

**NORTH YORKSHIRE COUNTY COUNCIL
BUSINESS and ENVIRONMENTAL SERVICES**



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM20/0814/FL**

Proposed Development: variation of condition 3 of planning approval NYM/2020/0415/FL to allow the annexe accommodation to be let out as holiday accommodation

Location: 12 Dale View, Stainsacre

Applicant: Mr Simon Armistead

CH Ref: **Case Officer:** Ged Lyth

Area Ref: 4/33/260A **Tel:**

County Road No: **E-mail:**

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 8 December 2020

FAO: Jill Bastow **Copies to:**

Note to the Planning Officer:

The Local Highway Authority (LHA) has received further information since the issue of the recommendation dated 3/12/20 and have revised the recommendation.

In assessing the submitted proposals and reaching its recommendation the Local Highway Authority(LHA) has taken into account the following matters:

The previous use of the application site included a three bedroomed house with a parking space in the garage and a second parking space in front of the garage. The approved planning application, 2020/0415/FL removed the garage space to be available for parking a car and added another bedroom in the annexe accommodation.

Whilst the LHA is not aware of any current issues with vehicles parked on the street, around the junction, we would not want to approve a situation that will increase the likelihood of this starting to occur.

A typical demand for a three bedroomed house in a location like this would be for two cars to be within the household. A separate one bedroomed dwelling (or holiday let) is likely to increase the demand for parking by one additional vehicle.

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

NYM20/0814/FL

The applicant has stated that the existing grassed lawn area would be made into a hard standing area and used for parking. This would meet the capacity of parking expected for the proposals but more details should be submitted to demonstrate that the surface will not include any loose material that is likely to be dragged onto the public highway and that any surface water from the application site will not run off onto the highway.

Consequently the Local Highway Authority recommends that the following **Conditions** are attached to any permission granted:

1. MHC-09 Details of Access, Turning and Parking at 12 Dale View

There must be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the proposals until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- vehicular parking;

No part of the development must be brought into use until the vehicle parking areas have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason for Condition

To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.

2. MHC-09B Provision of Approved Access, Turning and Parking Areas at 12 Dale View

No part of the development must be brought into use until the parking areas have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason for Condition

To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

Signed:

Ged Lyth

Issued by:

Whitby Highways Office
Discovery Way
Whitby
North Yorkshire
YO22 4PZ

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

NYM20/0814/FL

For Corporate Director for Business and Environmental Services | **e-mail:** _____

**NORTH YORKSHIRE COUNTY COUNCIL
BUSINESS and ENVIRONMENTAL SERVICES**



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM20/0814/FL**

Proposed Development: variation of condition 3 of planning approval NYM/2020/0415/FL to allow the annexe accommodation to be let out as holiday accommodation

Location: 12 Dale View, Stainsacre

Applicant: Mr Simon Armistead

CH Ref: **Case Officer:** Ged Lyth

Area Ref: 4/33/260A

County Road No:

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP

Date: 3 December 2020

FAO: Jill Bastow

Copies to:

Note to the Planning Officer:

In assessing the submitted proposals and reaching its recommendation the Local Highway Authority(LHA) has taken into account the following matters:

The previous use of the application site included a three bedroomed house with a parking space in the garage and a second parking space in front of the garage. The approved planning application, 2020/0415/FL removed the garage space to be available for parking a car and added another bedroom in the annexe accommodation.

Whilst the LHA is not aware of any current issues with vehicles parked on the street, around the junction, we would not want to approve a situation that will increase the likelihood of this starting to occur.

A typical demand for a three bedroomed house in a location like this would be for two cars to be within the household. A separate one bedroomed dwelling (or holiday let) is likely to increase the demand for parking by one additional vehicle.

The applicant has stated that the grassed lawn may be used for parking but the LHA cannot count this as a formal parking space as any subsequent owner of the property may choose not to use the lawn as a parking area. If the applicant wished to change the surface to something more appropriate and widened the dropped kerb access then this area could be treated as a formal parking area. Whilst the drive way has ample length to fit one vehicle on, it appears to fall short of the length required to fit two standard vehicles, end to end, without one protruding out over the footway area.

Taking all the above into consideration, the changes already made along with those proposed will change the application site from one which had an adequate number of parking spaces for the size of property to one one that has a shortfall of formal parking spaces available. In situations like

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

NYM20/0814/FL

Application No:

this the LHA consider where any additional vehicles are likely to park and in this case the nearest available space would be on the highway, on the junction of Rigg View and Stainsacre Lane

Consequently, the Local Highway Authority recommends that Planning Permission is **REFUSED** for the following reasons:

R8 LACK OF PARKING

The Planning Authority considers that in the absence of adequate on-site parking space the proposed development would be likely to result in vehicles being parked outside the site on the County Highway to the detriment of the free flow of traffic and road safety.

