance of drainage systems and boundary fence.
- Communication between neighbours
- The earlier (now expired/unimplemented) planning permissions ref's. 07/00081/FUL & 15/00727/FUL.

## **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 16) in order to replace approved plan drawings with amended

versions. It seeks material amendments to the elevations and the footprints of the dwellings and the replacement of one of the approved detached single garages with a detached double garage.

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The application site is within the development limits of Great Barugh 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 extant planning permission represents a realistic ‘fall-back’ position and is a significant material consideration that weighs in favour of granting planning permission for the proposed development in principle. The extant permission (ref. 18/00429/FUL, dated 03.07.2018) was determined under the current Local Plan Strategy and there has been no material change in circumstances in terms of other development in the vicinity or planning policy. The Local Needs Occupancy condition, which applies to both dwellings, would be carried forward unchanged in compliance with Policies SP2 and SP21.

It is considered that the principle of the proposed development is established and aligns with Policies SP1 and SP2 of the Local Plan Strategy.

#### Design, character and form

As confirmed by the submitted drawings there would be no change to the siting and orientation of the dwellings and garages and no change to the ridge and eaves height and gable depth of the dwellings. In addition the dwellings would be constructed from materials approved as part of the earlier application (extant permission) namely clamp bricks; clay pantiles and painted timber windows.

It is considered that the additional frontage width of the dwellings can be accommodated without unacceptable encroachment on the site boundaries or overdevelopment of the plot. The spacing between the existing and proposed dwellings on both sides of the site is considered to be acceptable and would not detract from the streetscene.

The double garage (previously approved as a single garage) in the north western corner of the site has given rise to concern from the neighbour to the north and also the Parish Council. In response the footprint and height of the double garage has been reduced which has been welcomed by the neighbour and the Parish Council. The eaves have been lowered to that of the single garage and the apex is 800mm higher than that previously approved. The length of the garage is unchanged from that previously approved. The low eaves and pitched roof combine to reduce the overall bulk and dominance of the double garage. The eaves and ridge height of the double garage sit comfortably below those of the single storey dwelling (The Old Forge) to the north and when combined with its siting to the rear of the plot it is considered that the additional built form would not be visually intrusive or disrupt the existing building hierarchy in the locality.

The number, arrangement, proportions and detailing for window and door openings in the front and rear elevations (as amended) are sympathetic and unify the appearance of the dwellings allowing for an appropriate level of symmetry.

Overall the scale and nature of the material amendments result in a development which is not substantially different from the one which has been approved and the proposed development can be accommodated within the plot without adversely affecting neighbouring buildings, the streetscene or the character of the settlement. In light of this it is considered that the development complies with Policies SP16 and SP20.

#### Residential amenity

The only change to the dimension of the dwellings is the frontage width (additional 1.5 metres for each dwelling). As a result the dwellings would be closer to the northern and southern boundaries. This has been raised as a concern by the neighbour and Parish Council. At its closest point the northern dwelling (‘House 1’) would be approximately 18 metres from the Old Forge and 6.8m from the boundary which is considered to be an acceptable separation distance.

The siting of the garage to serve the northern dwelling ('House 1') is unchanged and it would be positioned adjacent to the northern boundary shared with the Old Forge.

The applicant proposes to level the site, as currently the rear of the site is approximately 600mm higher than the front. The occupant of the Old Forge previously raised concerns that the double garage would sit higher than their house and result in an overbearing impact and also loss of light to external areas.

In response to the concerns raised the applicant has revised the plans to show a reduction in the eaves and ridge height of the double garage. The eaves now match those of the single garage (2.2 metres) and the ridge height is 4.4 metres which is 800mm lower than the initial proposal. The ridge height is 800mm higher than that of the single garage. The footprint has also been reduced.

Overall, taking account of the pitched roof of the double garage and the unchanged eaves height, it is considered that the building dimensions and apex height (as amended) would not result in materially greater impact than previously approved in relation to overbearing impact or loss of light to the Old Forge.

The occupant of the Old Forge also raised potential overlooking/loss of privacy concern in relation to the balconies off the rear elevation which included platforms. In response the plan have been revised to confirm the openings as Juliet balconies only (no platform and inward opening doors) and, in the interest of amenity, this shall be secured by planning condition. There would be no material increase in overlooking from previously approved.

It is considered that due to the separation distances between the proposed new dwellings and the neighbouring Hill Brow Cottages to the south the development will not have a material adverse impact upon neighbouring amenity.

