REVIEWED PLANS FOR A DETACHED BUNGALOW, LAND TO SOUTH OF 2 ST ANDREWS ROAD, WHITBY FOR EBBY(15) CONQUESTS LTD

1.0 THE PROPOSAL

1.1 In April 2013 planning permission was refused for a dormer bungalow on this site due to the following concerns:

1. The proposal was considered to be unacceptable due to the form and layout of the development and its orientation on the site, which was considered to have a detrimental impact on the visual amenity and character of the area, conflicting with Policies E12 and H3 of the Local Plan. The proposal was considered to detract from the appearance of the area due to its scale, character and appearance not respecting the character and physical form of its surroundings (Policy H3 Criterion A) and due to the loss of an important private open space, which positively contributed to the character and appearance of the area (Policy H3 Criterion C).

2. The proposal was considered to have a serious effect on residential amenity by means of overlooking and loss of privacy, overbearing effect and impact on the appearance of the area. In particular it was considered that the development would have an overbearing effect on existing property (Nos 1 and 3 Rosemount Road), and result in a perceived loss of privacy for adjacent residents due to a dormer window (despite this being obscure glazed). In addition the development was considered to be contrary to Local Policy H10 due to the loss of an area of open space (albeit private open space) that forms part of the open aspect at the entrance to the St Andrews Road Estate.

3. The proposal would result in the loss of open space that forms part of the open aspect at the entrance to the St Andrews Road Estate and which is considered to contribute positively to the character and appearance of
the area. This was considered to conflict with Policy E6 of the Local Plan which seeks to protect such spaces.

1.2 This application concerns a proposal for a revised scheme that seeks to address the reasons for refusal as outlined above. The original proposal provided for a brick and pantile building with 2no pitched roofed gabled dormer windows to the frontage (facing St Andrews Road) to serve the two bedrooms in the rooftspace and a single catslide dormer in the rear roofslope serving the bathroom. This dwelling had a footprint of 82sq.m with the eaves and ridge heights set at 2.55m and 6m respectively for the main part of the building with a lower ridge height of 5.25m for the attached store.

1.3 The current proposal provides for a single storey building with a footprint similar to that of the original scheme (81sq.m) with eaves heights estimated to vary between 2.2-2.5m (2.2m on the west side facing St Andrews Road and 2.5m on the east elevation with the variation due to the sloping nature of the site) with a ridge height of 4.8m to the dwelling and a lower ridge height of 3.8m to the store. The pitch of the roof has been reduced from 43 degrees to 30 degrees. In addition, the siting and orientation of the dwelling has been altered to provide garden space to the north and south of the building where previously most of the garden was positioned to the south, and with the property’s frontage facing Mayfield Road rather than St Andrews Road. A path to the side of the dwelling between the application property and No1 Rosemount Road of 1.8m (previously 1.0m) is proposed with a 1.0m set back from St Andrews Road.

1.4 The materials of construction are as per the original (i.e. clay pantile roof, walls faced in brickwork and uPVC fenestration) and the accommodation to be provided comprises an open plan kitchen/living area (22.71sq.m), two bedrooms (13.25sq.m and 8.97sq.m), a bathroom and an attached store. The proposal provides for a 2m high fence or wall to the eastern boundary with hedging to the rear garden and to the side of the dwelling. An open plan garden to the site frontage is indicated on the block plan submitted as part of the application, Provision is to be made for the parking of two vehicles on the driveway to the front of the store which is to be surfaced using permeable block pavers to allow natural surface water drainage and to reduce reliance on the mains system. In addition, the Design and Access Statement notes the intention to incorporate other sustainable features including solar photovoltaic and thermal roof panels with the heating and hot water systems using an efficient system linked to the solar panels.