Signed:

Ged Lyth

For Corporate Director for Business and Environmental Services

Issued by:

Whitby Highways Office
Discovery Way
Whitby
North Yorkshire
YO22 4PZ

From:

Subject: Planning - Hawsker Cum Stainsacre Parish Council

Date: 16 November 2020 09:17:13

Good Morning,

Application NYM/2020/0814/FL: Council object to this application.

Application NYM/2020/0826/FL: Council have no objections to this application.

Kind regards,

Clerk

Hawsker cum Stainsacre Parish Council

From:
To: [Planning](#)
Subject: FW: NYM/2020/0814/FL - 12 Dale View, Stainsacre
Date: 17 November 2020 10:27:59

Parish council comments to add please

From: hawskercumstainsacre.
Sent: 17 November 2020 10:12
To: Jill Bastow
Subject: Re: NYM/2020/0814/FL - 12 Dale View, Stainsacre

Morning Jill,

I have to admit it did split Council with a 3:2 vote.

The main comments were that parking on Dale View is already an issue, would this being a holiday let create more parking issues.

Councillors also felt the area was a residential area.

Kind regards,

Steph Glasby

On 17 Nov 2020 09:54, Jill Bastow <j.bastow@northyorkmoors.org.uk> wrote:

Many thanks for your response to the above planning application. I note that the Parish Council object to the application. I would be grateful if you could give reasons for the objection so that I can consider these and whether there are any mitigation measures that can be requested/included to address the Parish Council's concerns.

Kind regards,

Jill Bastow
Senior Planning Officer

My normal working hours are Tuesday 9am – 5pm, Wednesday to Friday 9am - 2pm

North York Moors National Park Authority
Old Vicarage
Bondgate
Helmsley
YO62 5BP

From:
Sent: 16 November 2020 09:17
To: Planning
Subject: Planning - Hawsker Cum Stainsacre Parish Council

]

Good Morning,

Application NYM/2020/0814/FL: Council object to this application.

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Kind regards,

Clerk

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From:
To: [Planning](#)
Subject: FW: NYM/2020/0814/FL
Date: 09 November 2020 11:29:16
Attachments: [NYM_2020_0814_FL.pdf](#)
Importance: High

Dear Sir or Madam,

Thank you for seeking the Forestry Commission's advice about the impacts that this application may have on Ancient Woodland. As a non-statutory consultee, the Forestry Commission is pleased to provide you with the attached information that may be helpful when you consider the application:

- Details of Government Policy relating to ancient woodland
- Information on the importance and designation of ancient woodland

Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS).

It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless "*there are wholly exceptional reasons and a suitable compensation strategy exists*" (National Planning Policy Framework paragraph 175).

We also particularly refer you to further technical information set out in Natural England and Forestry Commission's [Standing Advice on Ancient Woodland](#) – plus supporting [Assessment Guide and Case Decisions](#).

As a Non Ministerial Government Department, we provide no opinion supporting or objecting to an application. Rather we are including information on the potential impact that the proposed development would have on the ancient woodland.

These comments are based upon information available to us through a desk study of the case, including the [Ancient Woodland Inventory](#) (maintained by Natural England), which can be viewed on the [MAGIC Map Browser](#), and our general local knowledge of the area.

We suggest that you take regard of any points provided by Natural England about the biodiversity of the woodland.

We also assume that as part of the planning process, the local authority has given a screening opinion as to whether or not an Environmental Impact Assessment is needed under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. If not, it is worth advising the applicant to approach the Forestry Commission to provide an opinion as to whether or not an Environmental Impact Assessment is needed under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, as amended.

We hope these comments are helpful to you. If you have any further queries please do not hesitate to contact me.

Yours faithfully,

Serena Clifford

Y&NE Area Administration Officer
Forestry Commission
Yorkshire & North East Area
Foss House, King's Pool,
1-2 Peasholme Green,
York
YO1 7PX

Protecting and expanding England's forests and woodlands, and increasing their value to society and the environment

A summary of Government policy on ancient woodland

[Natural Environment and Rural Communities Act 2006](#) (published October 2006).

Section 40 – “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.

[National Planning Policy Framework](#) (published July 2018).

Paragraph 175 – “*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists*”.

[National Planning Practice Guidance](#) – Natural Environment Guidance. (published March 2014)

This Guidance supports the implementation and interpretation of the National Planning Policy Framework. This section outlines the Forestry Commission’s role as a non statutory consultee on “*development proposals that contain or are likely to affect Ancient Semi-Natural woodlands or Plantations on Ancient Woodlands Sites (PAWS) (as defined and recorded in [Natural England’s Ancient Woodland Inventory](#)), including proposals where any part of the development site is within 500 metres of an ancient semi-natural woodland or ancient replanted woodland, and where the development would involve erecting new buildings, or extending the footprint of existing buildings*”

It also notes that ancient woodland is an irreplaceable habitat, and that, in planning decisions, **Plantations on Ancient Woodland Sites (PAWS) should be treated equally in terms of the protection afforded to ancient woodland in the National Planning Policy Framework**. It highlights the Ancient Woodland Inventory as a way to find out if a woodland is ancient.

