



**REPORT TO PLANNING &
DEVELOPMENT COMMITTEE**

**TO BE HELD ON THURSDAY,
8 April 2021**

APPLICATION REFERENCE NO:

19/02258/FL

TARGET DATE:

18 February 2020

GRID REF:

490527-510518

REPORT OF THE PLANNING SERVICES MANAGER – PSM/21/40

**SUBJECT: Erection of 62no. dwellings at Land Off Green Lane
Whitby YO22 4JP for Wharfedale Homes Limited**

1.0 THE PROPOSAL

1.1 This application seeks full detailed planning permission for the development of 57 two storey dwellings and 5 single storey dwellings (62 in total), the provision of open space and associated infrastructure on a 2.1 hectare site to the east of Captain Cook Crescent, Whitby. The lawful use of the land at present is agriculture.

1.2 The application site constitutes Local Plan Housing Allocation HA19. Commentary on the allocation suggests the site could accommodate a sustainable development of around 60 units; although this is an indicative rather than a prescriptive figure.

1.3 The site consists of a rectangular piece of open grass pasture on a relatively steep slope rising from south to north enclosed by mature hedges on all side. In terms of context, the site is bordered by allotments to the north and predominantly two storey dwellings of C20 origin to the west. The eastern and southern sides of the site border open countryside, and a public footpath runs to the south. The lane serving New Gardens (to the west) runs along the site's western and southern boundaries.

1.4 In terms of the site's constraints over and above its sloping nature, the site is located within the setting of: 1) Whitby Conservation Area; 2) Whitby Abbey (Grade 1 Listed and a Scheduled Monument); 3) The Abbey House (Grade 1 Listed) and Registered Park and Garden; 4) St Hilda's Hospital (Grade II Listed); 5) St Mary's Church (Grade I Listed); and, numbers 1-6 Raft Yard (Grade II Listed).

1.5 Access to the site is proposed to be taken from Green Lane.

1.6 Turning to the proposal itself, of the 2.1 hectares approximately 1.9 hectares is for development and of this 1.77 hectares is proposed to be developed with housing and 0.13 hectares is proposed to be set aside for public open space.

1.7 The following mix of dwellings is proposed (62 in total):

- 5 x 1-bed apartments (proposed to be offered as affordable units);

- 4 x 2-bed bungalows;
- 13 x 2-bed houses (of these, 10 are proposed to be affordable units);
- 30 x 3-bed houses (of these, 4 are proposed to be affordable units);
- 10 x 4-bed houses.

1.8 These are proposed to be two-storey and single-storey buildings arranged as detached, semi-detached and terraced dwellings and flats. The external materials of construction are proposed to be mainly red and buff brick for the walls and grey and terracotta pantiles for roof slopes.

1.9 A draft Section 106 Agreement is currently being worked up by the Council's and the applicant's respective solicitors, and once completed would obligate the provision of the following:

- 19 of the 62 dwellings as affordable homes (31% of the total). Of the 19, 13 would be rented and the remainder would be 'intermediate housing' (offered on a 'discount for sale' arrangement at a discount of 45%);
- £26,274.43 towards the improvement of the Borough's parks and gardens (to be ring-fenced for spending on facilities local to the application site);
- £53,070.40 towards the improvement of children's play infrastructure (to be ring-fenced for spending on facilities in the near vicinity);

1.10 In addition to the plans, the application is accompanied by several supporting documents (available to view on the Council's website) including:

- Design and Access Statement
- Ecological Appraisal
- Heritage Impact Assessment
- Flood Risk Assessment
- Transport Assessment
- Landscape and Visual Impact Assessment.

1.11 Members will note that the application has been amended during its period of assessment. The scheme as it is now presented differs from that originally proposed in the following ways:

- 62 units are now proposed, whereas originally the proposal was for 70 units
- The larger block of flats has been omitted from the scheme;
- The Second World War Home Guard building in the south-eastern corner of the site has been incorporated into the development;
- The public open spaces have been expanded;
- Parking arrangements have been changed;
- The outdoor amenity space associated with each dwelling has been increased;
- A footpath link to the right of way running to the south of the site has been added to the layout;
- The palette of materials has been simplified;
- Proposals have been made to relocate the stone wall adjacent to the site entrance;
- The 'intermediate housing' portion (6 of the 19 units) of the affordable housing proposal has changed from being part-buy-part-rent to 'discount-for-sale'.

1.12 There have been two rounds of public consultation relating to this application. The first related to the original proposal. It began on 26 November 2019 and ran until 26

December 2019. The second round of public consultation related to the amended scheme. It began on 12 March 2020 and finished on 09 April 2020.

2.0 SCREENING OPINION REQUIRED?

2.1 Environmental Impact Assessment not required.

3.0 PRE-APPLICATION COMMUNITY ENGAGEMENT

3.1 The applicants have not stated whether or not they have carried out any formal community engagement.

4.0 CONSULATIONS AND COMMENTS

4.1 The following is a summary of the key and relevant final comments received from consultees and interested parties. Their full comments, along with earlier comments, are available to view in full on the Council's website.

4.2 For clarity, the responses to the two rounds of consultation (for the original and amended schemes) are presented separately.

First round of consultation - original scheme.

4.3 Whitby Town Council: Recommend refusal of the application on highways, access and community safety grounds. The comments of the Borough Council Housing Officer with respect to room sizes are supported.

4.4 Highway Authority: No objections, but advises that conditions should be imposed requiring:

- Precise details of the proposed roadways and footpaths;
- The provision and permanent retention of the required visibility splays;
- The permanent retention of parking and manoeuvring spaces;
- A construction phase management plan for managing construction phase vehicle movements and associated impacts;
- The provision of a scheme of temporary double yellow lines on Green Lane.

4.5 Lead Local Flood Authority: No comments received.

4.6 Yorkshire Water: The drawings state that foul water will be pumped to what is assumed to be the 225 mm diameter public combined sewer located in Green Lane (no specified pump rate noted on either drawings) and that surface water will discharge to the watercourse to the south west of the site, the Spital Beck. Conditions should be applied requiring separate systems of foul and surface water drainage, and no piped discharge of surface water shall be made until works to provide a satisfactory outfall have been carried out.