1.5 In support of the proposal the applicants’ agent comments that:

"The site is on the edge of a large residential estate that includes a variety of housing types and designs. Immediately adjacent most of the houses are two storey detached or semi-detached, abutting the site to the east is a bungalow (1 Rosemount Road). The design has taken this into account and a bungalow is proposed to avoid a large mass. It is noticeably subservient to Nos 16 and 18 Mayfield Road and with a low eaves height and then a pitched roof will not present a large aspect to 1 Rosemount
Substantial design changes have been incorporated from the previous application—these are:
- The dormers to the roof have been removed to both the front and rear.
- The overall roof/structure height has been reduced by approximately 1m.
- The distance from the side boundary is now 1.8-2.0m.
- The property now has its main face to the south with a canopied entrance facing Mayfield Road. Its address will be 14A Mayfield Road.
- Position on site has altered to give garden space to the north and south. Space to the north will enable room for drying clothes not visible from the main road.
- The space to the south will still contribute to the ‘open feel’ of the area without the current backdrop of an electrical sub-station.

1.6 The application site is in a residential area located about 1 km to the south-west of Whitby’s town centre. It is set back from the main road (Mayfield Road) behind a grass highway verge, which is approximately 20m wide on the stretch opposite the site, at the entrance to St Andrews Road.

2.0 PRE-APPLICATION COMMUNITY ENGAGEMENT

2.1 None.

3.0 CONSULTATIONS AND COMMENTS

3.1 The following is a summary of the key and relevant comments received from consultees and interested parties. Their full comments and any accompanying documentation are available to view on the Council's website.

3.2 Whitby Town Council – “Recommend Approval subject to adhering to the Highway Authority’s recommendations, and to the use of matching brick to the adjacent property.”

3.3 Highway Authority (NYCC) - Recommends that conditions be attached to any permission that may be given in respect of the following: discharge of surface water drainage; construction requirements for the crossing of the footway; the provision of appropriate visibility splays at the proposed drive access, the existing electricity sub-station and at the existing junction between St Andrews Road and the road leading from Rosemount Road; the provision of pedestrian visibility splays at the proposed drive access and existing sub-station access; and the relocation of the street name plate and utility apparatus marker posts.

3.4 Environmental Services (SBC) - “No objections to the granting of planning consent on housing grounds.”

3.5 Estates Manager (SBC) – Confirm that the land is not owned by the Borough Council. Have reviewed the ‘Viability Assessment’ document and consider that the figures are generally acceptable however, the land value figure is queried as it appears a little high.
3.6 Engineering Services (SBC) - Awaiting comments.

3.7 Publicity - The consultation period expired on 3 July 2013 and representations have been received from the following:

Letters of objection have been received from:

Mrs A Wheeler, 37 Mayfield Road, Whitby
Mr B Parkin, 4 St Andrews Road, Whitby
Mr J Woodhead, 2 Ganton Close, Whitby
Mrs P Hopkin, 2 Rosemount Road, Whitby
Mr C Hopkin, 4 Rosemount Road, Whitby
G J C Reid, 33 Mayfield Road, Whitby
Mr D and Mrs J Hall, 1 Rosemount Road, Whitby
Mr and Mrs D Lowis, 1 St Andrews Road, Whitby
Mr D Knaggs, 16 Mayfield Road, Whitby
Mrs J Barningham, 11 Rosemount Road, Whitby
Mr J Carr, 3 Rosemount Road, Whitby

A petition has also been received with 166 signatures (further details noted in point 16 below)

1. This land is merely a grass verge maintained by Scarborough Borough Council or, it was until the ugly metal fence was put around it.
2. School children pass by daily to go to school. It is opposite a nursery and close to a busy junction with Mayfield Road. It slopes down towards the bungalow on Rosemount Rd. It is a small patch of land, which doesn’t look big enough to build a garage let alone a bungalow and garden. The Council should refuse this application on the grounds of the very close proximity of the 2 bungalows behind and the fact that it is close to the junction.
3. It can’t have been suitable when St Andrews Road and Rosemount Road were first built otherwise someone would be living in a house on the site now.
4. The proposal would mean the loss of open space and grassed area which we have enjoyed for many years. The loss of this land would detract from the outlook of the area.
5. Views from Nos 2 and 4 looking towards Mayfield Road and grassed areas would be blocked by this building.
6. When entering St. Andrews Rd. from Mayfield Rd, this building would not conform to the general character of St. Andrews Road.
7. Have always been under the impression that this verge was transferred from "Cyril Payne" to the Highway Authority to be enjoyed as public open space on an Estate with very little green space. I am astounded that neither NYCC or SBC own the land despite it being maintained (grass cutting) by them and from the public purse since 1971/72, which perhaps gives the local authority some ownership rights as the public have enjoyed unhindered access for over 40 years! I wish to object to the building of any dwelling/s either now or in the future.
8. There will be a detrimental effect on neighbours at Nos 1 and 3 Rosemount Road particularly as the application site is at a higher level. The proximity of the bungalow to the boundary with these neighbours and the fact it will tower above both neighbours and to sink it lower will cause even more problems with flooding.

