

**Town and Country Planning Act 1990  
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for  
Permission to Carry out Development**

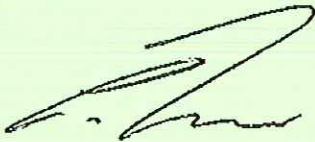
To: EE Ltd  
c/o WHP Projects  
fao: Mr Thomas Gallivan  
26 Buckingham Terrace  
Edinburgh  
EH4 3AE

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The above named Authority being the Planning Authority for the purposes of your application validated 02 June 2017, in respect of proposed development for the purposes of **erection of 15 metre mast with antennas together with siting of ground based cabinet at Everley Wood Corner, Mowthorp Road, Scarborough**, has considered your said application and has **granted** permission for the proposed development subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3. The external walls of the development hereby permitted shall be constructed in natural stone, which shall be coursed and jointed in the local tradition.
4. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
  - a. The crossing of the highway verge shall be constructed in accordance with the approved details and/or Standard Detail number E9A.
  - b. Provision to prevent surface water from the site discharging onto the existing or proposed highway shall be constructed and maintained thereafter to prevent such discharges
  - c. The final surfacing of any private access within 6 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Continued/Conditions



Mr C M France  
Director of Planning

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Date 27 JUL 2017

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Continuation of Decision No. NYM/2017/0404/FL

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Conditions (Continued)

5. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.
6. If the use of the mast and associated equipment hereby approved permanently ceases or has ceased for a period of 90 days, it shall be removed from the land within 180 days of that cessation and the land shall, as far as practical, be restored to its condition before development took place.

Informatives

1. You are advised that there are Medieval Cultivation Terraces in the field where access to the application site is proposed and the use of heavy vehicles when the ground is wet should be avoided.
2. 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.

Reasons for Conditions

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
4. In accordance with NYM Development Policy 23 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
5. In accordance with NYM Development Policy 23 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

Continued/Reasons for Conditions



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Reasons for Conditions (Continued)

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6. In order to return the land to its former condition and comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the landscape of the National Park.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent**

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



Mr C M France  
Director of Planning

Date **27 JUL 2017**

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