4.7 SBC Coastal and Drainage Engineers: No comments received.

4.8 Historic England: Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph number 189.

4.9 County Archaeologist: No objection to the proposal and no further comment to make.

4.10 SBC Conservation Officer:

- There is a legal duty to consider the impact of the development on the settings of heritage assets;
- Harm to the settings of designated heritage assets should only be permitted where it is justified by public benefit;
- Local planning policy DEC5 states that proposals which would remove, harm or undermine the significance of a non-designated heritage asset, or its contribution to the character of a place will only be permitted where the public benefits of the development would outweigh the harm;
- This development has the potential to impact the following designated assets: 1) Whitby Conservation Area; 2) Whitby Abbey (Grade 1 Listed and a Scheduled Monument); 3) The Abbey House (Grade 1 Listed) and Registered Park and Garden; 4) St Hilda's Hospital (Grade II Listed); 5) St Mary's Church (Grade I Listed); and, numbers 1-6 Raft Yard (Grade II Listed);
- In addition the following un-designated heritage assets may be impacted: 1) the C20 brick built Home Guard store located to the south of the site; 2) the stone wall at the entrance to the site;
- The layout impacts the view of the Abbey from the public footpath running to the south of the site;
- The chosen palette of materials is complex and chaotic and bears no resemblance to the character of the area;
- White cladding may be prominent in distance views;
- The Home Guard Building is an important local feature (a non-designated heritage asset and should be retained);
- The stone entrance wall is an important local feature (a non-designated heritage asset and should be retained);
- By virtue of the proposed layout and design/materials of the development, I raise concerns to the proposed development from a built heritage perspective.

4.11 Education Authority: No comments received.

4.12 Local NHS Clinical Commissioning Group: No comments received.

4.13 SBC Housing Services: Firstly we are pleased to see the applicant has complied with policy on numbers, tenure mix and housing type mix. The location and distribution of the affordable units is a bit skewed towards the north and western parts of the site, but is acceptable.

Secondly the applicants have met overall Nationally Described Space Standards (NDSS) for the 1 bed and 2 bed affordable units, which is very encouraging.

However, the 3 bed 5 person affordable house at 84sqm is set at NDSS requirement for a 3 bed 4 person house. We also note that 2 of the bedrooms within this house type are also below NDSS requirements for bedroom sizes.

As the Housing Authority, we would request that all affordable properties meet appropriate NDSS for both the house type and bedrooms

4.14 North Yorkshire Police Designing out Crime Officer:

- An analysis of crime in the area suggests that crime and anti-social behaviour could impact on the security of the scheme;
- Permeability of the layout is at an appropriate level;
- The open space is provided with good levels of natural surveillance;
- Surveillance of some of the parking spaces could be improved;
- There is clear demarcation of private space;
- It is recommended that rear boundaries that abut the access road to New Gardens are reinforced with defensive planting;
- The overall design of the scheme is considered to be acceptable.

4.15 SBC Tree Officer: No comments received.

4.16 SBC Ecologist: No comments received.

4.17 SBC Environmental Health: No comments received.

4.18 NYCC Rights of Way Team: There is a public right of way running to the south of the site and this should be kept free of obstruction.

4.19 North Yorkshire Moors National Park: No objection.

4.20 Publicity - consultation period expired 26 December 2019.

38 letters of objection to the proposals have been received in respect of the application as it was originally submitted. These are from local residents and make the following points:

- The development will lead to parking problems and associated highway safety risks, particularly during the summer months when parking in the locality is very problematic;
- The development will lead to increased traffic running along Green Lane, which will be a safety risk and will harm the amenity of existing residents;
- The proposed access arrangement is unsafe;
- The proposal does not provide adequate facilities for pedestrians, and footpath connections to local services are poor;
- The development will unacceptably harm the amenity of dwellings on Captain Cook Crescent in terms of overlooking, overshadowing and overbearing together with additional noise and disturbance;
- The houses will likely be bought as second homes or as holiday lets and will do nothing to address the issues with housing for young Whitby residents, this is becoming a big problem in the town;
- The development will harm the setting of the Abbey in distance views;
- The housing designs are unsightly;
- The development will have a negative impact on the saltwater marsh;
- The site is home to wildlife;
- New houses should not be built on open countryside land;
- Housing development here will result in conflict with allotment users;

- Local services including schools, GPs, dentists and community leisure facilities cannot cope with further houses;
- There aren't enough local jobs for new residents.

Second round of consultation - amended scheme

4.22 Whitby Town Council: Recommends refusal due to concerns over highways and access, community safety and impact on the character of the local area.

4.23 Highway Authority: No comments received.

4.24 Lead Local Flood Authority: No comments received.

4.25 Yorkshire Water: No further comments to make.

4.26 SBC Coastal and Drainage Engineers: No comments received.

4.27 Historic England: We do not wish to offer any comments.

4.28 County Archaeologist: I have no additional observations to make.

4.29 SBC Conservation Officer: Whilst I do still raise some concerns to the layout of the housing development proposal and the boundary treatment adjacent to the Public Right of Way, the applicant has provided suitable responses to my concerns relating to design/materials of dwellinghouses and the potential loss of Non-Designated Heritage Assets, and therefore on-balance I raise no objections from a built heritage perspective, subject to the suggested conditions and boundary wall material amendment.

4.30 Education Authority: No education contribution is required.

4.31 Local NHS Clinical Commissioning Group: No comments received.

4.32 SBC Housing Services: I note that all the proposed affordable units are now compliant with National Described Space Standards (NDSS) as per our requirement. With regards to tenure mix, house type and distribution of the affordable housing units, these all meet the requirements of the housing authority.