In order to further protect residential amenity and also ensure no overdevelopment of the plots conditions are considered necessary to remove permitted development rights and also to prevent any further windows openings. Furthermore a condition shall be imposed to require a Construction Management Plan for the construction phase to ensure works can proceed without disturbance to occupants of the neighbouring properties on either side of the site.

Overall, it is considered that the proposed buildings, as amended, would not result in unacceptable impacts on living conditions of neighbours and the proposed development therefore complies with the relevant part of Policy SP20.

#### Heritage impacts

The application site is within the setting of the Old Forge which is a Grade II listed building. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the Local Planning Authority, when considering whether to grant planning permission for development which affects a listed building or its setting, has special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The Building Conservation Officer has been consulted on the application and has considered the amendments to the scheme specifically the proposed double garage nearest the listed building. In addition to the reduced height and dimensions the revised plans also removed the ridge line feature which gave a fussy appearance to the garage. The Building Conservation Officer is satisfied with the revised drawings and has raised no objections. It is considered that the proposed development would not result in harm to the setting of the listed building and complies with Policy SP12 and the NPPF.

The field immediately to the west of the application site is a Scheduled Ancient Monument, known as Earthworks at Manor House Farm, Great Barugh (National Heritage List for England reference 1003686). Historic England has previously stated that these archaeological remains are of national importance and it is likely that archaeologically remains relating to the scheduled site will extend in to the area of the proposed development. These remains are likely to be Medieval and may also include

earlier Roman archaeology. The Historic Environment Team at NYCC has previously advised that a scheme of archaeological mitigation recording is undertaken in response to the ground-disturbing works associated with this development.

The LPA consulted the County Archaeologist in relation to an Archaeological Written Scheme of Investigation submitted under the terms of the relevant planning condition on the extant permission. The scheme was subsequently approved and shall be the subject of a condition brought forward on any permission granted to require compliance with the scheme throughout the construction phase followed by appropriate analyses, reporting and archive preparation.

### Highway safety

The proposed site layout continues to make sufficient provision for onsite parking and turning. The Local Highway Authority has no objections and the previous conditions will be carried forward but amended to reflect details approved under condition. The development would not result in conditions detrimental to highway safety and complies with Policy SP20.

### Drainage

The approved scheme directed foul drainage to the mains public sewer. However, the public sewer serving the village does not extend to the dwellings along the western side of Barugh Lane. It is now proposed that the foul drainage from the new dwellings is directed to the package treatment plant on neighbouring land which the applicant states was installed to serve the three dwellings (Old Forge and the 2no. new builds the subject of the extant permission and current application). There would be no change to surface water arrangements which would utilise a soakaway system as shown on the proposed site plan.

The foul drainage arrangements relate to a private system. Any responsibilities, rights or legal agreements in relation to connection and access for inspection and maintenance of the sewage treatment system are civil matters between the two parties.

In terms of surface and groundwater sensitivity the application site is not within or adjacent to any environmentally sensitive receptors or designations or groundwater source protection zones (SPZs). An Environmental Permit will not be required in this instance and the applicant has confirmed that the foul drainage arrangements will meet the requirements of the Environment Agency's 'general binding rules' for small sewage discharge to the ground.

The foul drainage discharge would also require the necessary building regulations approval. Any permission granted would include the standard conditions to control and approve the drainage arrangements as the development progresses. Yorkshire Water have been consulted and any response will be reported in the late pages or at the Planning Committee meeting.

It is considered that subject to conditions satisfactory surface water and foul drainage arrangements can be implemented to serve the proposed dwellings without risk of pollution in compliance with Policy SP17.

### 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 and part implemented

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

There are no insurmountable issues in respect of drainage and no objections have been raised in respect of highways or heritage matters.

The development of this partially progressed site for residential purposes is supported and would make a modest contribution towards local housing supply in the area. This benefit weighs in favour of the approving the application.

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

**RECOMMENDATION:**                      **Approval** subject to no objections being raised by Yorkshire Water

1            The dwellings hereby approved shall only be occupied by a person(s) together with his/her spouse and dependents, or a widow/widower of such a person, 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 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 satisfy the requirements of Policies SP2 and SP21 of the Ryedale Plan - Local Plan Strategy.

2            Prior to the commencement of any building works associated with the dwellings and garages hereby permitted, further details of finished floor levels of the buildings in relation to a measurable datum point shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved levels details and site re-levelling works shall be completed prior to aboveground construction.