9. Has concerns regarding the impact on privacy and the character of the area noting that “everyone who has bought their homes in this area has done so on the understanding that it will remain unspoilt with the protected green spaces that the original builders had been instructed to incorporate into the design of the development and must be preserved at all costs.

10. Any type of building on such a small area would look totally out of place and would undoubtedly ruin the balance of the whole estate.”

11. The green spaces are an integral part of the design and should be retained for children to play away from the danger of heavy traffic cutting through the estate which is very congested at school times.

12. Washing and bins will still be in full view of the road which is not acceptable for residents living opposite the site.

13. There is ample land at other nearby sites for new housing.

14. Adjacent houses have large garden space. This site appears to be cramped and will be out of keeping with these adjacent properties.

15. Have concerns that there are inaccuracies in the submitted plans and note that the plans give the impression that the site is level. Suggest that when the slope of the site is taken into consideration there will be overlooking of their dwelling and garden from the rear windows of the bungalow even with a 2m wall. Also think that there are discrepancies in the measurements of the footprint of the building and distances to the site boundaries.

16. The development of this site will set a precedent for building on every open space and advise that planning permission for this estate was granted on condition that these spaces remained open (a petition has been submitted with a 166 signatures collected in 48 hours from 122 households, all residents of the estate, who concur with this view and who also oppose the granting of consent for building on the grounds that such a development would be completely out of keeping with the area, overbearing to Nos 1 and 3 Rosemount Road, will set a precedent to build on the remaining green patches and is detrimental to the cohesiveness of the community).

17. There is an electricity substation between 2 St Andrews Road and the application site and it is mandatory to have clear access to the front and side including sufficient space to access the double doors noting that this structure had to adhere to the building line as have other residents when they have sought to do building work and consider that this application should not been considered when it pays no mind to the building line – the house will be up to the pavement.

18. This green space gives clear site lines for all road traffic using the adjacent junctions, and pedestrians including large numbers of school children.

19. This proposal should again be refused as the conclusions drawn by the Planning Manager and the 3 points cited for refusal on that occasion still
hold true. The proposed building will look incongruous and have an overbearing effect on nearby dwellings due the difference in elevation between the sites.

20. The building if allowed will for most of the year take most of the light from the immediate neighbour.

21. I hope that the planning department can see how misleading the plans are and after further investigation come to the conclusion that this piece of land is just not suitable to build any dwelling on. The site at the moment is an eyesore. The grass has not been cut since the fence was erected and advertising hoardings have been attached. The fence is in a dangerous condition, this is especially relevant where young children live.

The following comments have been submitted in support of the proposal:

Mr M Teasdale, 58, St Andrews Road, Whitby
Mrs E Hopkinson, Caedmons Prospect, Chubb Hill Road, Whitby
Mr M Black, Pemberton House, Station Avenue, Whitby
Mrs S Barker, Barker-Trent Properties Inc, Fonteyn Court, Hollingside Lane, Durham

1. Anything will be an improvement to the current mess. The sooner something is built on it the better. What is the point of it staying like it is?

2. Would rather existing space be used for new housing than encroaching out of current development limits out of the town boundary area. I think you should use up existing spare space like this first to save open land in the countryside."