4.33 North Yorkshire Police Designing out Crime Officer: No further comments to make.

4.34 SBC Tree Officer: No comments received.

4.35 SBC Ecologist: No comments received.

4.36 SBC Environmental Health: Awaited.

4.37 NYCC Rights of Way Team: No comments received.

4.38 Publicity - consultation period expired 09 April 2020.

4.39 14 letters of objection to the proposals have been received in respect of the amended application. These are from local residents and repeat the points made in the

previous round of consultation (set out at paragraph 4.20). Additionally, the point is made that in the view of the objectors the reduction in the number of units proposed and changes to the design do nothing to overcome the concerns as previously expressed.

5.0 RELEVANT SITE HISTORY

5.1 There are no entries in the planning history relevant to the determination of this application.

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise (in the case of advertisement applications the Advertisement Regulations 2007 are applicable). Attention is drawn to the following Development Plan and other planning policies and guidance which are considered to be particularly relevant to the consideration of this application:-

Scarborough Borough Local Plan 2017

ENV 3 - Environmental Risk

ENV 5 - The Natural Environment

ENV 7 - Landscape Protection and Sensitivity

INF 1 - Transport

SD 1 - Presumption in Favour of Sustainable Development

DEC 1 - Principles of Good Design

DEC 3 - The Efficient Use of Land and Buildings

DEC 4 - Protection of Amenity

DEC 5 - The Historic and Built Environment

DEC 2 - Electric Vehicle Charging Points

DEC 6 - Archaeology

HC 1 - Supporting Housing Development

HC 2 - New Housing Delivery

HC 3 - Affordable Housing

HC 10 - Health Care and Education Facilities

HC 14 - Open Space and Sports Facilities

National Planning Policy Framework

NPPF2 - Achieving Sustainable Development

NPPF4 - Decision-making

NPPF5 - Delivering a sufficient supply of homes

NPPF6 - Building a strong, competitive economy

NPPF8 - Promoting healthy communities

NPPF9 - Promoting sustainable transport

NPPF11 - Making effective use of land

NPPF12 - Achieving well-designed places

NPPF14 - Meeting the challenge of climate change, flooding and coastal change

NPPF15 - Conserving and enhancing the natural environment

NPPF16 - Conserving and enhancing the historic environment

Scarborough Borough Supplementary Planning Documents

Affordable Housing
Education Payments
Green Space (Adopted November 2014)

Local Planning Policy and Guidance

None relevant

7.0 ASSESSMENT

7.1 Taking into account the relevant planning policy, representations, consultation responses and all other material planning considerations, your Officers consider the key issues in the determination of this application to be:

- A) Principle of developing the site for housing
- B) Landscape, impact on the setting of designated heritage assets on the headland
- C) Development layout, design and impact on localised non-designated heritage assets
- D) Residential amenity
- E) Highways considerations
- F) Drainage
- G) Affordable housing
- H) Public open space
- I) Education
- J) Ecology and protected species.

- A) Principle of developing the site for housing

7.2 This site is allocated for housing in the adopted Scarborough Borough Local Plan and the applicant states that it is deliverable and can contribute to the '5 year housing land supply' period. Further, local and national planning policy sets out a 'presumption in favour of sustainable development'. With this in mind, residential development on this site is considered to be acceptable in principle subject to the favourable consideration of the other material planning considerations.

7.3 On the point of the '5 year supply issue', this is relatively complicated but in brief terms (in accordance with national planning policy) the Council is required to be able to demonstrate that it has sufficient deliverable land to accommodate the new housing demand (plus a contingency) for the Borough over the next five years. Allocation HA19 makes a contribution to the 5 year housing land supply as identified in the trajectory shown in the Authority Monitoring Report 2019 (AMR), with full delivery of the site estimated as being in years 3, 4 and 5. The site can therefore be considered to play an important role in ensuring that the Council can demonstrate that it can meet its obligations on the delivery of housing land. Notwithstanding this, it should be noted the AMR identifies a surplus of approximately 650 dwellings over and above the 5 year requirement figure inclusive of the added 5% buffer

7.4 Officers note the concerns of the objectors with respect to the cumulative impact of the development with the development of the other Local Plan housing allocations in Whitby. Importantly, the consideration of the cumulative impact of development is an important part of the Local Plan process and in finding the Plan sound the examining Inspector found the overall impact of housing allocations in the town to be acceptable in the round.

B) Landscape, impact on the setting of designated heritage assets on the headland

7.5 Landscape impact is a key concern for those who have objected to the proposals. Full consideration of the landscape impact of allocation HA19 is presented in the discussion within the Local Plan and the allied documents. Ultimately, visual impact is a key consideration in the process of allocating sites, and this site has been judged to have been acceptable in that regard by the examining Inspector. However, the Council is required to consider specific proposals on their own merits, so it appropriate to give landscape impact consideration here.

7.6 There is no doubt that the development will have a transformative impact on the immediate locality in a visual sense; land that was once open farmland will be occupied by dwellings, and glimpsed views of the Abbey from the footpath running to the south of the site will be restricted to some extent.

7.7 Whilst this is the case, in middle distance and long range views (including those which contribute to the primary setting of the Abbey and other designated heritage assets) the development will be seen within the existing context of the built part of Whitby; there is existing development immediately west of the application site. In the view of Officers, except views from the public right of way running to the south of the site, the development will be seen from all main vantage points in the context of existing development and will not read as being unduly conspicuous. As such, your Officers would suggest that the proposal will not have a detrimental impact on the landscape setting or character of the heritage assets on the headland including the Abbey, Church and Conservation Area. Owing to the limited views of the site from the National Park, Officers do not consider that the development will have any material impact on it. Importantly, the National Park Authority has not objected to the proposals.

7.8 Whilst the design of the buildings themselves is discussed in detail in the following section, given the site's topography, it is important to note that the new roofscape will become a significant feature in the landscape in its own right and it is critical that this element is sympathetic. With this in mind, Officers consider the proposed mix of natural red clay pantiles and grey concrete tiles to be appropriate. These are the traditional/ most commonly used roofing materials for the locality and will help the development assimilate into its surroundings and meet the requirements of policy DEC1, which expects new development to be constructed from sympathetic materials.