[The UK Forestry Standard](#) (4th edition published August 2017).

Page 23: “Areas of woodland are material considerations in the planning process and may be protected in local authority Area Plans. These plans pay particular attention to woods listed on the Ancient Woodland Inventory and areas identified as Sites of Local Nature Conservation Importance (SLNCIs)”.

[Keepers of Time](#) – A Statement of Policy for England’s Ancient and Native Woodland (published June 2005).

Page 10 “The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland”.

[Natural Environment White Paper “The Natural Choice”](#) (published June 2011)

Paragraph 2.53 - This has a “renewed commitment to conserving and restoring ancient woodlands”.

Paragraph 2.56 – “The Government is committed to providing appropriate protection to ancient woodlands and to more restoration of plantations on ancient woodland sites”.

[Standing Advice for Ancient Woodland and Veteran Trees](#) (first published October 2014, revised November 2018)

This advice, issued jointly by Natural England and the Forestry Commission, is a material consideration for planning decisions across England. It explains the definition of ancient woodland, its importance, ways to identify it and the policies that are relevant to it.

The Standing Advice refers to an [Assessment Guide](#). This guide sets out a series of questions to help planners assess the impact of the proposed development on the ancient woodland.

[Biodiversity 2020: a strategy for England’s wildlife and ecosystem services](#) (published August 2011).

Paragraph 2.16 - Further commitments to protect ancient woodland and to continue restoration of Plantations on Ancient Woodland Sites (PAWS).

Importance and Designation of Ancient and Native Woodland

Ancient Semi Natural Woodland (ASNW)

Woodland composed of mainly native trees and shrubs derived from natural seedfall or coppice rather than from planting, and known to be continuously present on the site since at least AD 1600. Ancient Woodland sites are shown on Natural England’s Inventory of Ancient Woodland.

Plantations on Ancient Woodland Site (PAWS)

Woodlands derived from past planting, but on sites known to be continuously wooded in one form or another since at least AD 1600. They can be replanted with conifer and broadleaved trees and can retain ancient woodland features, such as undisturbed soil, ground flora and fungi. Very old PAWS composed of native species can have characteristics of ASNW. Ancient Woodland sites (including PAWS) are on Natural England’s Inventory of Ancient Woodland.

Other Semi-Natural Woodland (OSNW)

Woodland which has arisen since AD 1600, is derived from natural seedfall or planting and consists of at least 80% locally native trees and shrubs (i.e., species historically found in England that would arise naturally on the site). Sometimes known as 'recent semi-natural woodland'.

Other woodlands may have developed considerable ecological value, especially if they have been established on cultivated land or been present for many decades.

Information Tools – The Ancient Woodland Inventory

This is described as provisional because new information may become available that shows that woods not on the inventory are likely to be ancient or, occasionally, vice versa. In addition ancient woods less than two hectares or open woodland such as ancient wood-pasture sites were generally not included on the inventories. For more technical detail see [Natural England's Ancient Woodland Inventory](#). Inspection may determine that other areas qualify.

As an example of further information becoming available, Wealden District Council, in partnership with the Forestry Commission, Countryside Agency, the Woodland Trust and the High Weald AONB revised the inventory in their district, including areas under 2ha. Some other local authorities have taken this approach.

Further Guidance

[Felling Licences](#) - Under the Forestry Act (1967) a Felling Licence is required for felling more than 5 cubic metres per calendar quarter. Failure to obtain a licence may lead to prosecution and the issue of a restocking notice.

[Environmental Impact Assessment](#) - Under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, as amended, deforestation which is likely to have a significant impact on the environment may also require formal consent from the Forestry Commission.

From: planning@northyorkmoors.org.uk <planning@northyorkmoors.org.uk>

Sent: 22 October 2020 12:07

To: FS, Yorkshire and North East Area <yne@forestrycommission.gov.uk>

Subject: NYM/2020/0814/FL

Importance: High

This Message originated outside your organisation.

Application Reference: NYM/2020/0814/FL.

The North York Moors National Park Authority Planning Service welcomes public engagement in all aspects of its work. You have received this email in relation to a current planning matter. The attached correspondence contains important information which you are advised to retain

for your records. If you have any queries, please do not hesitate to contact us. When replying it's best to quote our reference number, which is included in the attached letter.

Kind regards

Chris France

Chris France
Director of Planning
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley, York YO62 5BP
Tel: 01439 772700
www.northyorkmoors.org.uk



North York Moors
National Park

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