3. The site has been fenced for a number of months now. I have always wondered why the land was not built on in the past and think a house there would use up the spare space well and be better that the scruffy appearance as you enter the estate, with the dilapidated electricity sub-station which needs some attention. I would suggest that the developers are asked to erect a new fence round the back of the site to tidy up

4. As a resident of St Andrew’s Road for many years. I originally made comment on the first application that development would mask the sight of the “municipal-style” electricity sub-station. I believe that the amended development still achieves this, and with the amended orientation of the plot and height of building, will mean this property would fit nicely into the street scene.

5. Another house on the estate would use up this area well. I used to live on St Andrews Road before moving to Chubb Hill to a flat with no garden, and am surprised the land has not been used before now for a bungalow. It will be easily accessible for a disabled person who could enter the house from the pavement in wheel chair or mobility scooter. Few houses are built these days level with the pavement and have a bank or upward drive to negotiate for access to a house. This house would provide easy access for an elderly person on an estate where elderly people might want to live.
4.0 RELEVANT SITE HISTORY

4.1 2013 Planning permission refused for a dormer bungalow (13/00316/FL).

5.0 PLANNING POLICY

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. Attention is drawn to the following Development Plan policy/ies which is/are considered to be particularly relevant to the consideration of this application: -

Scarborough Borough Local Plan (saved policies)

E6 Protection of Open Space
E12 Design of New Development
H3 Small Scale/Infill Housing Development within the Development Limits of Settlements
H10 Protection of Residential Amenity
C7 Foul and Surface Water Disposal

National Planning Policy Framework

NPPF6 - Delivering a Wide Choice of High Quality Homes
NPPF7 - Requiring Good Design

6.0 ASSESSMENT

6.1 The application site lies within the ‘development limits’ of Whitby as defined in the Local Plan and as such the development needs to be considered against Policies E12 and H3. Policy E12 is the overarching design policy, seeking to ensure development is visually attractive and complements the character of its surroundings by careful consideration of issues such as scale, form, height and materials. Policy H3 deals with housing development, which requires that new development should:

• be of a scale and character in keeping with its surroundings
• have an acceptable vehicular access
• not result in the loss of important public views or open spaces
• not harm the amenities of nearby residents
• be acceptable in terms of policies for the protection of nature conservation interests

Scale, Character and Appearance

6.2 The revised scheme provides for a single storey bungalow which is the established form of development on the short section of Mayfield Road that lies to the east of the entrance to St Andrews Road. The proposed bungalow
has been re-orientated on the site such that its principal elevation now faces south towards Mayfield Road. This north/south orientation provides for a more satisfactory arrangement in line with the existing street layout for the properties in this location although it is noted that the properties at the entrance to Rosemount Road (No1 Rosemount Road and No 14 Mayfield Road) are set at an angle with their principal frontages facing the curve of the junction of Rosemount Road with Mayfield Road. The north/south orientation is considered to be appropriate on this corner plot, which reflects the orientation of the dwelling at 16 Mayfield Road which is sited on the corner plot on the opposite side of the road. In addition the dwelling has been re-positioned further forward on the site to allow for a garden on the frontage facing the junction and a rear garden positioned adjacent to the electricity substation, which will allow for the drying of clothes and bin storage not visible from the main road. The dwelling has been reduced in scale and whilst it is appreciated that this is a relatively small site it is noted that there are plots of similar size in the locality (for example Nos 3 and 5 Rosemount Road and Nos 1 and 3 St Andrews Road). The dwelling has also been moved further from the boundary with the dwellings in Rosemount Road and is considered to sit more comfortably on the site – the proximity to St Andrews Road is noted however the garden area to the frontage is considered to be of sufficient depth to maintain the open character at the entrance to this estate when coupled with the significant grass verge to the site frontage, which is at its widest point in this location. Dwellings in the immediate locality are positioned at varying distances from the highway with no definitive building line – the properties behind are on a bend and the dwellings on the corner plots at Ganton Close (Nos 6 and 8 St Andrews Road) are set further forward of their immediate neighbours. In this context the proposed dwelling is not considered to have a significantly detrimental effect on the street scene.