7.9 To summarise on the point of landscape impact, the development will have a transformative impact on the immediate locality, but in long and middle distance views the site will be seen within the context of the existing built form of Whitby. With these factors in mind, Officers do not consider that the landscape impact associated with the development will be unacceptable or that the setting of the designated heritage assets will be harmed. Importantly, Heritage England, whose concern is whether or not the development will have an impact on the settings of the heritage assets on the headland, has not objected to the proposals.

C) Development layout, design and impact on localised non-designated heritage assets.

7.10 Policy DEC1 of the Local Plan requires that design is of a high standard, and policy DEC5 requires that development preserves or enhances the character of heritage assets. Section 12 of the National Planning Policy Framework states that good design is a key aspect of sustainable development.

7.11 Starting with the proposed layout, it is noted that a number of concerns have been raised in the representations. However, the following design constraints need to be held in mind when appraising the planned arrangement:

- a) The need for drainage infrastructure on the lowest part of the site;
- b) The requirement for a public open space of 0.09 hectares in size as per the Council's Green Space SPD.
- c) Highways and drainage adoption standards, which necessarily tend to limit the radii of street corners.

7.12 In accordance with good urban design principles, your Officers also required that the majority of dwellings within the development address the new streets with their principal elevations (i.e. there should be no 'dead frontages' inside the site defined by the fences at the rear of properties), that the public open space should be supervised by a number of dwellings and there should be an attractive, open entrance to the site from Green Lane.

7.13 Taking all of these factors into account, Officers consider the basic concept of the proposed layout to be acceptable; a perimeter block arrangement at the site's southern end and small cul-de-sacs around a main 'spine road', together with an open space at the site entrance has the potential to make for an attractive environment which is respectful of the pattern of the locality.

7.14 Turning to the designs of the buildings themselves, Members will note that there are proposed to be 11 different house types plus apartments. These are to be arranged as detached units, semi-detached, in terraces and small-scale apartment blocks. In terms of their scale, 4 units will be single storey and the remaining 58 will be two storey (the flats will be contained in 2 storey 'blocks' with the appearance of two storey houses). The two storey dwellings measure (from ground to ridge) between approximately 8.3 metres to 8.8 metres and the single storey dwellings approximately 6 metres. The external materials of construction are proposed to be predominantly red and buff bricks under red clay pantiles and grey concrete tiles.

7.15 The designs of the proposed house types feature straightforward and generally balanced elevations and proportions, reasonably consistent roof pitches and windows which are generally of reduced scale on the upper storey. The scale of the dwellings is not dissimilar to the various C20 and C21 residential developments in Whitby, and the heights of the two storey units are broadly similar to those on the adjacent Captain Cook Crescent. In short, Officers consider that the house type designs are appropriate in this setting of varied architectural styles.

7.16 In conclusion on the point of design, if the elevation details of each house type are held in mind whilst considering the layout and new site levels profile, it is possible to envisage the character of the new environment. The street scene elevations provided by the

applicant also help provide a picture of the finished development. Given the layout, levels and house types, if an observer was to move around the new development or see it from public views they would see logically arranged dwellings of consistent character; Officers consider that the development would be an attractive and well-designed environment which will preserve the setting and character of nearby heritage assets, including the Abbey, numerous other Listed Buildings and the Conservation Area.

7.17 Turning to the two non-designated heritage assets which your Conservation Officer has advised as being significant - the former Home Guard building and the stone wall adjacent to the proposed site access - in accordance with policy DEC5 of the Local Plan the applicant has now incorporated these into the proposed scheme to secure their retention; the stone wall is to be relocated to the north of the access (outside of the visibility splay for safety), and the Home Guard building is to be incorporated into a domestic garden (plot 26). Officers consider that the retention of these features will benefit the character of the area, and it is recommended that conditions are applied to secure permanent retention of the features and to ensure the relocation of the wall and renovation of the Home Guard building are appropriate.

D) Residential amenity

7.18 It is noted that a number of the public representations raise concerns on points relating to residential amenity.

7.19 Policy DEC4 of the Local Plan requires that new development affords a good level of amenity to new residents, and it precludes development that would unacceptably harm the amenity of neighbouring property.

7.20 Officers have considered the neighbourliness issues on a plot-by-plot basis. New properties benefit from a good level of private amenity space (an area of at least 40 square metres per dwelling) and there is no unacceptable mutual overbearing, overshadowing or overlooking between the dwellings on the layout. The majority of the dwellings have gardens of at least 10 metres in length.

7.21 With respect to the impact on existing properties, the overwhelming number of dwellings on the new development will be at least 21 metres (measured back-to-back) from existing dwellings in Captain Cook Crescent. Given this level of separation, Officers do not consider that there will be undue mutual overbearing or overshadowing impacts between new and existing properties. Whilst this is the case, it is noted that residents are concerned about potential overlooking. Taking into account the general back-to-back distances views will be relatively distant and with this in mind, whilst there will be some adverse impact on privacy, Officers do not consider that amenity will be impacted to an unacceptable degree (such that it would be appropriate to withhold consent on these grounds).

7.22 There are however two notable exceptions to this separation distance generality: the relationship between plot 1 on the proposed layout and bungalow at the northern end of Captain Cook Crescent; and, the relationship between plot 12 and both 1 and 3 Captain Cook Crescent.

7.23 In terms of these issues, plot 1 will be sited in excess of 11 metres from the nearest point on the bungalow and plot 12 will be sited in excess of 11 metres from the nearest point on either 1 or 3 Captain Cook Crescent. Given the separation distances involved and the

relatively modest heights of the new dwellings (at approximately 8.5 metres), Officers do not consider that there will be unacceptable overbearing impacts on existing dwellings in these cases. Further, whilst there will be a degree of light lost to the existing bungalow and 1 and 3 Captain Cook Crescent at certain times of day, Officers do not consider that ambient light levels in or around these existing dwellings will be reduced to an extent such that the refusal of planning permission would be warranted.