Reason: In the interests of amenity and to ensure a satisfactory appearance of the development and to accord with Policies SP16 and SP20 of the Local Plan Strategy.

- 3 Prior to the commencement of any building works associated with the dwellings and garages hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. Details of site working hours;
2. Measures to control construction noise; and
3. Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity in compliance with Policy SP20.

- 4 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. 21/00728/COND.

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

- 5 Unless otherwise agreed in writing with the Local Planning Authority, all windows, doors and garage doors, including means of opening, depth of reveal and external finish shall be in accordance with the details approved under application ref. 21/00728/COND.

Reason: To ensure an appropriate appearance and to comply with 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, all means of enclosure, including hedging shall be in accordance with the details approved under application ref. 21/00728/COND. Thereafter these shall be erected/planted prior to the occupation of any dwelling to which they relate.

Reason: To ensure that the development does not prejudice the appearance of the locality and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 7 The 2no. balconies as shown on the elevation drawing (Rev D, dated 24.02.2022) hereby approved shall be limited to Juliet balconies only (no platform & inward opening doors).

Reason: In the interests of amenity and to ensure that the appearance of the buildings are not prejudiced in accordance with Policies SP16 and SP20.

- 8 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. 21/00728/COND. No development shall take place other than in accordance with the approved Written Scheme of Investigation.

Reason: This condition is imposed in accordance with SP12 of the Ryedale Plan - Local Plan Strategy and the NPPF as the site is of archaeological interest.

- 9 The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 8 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: This condition is imposed in accordance with Policy SP12 of the Ryedale Plan - Local Plan Strategy and the NPPF as the site is of archaeological interest.

- 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:

(ii)(c) The crossing of the highway verge and/or footway shall be constructed in accordance with the details approved under application ref. 21/00728/COND and/or Standard Detail number E50 Rev A.

(vi) The final surfacing of any private access within 2 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

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.

- 11 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 to the extremities of the application site frontage in both directions along the major road of Barugh Lane from a point measured 2.4 metres down the centre line of the access road serving each dwelling. 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 purposes at all times.

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

- 12 Notwithstanding the provision of any Town & Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Drawing Number WAG/371/02/101 Rev D, dated 24.02.2022 for parking spaces, turning areas and access shall be kept available for their intended purpose at all times.

Reason: In accordance with Policy SP20 and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

- 13 Unless otherwise agreed in writing with the Local Planning Authority, the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways shall be in accordance with the details approved under application ref. 21/00728/COND. 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.

- 14 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. 21/00728/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: In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy and 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.

- 15 Prior to the commencement of any building works associated with the dwellings and garages hereby permitted, details of the proposed means of disposal of foul and surface water drainage, including details of any off-site works, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development can be properly drained and to satisfy the requirements of Policy SP17.

- 16 Unless otherwise agreed in writing with the Local Planning Authority, prior to the occupation of the dwellings, all surface water discharge shall be dealt with as follows:

1) The suitability of soakaways, as a means of surface water disposal, should first be ascertained in accordance with BRE Digest 365 or other approved methodology. If soakaways are feasible, surface water shall be directed to a soakaway in accordance with the British Standard requirements to the satisfaction of the approved Building Control Inspector.

If soakaways are not feasible, the prior written approval of the Local Planning Authority for an alternative means of surface water disposal must be sought with any approved scheme to be installed prior to the occupation of the dwellings.

Reason: To ensure the development is provided with satisfactory means of drainage and to reduce the risk of flooding in accordance with Policy SP17 of the Ryedale Plan, Local Plan Strategy.

- 17 Unless otherwise agreed in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to completion of approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved works for disposal and treatment of sewage to the satisfaction of the approved Building Control Inspector.

Reason: To ensure that the development is properly drained and no foul or surface water discharges take place until proper provision has been made for their disposal and to satisfy the requirements of Policy SP17.

- 18 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, shall be formed in the walls, doors or roof of the dwelling or garages hereby permitted without the prior written consent of the Local Planning Authority following a specific application in that respect.

Reason: In the interests of amenity and to ensure that the appearance of the buildings are not prejudiced by the introduction of unacceptable materials and/or structure(s) in accordance with Policies SP16 and SP20.

- 19 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 2015 (or any Order revoking, re-enacting or amending that Order), the garages 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.

- 20 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 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), and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

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

Existing & Proposed Drawings- Plans, Elevations, Block & Location Plans, ref. WAG/371/02/101, Rev D, dated 24.02.2022.

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