6.3 The dwelling is to be constructed in brickwork under a pantile roof with a pattern of fenestration more in keeping with the style of buildings in the area and is of relatively modest proportions. There are a variety of dwelling types on this estate with individually designed properties in evidence, particularly on the north side of Mayfield Road. The proposed dwelling is considered to fit in with the street scene in this location with the building reflecting the scale/character of the dwellings to the east which front the highway verge.

Vehicular Access

6.4 The access/parking area is to the rear of the bungalow off St Andrews Road approximately 20m from the junction with the section of roadway set behind the grass verge and 50m from the principal junction onto Mayfield Road. The Highway Authority has no objections to the proposed access/parking arrangements subject to conditions as referred to in 3.2 above.

Loss of Public Views and Open Spaces

6.5 Documentary evidence of ownership has been supplied, which shows that the application site was privately sold in 1971. However, it is only recently that the land has been fenced in to restrict public access. The site is grassed and has
been maintained by the Local Authority as have the larger grass areas to the south, which appear to be maintained as highways verges. Policy E6 of the Local Plan, which refers to the protection of open space, is considered to be relevant and states the following: "The amenity value of all open spaces within settlements will be taken fully into account and development will not be permitted on public and private open spaces and landscaped areas, including private gardens, within the defined development limits of settlements if they contribute positively to the character, appearance or amenity of the area...".

6.6 Whilst it would be preferable if this area could be retained as an open space the land is in private ownership and, as such, the owners are entitled to fence it in which will affect the open character – a 1m high fence could be constructed as ‘permitted development’ on the western and southern boundaries and there is already a substantial timber fence to the east which encloses the gardens of properties in Rosemount Road with the electricity sub-station former a backdrop at the northern end of the site. The attractiveness of the open space would be diminished by the addition of fencing which will impact on the openness and as such is unlikely to continue to contribute positively to character, appearance or amenity.

6.7 However, in developing this site, the proposal provides for an unenclosed garden on the site frontage, which will retain an open aspect on this corner plot which respects the existing landscape setting. In these circumstances it would be difficult to justify withholding planning permission on grounds of Policy E6 – the open space, if enclosed, would have a more neutral effect on character and in fact, comments have been received which note the positive benefit to the development of this site insofar as the electricity sub-station would be screened from view at the entrance to the estate.

6.8 The question of precedence has been raised with concerns that if this green area is developed there will be pressures to allow development on other open spaces in the town. This is not the case as planning is based on the consideration of specific sites that are proposed for development which must be assessed on their individual merits and against the relevant local and national policies in force at the time.

Impact on Nearby Residents

6.9 Policy H10 seeks to protect residential amenity and states that planning permission will not be granted for development that would have a serious effect on residential amenity. In this instance the relevant amenity considerations are considered to be the extent of overlooking and loss of privacy, the proximity and relationship of new and existing buildings and whether there is an overbearing effect on existing property, the impact of the development on the appearance of the area and the loss of significant open space or landscaped areas.

6.10 The original proposal was considered to be in conflict with Criteria (b), (e) and (f). Criteria (e) and (f) have been considered above and it is concluded that the revised scheme addresses the earlier concerns in respect of this
development – the building has been reduced in scale and re-orientated so that the front garden faces Mayfield Road and has an open aspect which has improved the appearance of the development. The open space is not considered to be of such significance in the landscape setting or of great amenity value as to warrant refusal of the application on these grounds.

6.11 The impact on the occupiers of neighbouring dwellings also needs to be reassessed in relation to overlooking/privacy concerns and whether the proximity of the new dwelling will have an overbearing effect on existing property. The proposed building has been reduced in height, with a shallower roof pitch and no dormer windows and has also been inset from the boundary by 1.8m (previously 1m). The effect of the alterations is that the roof, which slopes away from the properties in Rosemount Road should be the only aspect of the building that is visible from ground level. Given its shallow pitch and the fact it slopes away from the immediate neighbours, it is not considered that the building will have an overbearing effect on the existing dwellings.