7.24 This notwithstanding, owing to the topography of the site, Officers would consider it appropriate to require the submission of detailed levels drawings by condition in order to ensure the relative levels of plots 1 and 12 versus existing dwellings are properly managed in the interests of ensuring due protection of the amenity of neighbouring dwellings. Further, although the western elevations of the dwellings on plots 1 and 12 are proposed to be blank, in order to prevent potential overlooking in the future Officers recommend a restrictive condition is applied preventing first floor west facing windows in plots 1 and 12.

7.25 Another amenity based concern for the objectors to the scheme relates to the use of the finished development. Use of the development will inevitably generate a degree of noise and disturbance. However, residential developments are inherently compatible with existing housing in planning terms, and there are no particular factors in this case which would suggest that the use of the development would result in unacceptable levels of noise and disturbance on existing properties.

E) Highways considerations

7.26 Matters relating to highways are primary issues of concern for those who have objected to the proposals.

7.27 With respect to vehicular access to the site, this is proposed to be taken via new access off Green Lane.

7.28 In terms of parking levels, with the exception of the 1-bed flats which would be provided with 1 car parking space each (plus access to visitor 0.6 spaces per flat), each dwelling on the development will have at least 2 designated off-street car parking spaces.

7.29 The Local Highway Authority is a statutory consultee in the planning process, and the Council is reliant on its technical expertise when assessing proposals from transport and highways perspectives. Whilst the Highway Authority has not provided formal comment on the amended scheme, from a highways perspective the original and amended are the same in terms of parking levels and access arrangements, so Officers consider the first set of comments to be valid.

7.30 The Highway Authority has assessed the proposals from the point of view of safety and sustainability and has not raised any objections, subject to conditions requiring:

- Precise details of the proposed roadways and footpaths;
- The provision and permanent retention of the required visibility splays;
- The permanent retention of parking and manoeuvring spaces;
- A construction phase management plan for managing construction phase vehicle movements;
- The provision of a scheme of temporary double yellow lines on Green Lane.

7.31 On a related matter, every dwelling on the site will benefit from rear access to its amenity space. This allows bins to be stored conveniently off-street, and it also allows access to the rear of properties with bicycles (i.e. residents do not have to wheel cycles through houses to access rear storage space). This is believed to encourage a greater level of cycle use.

7.32 Members will note that the Highway Authority has asked for a Construction Management Plan to be required by condition, and that this should control construction related activities including the parking of vehicles of site operatives and visitors, the loading and unloading of materials, plant storage, the provision of wheel washing facilities together with HGV routing.

7.33 As Officers consistently advise, the latest Government Planning Practice Guidance is very clear in that planning conditions should not normally duplicate existing legislation, and conditions should not be applied where there 'are alternative means of managing certain matters'.

7.34 However, the proposed development site and access are located in an area with specific identified transient problems (obstruction of the highway caused by inappropriately parked vehicles), Green Lane is a steep hill where construction debris dragged onto the highway could be a hazard and the road serving the site also serves one of the Borough's most popular tourist attractions.

7.35 With this in mind, whilst the permanent use of site is confirmed by the Highway Authority to be safe, your Officers would suggest that there are site-specific circumstances which justify the imposition of a planning condition to control/ make provision for the matters set out by the Highway Authority during the construction phase.

F) Drainage

7.36 Policy ENV3 of the Local Plan states that development will only be permitted where adequate provision for foul and surface water disposal exists or can be provided. Section 14 of the NPPF requires Local Planning Authorities to ensure flood risk is not increased elsewhere as a result of new development.

7.37 The County Council as the Lead Local Flood Authority is the statutory consultee on matters related to surface water drainage and Yorkshire Water is the Statutory Undertaker (it will adopt appropriately designed sewerage and surface water infrastructure).

7.38 It is proposed that surface water run-off from the development be collected in underground attenuation/ storage tanks sited under roads before being discharged into to the watercourse running along California Road at an attenuated rate via a new sewer (proposed to be adopted by Yorkshire Water).

7.39 Whilst the Lead Local Flood Authority has not responded to either round of consultation, Yorkshire Water has not objected to the principle of what is being proposed in terms of surface water management. Crucially, it is Yorkshire Water who would be the adopting agency for the new infrastructure (the sewer to watercourse, any pumping facility and the attenuation tanks), so with this in mind Officers are persuaded that the surface water drainage strategy is a feasible proposition. Officers would suggest that a condition is applied requiring submission of a detailed drainage design for approval.

G) Affordable housing

7.40 Policy HC3 of the Local Plan requires that 30% of the dwellings on the proposed development are affordable units. The policy is consistent with the requirements of the NPPF.

7.41 In this case, the proposal is for 19 units (31% of the total) to be affordable houses, of which 13 would be for rent and the remaining 6 would be in the intermediate category (discount-for-sale). In terms of tenure, plots 3 & 4, 10 & 11, 52-55 (2-bed semis) and 5-9 (1 bed apartments) are proposed to be for affordable rent and plots 50 & 51 (2-bed semis) and 16-19 (3-bed semis) are proposed to be discount-for-sale.

7.42 Discount-for-sale housing may not be a product Members have encountered previously. In brief terms, it is a type of 'intermediate' affordable housing product where dwellings are sold to people on the Council's housing waiting list at a discount from the market value (45% discount in Whitby). The purchaser does not pay rent on the remaining 55% and owns the property freehold. When it comes to selling the property, the owner must sell to another person on the waiting list at the same rate of discount from the market value. The NPPF sanctions the use of this type of affordable housing product.

7.43 The Council's Housing Officer has confirmed that this is an appropriate mix for this site and that the distribution of affordable houses across the site is acceptable. In accordance with the Council's affordable housing policies, the submitted layout plans show the affordable units 'pepper potted' across the development rather than being concentrated in one area. Further, all of the affordable units now meet the Nationally Described Space Standards.