6.12 As regards impact on privacy the maintenance of a 2m high fence or wall on the boundary should ensure that overlooking is not an issue despite the downward slope of the land from west to east. There are three window openings on the east facing elevation of the proposed bungalow, serving a kitchen, bathroom and bedroom and the section drawing supplied by the applicant's agent has shown that with an eye line of 1.65m above floor level it would be difficult to overlook the properties below. Any views across to No 3 Rosemount Road, which is a two storey property, would be at an oblique angle as this dwelling is to the north east of the proposed bungalow, and opposite the rear garden rather than the proposed dwelling itself, which also has a blank gable to the north elevation. As No 1 Rosemount Road is a single storey property, the roof to this dwelling which is opposite to the new build, is likely to be the only aspect that will be visible to the future occupiers of the bungalow should permission be granted for its erection.

6.13 This assessment of privacy is dependent upon the accuracy of the drawings submitted which has been disputed by neighbours. An independent survey has been commissioned by Mr Hall who resides at No 1 Rosemount Road and the section drawing provided will be shown to members at the meeting. The applicants’ agent has also checked the measurements and advises that the site plan details relating to dimensions are accurate but notes that the difference between the edge of the site to the west (pavement side) and the east (side boundary) varies between 460mm and 700mm (previously a level of 460mm had been noted on the section drawing). To compensate for the varying levels across the site a new elevation drawing has been received (Drwg D10237-05 Rev D) which sets the floor level of the new dwelling below the pavement level at St Andrews Road and the perimeter path will be stepped down towards the boundary fence facing Rosemount Road to ensure that the rear path immediately adjacent to the fence is below any overlooking height, and if required has indicated that the bungalow can be ‘dug into the site further as the topography can accommodate this. Your officers are
reviewing the drawings with the agent and may display further plans at the meeting.

**Nature Conservation Interests**

6.14 There are no nature conservation interests at this site.

**National Policy Guidance**

6.15 The NPPF advises that proposed development that accords with an up-to-date Local Plan should be approved. NPPF6 which refers specifically to housing confirms this approach advising that "housing applications should be considered in the context of the presumption in favour of sustainable development" (paragraph 48). NPPF 7 notes that that "the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places a better place for people." The revised proposal is considered to have overcome the design concerns of the previous scheme, which involved an unacceptable form of development that impacted on the setting of the estate and also on the amenity of residents to an unacceptable degree. The current design for a smaller dwelling with a north/south orientation as per the existing dwellings in Mayfield Road, including the retention of an open area on the site frontage to provide a continuation of the open aspect at the entrance to estate, has resulted in a building that can be more readily assimilated in the area.

7.0 **PLANNING OBLIGATIONS**

7.1 A Section 106 Agreement relating to ‘affordable housing’ is required for a proposal of this type and a draft ‘Undertaking’ has been submitted by the applicant. This proposes a contribution of £1500 on viability grounds (estimated sum in line with the SPD would be just under £6000). Given the Estate Manager’s comments, your Officers would request delegated powers to finalise negotiations on the commuted sum, with the Chair’s approval.

8.0 **CONCLUSION**

8.1 The revised scheme for a bungalow on this site has addressed the reasons for refusal of the original scheme relating to serious impact on neighbour amenities and to an extent reduced the impact on the open space by re-orientating the dwelling so as provide its front garden in view from Mayfield Road. On balance, whilst the amount of open space is reduced, it is felt that the reduced scale of the dwelling and its re-orientation is sufficient to enable officers to view the application positively and recommend that permission be granted subject to conditions to ensure that the form of development remains as approved including the removal of certain ‘permitted development’ rights, in the interest of visual and residential amenity and to ensure an appropriate vehicular access is available that complies with the requirements of the highway authority.
8.2 With these safeguards in place your officer consider that the proposed
development is acceptable and in accordance with the established policies of
the Council, and is in line with national policy guidance contained within the
NPPF.