H) Public open space

7.44 Policy HC14 of the Local Plan requires that development proposals make provision for open space, and the Council's Green Space Supplementary Planning Document (2014) and the associated Scarborough Borough Playing Pitch Strategy (2013) provide further detail on what is expected. In accordance with Section 8 (promoting healthy and safe communities) of the NPPF, these documents provide an evidence based assessment of what open space, sport and recreation (including play) provision is required in any given locality.

7.45 In accordance with the Council's adopted policy as set out in the Green Space SPD (to be read alongside the associated Playing Pitch Strategy), this proposal gives rise to a requirement for:

- An area of on-site amenity open space of 0.09 hectares;
- £26,274.43 towards the improvement of the Borough's parks and gardens (to be ring-fenced for spending on facilities in the locality);
- £53,070.40 towards the improvement of children's play infrastructure (to be ring-fenced for spending on facilities in the near vicinity);
- A plan for the maintenance of the open space.

7.46 Sufficient on-site open space is provided for in the scheme's layout within the formal open space towards the south of the development. The open space adjacent to the site entrance and adjoining the water pumping station provide a significant amount of additional open space within the development (approximately 0.4 hectares more open space is provided than is required by the Green Space SPD). The Council's and the applicant's respective solicitors are in the process of working up a legal undertaking obliging the provision of the parks and gardens and play contributions. Officers would suggest that a condition is applied requiring a maintenance plan for the on-site open spaces.

7.47 In light of these observations, Officers consider the proposal to be compliant with the Council's open space policies.

I) Education provision

7.48 Education capacity is a concern for some of those who have objected to the application. Fundamentally, the Education Authority has not objected to the scheme and confirmed to Officers that there is a surplus of primary school places within the catchment. In accordance with the Council's Education Payments Supplementary Planning Document, developments of this scale do not attract a levy for secondary school places. In any case, it is understood by Officers that there is also a surplus of secondary school places in the locality.

J) Ecology and protected species

7.49 Numerous public representations raise concerns with respect to wildlife and ecology.

7.50 In general terms, policy ENV5 of the Local Plan requires that new development conserves and enhances the natural environment.

7.51 Officers have considered the site's features and the submitted ecological work against the Natural England Standing Advice. On the basis of the evidence in hand, Officers consider that the development could be implemented without the applicant first having to apply to Natural England for a European Protected Species License.

K) Additional considerations

7.52 The applicant has submitted archaeological investigation reports. These suggest that the site is not of archaeological significance. The County Archaeologist has assessed the submitted work and has not objected to the proposal.

7.53 Members will note from their consultation response that the Local Highway Authority has requested that an unusual condition be applied which requires the applicant to undergo a 'legal process' for undefined 'temporary waiting restrictions' to be implemented at an unidentified location once the development is in use, without any explanation as to why.

7.54 Your Officers would advise that this would not be a lawful planning condition and should not be applied. It is not precise in terms of what it seeks and why it seeks it, and it does seem to require the development to be contingent on successful completion of a process under which neither the Local Planning Authority nor applicant has any control. It

also seems to require the transfer of an undisclosed amount of money to a third party outside of the formalities of the Section 106 process, which is unlawful. Planning conditions must be necessary, relevant to planning, relevant to the development in hand, precise, reasonable in all respects and enforceable. The proposed condition does not meet these tests.

7.55 Officers note the concerns of those who have objected to the proposals on grounds of primary health care capacity. In numerous cases across the Borough where the local NHS Clinical Commissioning Group has requested funds to help offset the costs of providing primary care infrastructure to meet the demand from new development, and where these requests have been demonstrated to be in accordance with policy HC10 of the Local Plan, these funds have been secured by Section 106 agreement. In this case no such request for funds has been made by the local NHS Clinical Commissioning Group.

7.56 Several objectors have raised concerns over the proposed surface water outfall into Spital Beck, and the potential for polluting discharges. Releasing pollution into the beck would be an offence, and the Environment Agency and/ or the Police would be the relevant enforcement authorities. In broad terms, the planning system should not seek to duplicate existing regulatory regimes, and this issue is controlled by existing legislation. This notwithstanding, the applicant's ecologist has requested that measures to protect the Spital Beck are required as part of the construction phase management plan to afford the watercourse protection during the construction phase, where risk is elevated. Your Officers would consider that this is reasonable and appropriate, and requirements have been written into the suggested construction phase management plan condition.

7.57 Members will note that the Conservation Officer has expressed a preference for the boundary treatment on the site's southern boundary to be a stone wall as opposed to a brick wall, on grounds of improving the setting of the footpath. Whilst there is no doubt that a stone wall would be attractive, in the view of Officers a wall constructed from an appropriate brick would also be an attractive feature. Noting that the site itself is not in a Conservation Area and a low wall is unlikely to have any impact on designated Heritage Assets (whatever its material) Officers consider that requiring a (likely costly) stone wall by condition would fail the 'reasonableness test' required by the NPPF.

7.58 In terms of the completing the Section 106 Agreement, the applicant has agreed an extension of time to allow this work to take place.

8.0 PRE-COMMENCEMENT CONDITIONS

8.1 Officers recommend that it is necessary for condition 11 (construction method statement) to be a 'pre-commencement' condition. The rationale for the imposition of this condition is discussed at paragraphs 7.32 to 7.35. Officers consider that it is critical that this condition is discharged prior to the commencement of development thus ensuring that measures are in place to protect the safety and convenience of users of the public highway and to mitigate the risk of localised pollution when work begins on site; commencing work without appropriate measures in place would pose unacceptable risk to highway users and the local environment.

POSITIVE AND PROACTIVE STATEMENT

The Council acted positively and proactively by facilitating an extension of time to allow for amendments to be submitted, and for the necessary re-consultation exercise to take place.

RECOMMENDATION

That PERMISSION BE GRANTED, subject to the following:

- a) the conditions set out below;
- b) the completion of a Section 106 Agreement to secure:

- 19 of the 62 dwellings as affordable homes (31% of the total). Of the 19, 13 to be rented and the remainder to be 'intermediate housing' (offered as discount-for-sale homes);
- £26,274.43 towards the improvement of the Borough's parks and gardens (to be ring-fenced for spending on facilities local to the application site);
- £53,070.40 towards the improvement of children's play infrastructure (to be ring-fenced for spending on facilities in the near vicinity);

OR, if b) is not met, grant Officers delegated authority to refuse the application on the grounds that no legal agreement is in place and thus the proposal fails to deliver affordable housing and open space provision in accordance with the Local Plan and relevant Supplementary Planning Documents.

- 1 Except where may be modified by the conditions of this consent, the development shall be carried out in accordance with the following plans and drawings:

WGLW-PHS-XX-XX-DR-A-90-001, Proposed Site Plan, rev P15 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-002, Proposed Street Scenes 1&2, rev PO4 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-003, Proposed Site Sections, rev P3 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-005, Hard Standing Materials Plan, rev P04 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-011, Boundary Treatment Plan, rev P03 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-012, Materials and character Plan, rev P03 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2030, Dwelling Type C (2B 4P) - Plans, rev P05 - 17 March 2020
WGLW-PHS-XX-XX-DR-A-2060, Dwelling Type H (3B5P) - Plans, rev P05 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2070, Dwelling Type J (3B5P) - Plans, rev P04 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2090, Dwelling Type O (3B6P) - Plans, rev P05 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2010, Dwelling Type K (3B 5P) - Plans, rev P06 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2110, Dwelling Type S (4B7P) - Plans, rev P05 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2120, Dwelling Type N (3B 6P) - Plans, rev P04 - 6 March 2020
WGLW-PHS-02-XX-DR-A-2200, Block Type 2 - Floor Plans, rev P04 - 6 March 2020
WGLW-PHS-02-XX-DR-A-2203, Block Type 2 - Floor Plans - M, rev P01 - 6 March 2020
WGLW-PHS-05-XX-DR-A-2500, Block Type 5 - Floor Plans, rev P03 - 6 March 2020
WGLW-PHS-07-XX-DR-A-2700, Block Type 7 - Floor Plans, rev P03 - 6 March 2020
WGLW-PHS-07-XX-DR-A-3100, Block Type 11 - Floor Plans, rev P01 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2032, Type C - Elevations, rev P04 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2033, Type C - Elevations, rev P04 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2034, Type C - Elevations, rev P05 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2062, Type H - Elevations, rev P03 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2063, Type H - Elevations, rev P03 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2065, Type H - Elevations, rev P01 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2072, Type J - Elevations, rev P03 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2073, Type J - Elevations, rev P03 - 6 March 2020)

WGLW-PHS-XX-XX-DR-A-2012, Type K - Elevations, rev P04 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2013, Type K - Elevations, rev P03 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2014, Type K - Elevations, rev P03 - 6 March 2020)
WGLW-PHS-XX-XX-DR-A-2093, Type O - Elevations, rev P04 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2112, Type S - Elevations, rev P04 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2122, Type N - Elevations, rev P04 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-2123, Type N - Elevations, rev P04 - 6 March 2020
WGLW-PHS-02-XX-DR-A-2202, Block Type 2 Elevations, rev P04- 6 March 2020
WGLW-PHS-02-XX-DR-A-2204, Block Type 2 Elevations - M, rev P01- 6 March 2020)
WGLW-PHS-05-XX-DR-A-2501, Block Type 5 Elevations, rev P03 - 6 March 2020
WGLW-PHS-05-XX-DR-A-2502, Block Type 5 Elevations, rev P01 - 6 March 2020
WGLW-PHS-07-XX-DR-A-2701, Block Type 7 Elevations, rev P03 - 6 March 2020
WGLW-PHS-07-XX-DR-A-3101, Block Type 11 Elevations, rev P01 - 6 March 2020
WGLW-PHS-XX-XX-DR-A-3000, Detached Garage & Bin Store, rev P02 - 6 March 2020
R-2279-1C, Landscape Masterplan, rev C - 6 March 2020.

Reason: To avoid doubt.

- 2 Notwithstanding the submitted details, development shall not continue beyond preliminary groundworks until a precise schedule of all external materials of construction of buildings and hard-surfaced areas (including brand names, model references and colour specifications) has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved schedule.

Reason: To ensure the development is a visually attractive place and to ensure the wider landscape is preserved in accordance with policy DEC1 of the Local Plan.

- 3 Development shall not continue above foundation level until a phasing plan for the provision of the areas of the public open space has been submitted to and approved in writing by the Local Planning Authority. The landscaping of the site and provision of the public open space shall be in accordance with the approved phasing plan.

Reason: To ensure residents of the new development are afforded open space in the interests of providing adequate amenity for new residents in accordance with policies DEC4 and HC14 of the Local Plan.

- 4 Development shall not continue above foundation level until a plan for the maintenance of the areas of open space on the development site (including all equipment, means of enclosure, grassed areas, trees and hard surfaced areas but excluding all on-plot landscaping and areas adopted by the Highway Authority or Yorkshire Water) has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- proposals for the maintenance of the public open space;
- provision for litter picking;
- a starting point for the maintenance regime.

The approved plan shall be implemented (i.e. the maintenance regime shall begin) in accordance with the submitted plan and shall continue in perpetuity.

Reason: To ensure proper maintenance of public spaces to ensure sufficient public amenity in accordance with policies DEC4 and HC14 of the Local Plan.

- 5 Prior to the occupation of the respective dwelling, each of the dwellings which have a curtilage abutting the site's southern and eastern boundaries shall be fitted with a proprietary bat box and this shall be fitted at eaves level on the elevation facing the open countryside.

Reason: To ensure opportunities for biodiversity enhancement are maximised in accordance with policy ENV5 of the Local Plan.

- 6 As constructed, there shall be a space made in the bottom of the boundary treatment for each plot at ground level of at least 10cm by 10cm.