9.0 RECOMMENDATION

9.1 That PERMISSION BE GRANTED, subject to verification of the
measurements/site levels and the signing of a 'Unilateral Undertaking'
pursuant to Section 106 in respect of an agreed contribution to 'affordable
housing', subject to the following condition(s) :-

1 The development hereby granted shall be carried out in strict
accordance with the submitted plans as amended by the details
contained within Drwg no’s D10237-05 Rev D(Sectional Elevation) and
D10237-04 Rev B (Location and Block Plan).

Reason For the avoidance of doubt.

2 Before the commencement of the development above foundation level,
a schedule of external materials of construction of the dwelling and
surfaced areas shall be submitted to and approved in writing by the
Local Planning Authority. Samples shall be approved in writing by the
Local Planning Authority, and the development shall be carried out in
these unless otherwise agreed in writing by the Local Planning
Authority.

Reason In the interests of visual amenity to accord with Policies E12
and H3 of the adopted Scarborough Borough Local Plan

3 Notwithstanding the provisions of the Town and Country Planning
(General Permitted Development) Order 1995, (or any Order or
Statutory Instrument amending and/or revoking and re-enacting that
Order), none of the following developments or alterations shall be
carried without the prior written approval of the Local Planning
Authority:

(i) the erection of freestanding curtilage buildings or structures
   including car ports, garages, sheds, greenhouses, pergolas or
   raised decks;
(ii) the erection of house extensions including dormer windows,
   conservatories, garages, car ports, porches or pergolas;
(iii) alterations including the installation of additional windows or doors
    and the installation of roof windows
(iv) the erection of walls, fences or other means of enclosure between
    the front main wall of the dwelling facing onto Mayfield Road at the
    junction with St Andrews Road and the highway.
Reason To comply with Policies E12, H3 and H10 of the adopted Scarborough Borough Local Plan.

4 A 2m high fence or wall shall be provided along the length of the eastern boundary of the site prior to the first occupation of the dwelling and shall thereafter remain in situ unless any amendment is first agreed in writing by the Local Planning Authority.

Reason In the interests of the amenity of adjacent occupiers to accord with Policy H10 of the adopted Scarborough Borough Local Plan

5 Before the commencement of the development above foundation level, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site indicating, inter alia, the number species, heights on planting and positions of all trees, together with details of post planting maintenance. Such scheme as is approved by the Local Planning Authority shall be carried out in its entirety within a period of 12 months beginning with the date on which the development is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be good as and when necessary, unless the Local Planning Authority gives written consent to any variation.

Reason In the interests of visual amenity to accord with Policies E12 and H3 of the adopted Scarborough Borough Local Plan

6 There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and programme.

Reason In the interests of highway safety.

7 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 to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

(i) The crossing of the highway verge and/or footway shall be constructed in accordance with the Standard Detail number E6W.
(ii) 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.

(iii) That part of the access extending 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10.

(iv) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details and maintained thereafter to prevent such discharges.

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

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

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

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.

8 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 25metres measured along both channel lines of the major road St. Andrews Road from a point measured 2.4metres down the centre line of the proposed drive. The eye height will be 1.05metres and the object height shall be 1.05metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason In the interests of road safety to provide drivers of vehicles using the access and other users of the public highway with adequate inter-visibility commensurate with the traffic flows and road conditions.

9 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 25metres measured northwards along the channel line of the major road St. Andrews Road from a point measured 4.5 metres down the centre line of the road to the immediate south of the plot, (leading from Rosemount Road). The eye height will be 1.05metres and the object height shall be 1.05metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason In the interests of road safety to provide drivers of vehicles using the access and other users of the public highway with adequate inter-visibility commensurate with the traffic flows and road conditions.

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 visibility splays providing clear visibility of 2 metres x 2 metres measured down each side of the access and the back edge of the footway of St. Andrews Road have been provided. The eye height will be 1.05 metre 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.

Reason In the interests of road safety to provide drivers of vehicles using the access and other users of the public highway with adequate inter-visibility commensurate with the traffic flows and road conditions.

Planning Services Manager

Background Papers:

Those documents referred to in this report.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT Carol Bruce ON 01947 602075 e-mail carol.bruce@SCARBOROUGH.GOV.UK