Reason: To ensure the development is permeable for hedgehogs, in order to maximise opportunities for biodiversity. In accordance with policy ENV5 of the Local Plan.

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

Reason: In the interests of providing satisfactory and sustainable drainage in accordance with policy ENV3 of the Local Plan.

- 8 Development shall not continue beyond preliminary ground groundworks, which means before any foundations are laid or any drainage infrastructure is set in place,, until a detailed surface water drainage scheme for the site restricting the rate of development flow runoff from the site and identifying the outfall has been submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to the greenfield run-off rate for up to the 1 in 100 year flood event. Water storage shall be provided to accommodate the minimum 1 in 100 year plus a 40% allowance shall be included for climate change effects and a further 10% for urban creep for the lifetime of the development. The scheme shall include a detailed maintenance and management regime for the surface water drainage system and a phasing plan for its implementation. The scheme shall be implemented in accordance with the approved phasing plan and the approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To mitigate additional flood impact from the development proposals and ensure that flood risk is not increased elsewhere in accordance with policy ENV3 of the Local Plan, and taking on board the comments of Yorkshire Water.

- 9 Development shall not continue beyond preliminary groundworks until the following drawings and details have been submitted to and approved in writing by the Local Planning Authority:

a) Detailed engineering drawings to a scale of not less than 1:500 and based on an accurate survey showing:

- The proposed highway layout including the highway boundary
- Dimensions of any carriageway, cycleway, footway, and verges
- Visibility splays

- Accesses and driveways
- The highway drainage system and its relationship with the site-wide drainage system
- Any lining and signing
- Any traffic calming measures
- All types of surfacing (including any tactile surfacing), kerbing and edging.

b) Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:

- The existing ground level
- The proposed road channel and centre line level
- The highway drainage system proposals and its relationship with the site-wide drainage system.

c) Full highway construction details including:

- Typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
- Cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
- Kerb and edging construction details
- Typical drainage construction details
- The highway drainage system.

e) Details of all proposed street lighting.

f) Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.

g) Full working drawings for any structures which affect or form part of the highway network.

h) A programme for completing the works.

The development shall only be carried out in accordance with the approved drawings and details.

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users.

- 10 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 blocked paved and kerbed and connect to the existing highway network with street lighting installed and in operation.

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

- 11 No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved

Statement shall be adhered to throughout the construction period. The statement shall provide for the following:

- a. the parking of vehicles of site operatives and visitors
- b. loading and unloading of plant and materials
- c. storage of plant and materials used in constructing the development
- d. wheel washing facilities
- e. HGV routing to minimise large vehicles travelling in opposite directions along Green Lane and Hawsker Lane
- f. Measures to protect the Spital Beck from construction related pollution during the construction phase.

Reason: At the request of the Highway Authority in the interests of highway safety during the construction phase. At the request of the applicant's ecologist in order to protect the Spital Beck from localised pollution during the construction phase in accordance with policy ENV5 of the Local Plan.

- 12 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 29 metres measured along both channel lines of the major road Green Lane from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of road safety and to ensure the development access is properly designed in accordance with policy DEC1 of the Local Plan.

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

Reason: To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development in accordance with policy DEC1 of the Local Plan.

- 14 Prior to development continuing beyond initial groundworks, section drawings which precisely show the proposed ground levels, finished floor levels and finished eaves and ridge heights of the proposed dwellings on the site's western boundary shall be submitted to and approved in writing by the Local Planning Authority. These levels shall be shown in relation to a fixed and known datum point, existing land levels and the eaves and ridge heights of the dwellings immediately to the west of the application site on Captain Cook Crescent and the existing bungalow to the north-west corner of the application site. The development shall be implemented in accordance with the approved details.

Reason: To ensure the amenity of neighbouring property is protected in accordance with policy DEC4 of the Local Plan.

- 15 There shall be no first floor windows in the west facing elevations of plots 1 and 12. Notwithstanding the provisions of any Act, Order or Amendment which may afford Permitted Development Rights for development to allow first floor windows to be installed in west facing elevations of the dwellings on plots 1 and 12, no such development shall take place.

Reason: To ensure reasonable levels of privacy are maintained for existing residents in accordance with policy DEC4 of the Local Plan.

- 16 Notwithstanding the submitted details, details of a scheme for the rebuilding of the stone entrance wall in the location shown on the approved boundary plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation on the site. The submitted details shall include elevations of the re-built wall at a scale of not less than 1:20 and shall specify the retention and re-use of the existing stonework including the stone pier cap, coping and the Ordnance Survey Bench Mark. The scheme for the rebuilding of the stone entrance wall shall be completed in accordance with the approved details prior to the final occupation on the site.

Reason: To preserve so far as is possible a feature of local interest in accordance with policies DEC1 and DEC5 of the Local Plan.

- 17 Prior to the construction of the development plinth on plot 26, details of a scheme for the renovation of the Home Guard store shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- Proposals for making good the fabric
- Proposals for any new door apertures and closing of any existing door apertures, setting out what materials will be used
- Joinery details of any new joinery, which shall be timber
- Proposals for a plaque to be sited on the building briefly detailing its history.

No new window apertures shall be proposed as part of the renovation scheme.

The scheme shall be implemented in accordance with the approved details prior to the first occupation of plot 26. Once modified in accordance with this condition, notwithstanding the provisions of any Act, Order or Amendment which may afford Permitted Development Rights for development to allow any modification to the Home Guard Building, no such development shall take place.

Reason: To preserve so far as is possible a feature of local interest in accordance with policies DEC1 and DEC5 of the Local Plan.

- 18 Each new dwelling house shall be provided with an external socket prior to the first occupation of the dwellinghouse. The socket shall be of at least single phase specification and shall be sited on the ground floor of the dwelling on the elevation closest to the parking spaces designated for use by that dwellinghouse.

Reason: To provide facilities for electric vehicle charging in accordance with policy DEC2 of the Local Plan.

David Walker

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 MR DANIEL METCALFE ON 01723 383538 email daniel.metcalfe@scarborough.gov.uk



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