

For the Attention of Mr Mark Hill
North York Moors National Park

Your Ref NYM/2020/1018/FUL
Our Ref 2118FD00

11 June 2021

Dear Mr Hill

Re: CHANGE OF USE OF SAWMILL TIMBER YARD TO VISITOR CAR PARK WITH ASSOCIATED WORKS, EAST ROW, SANDSEND – PLANNING REFERENCE NYM/2020/1018/FL

We have been instructed by the owners and Trustees of Thordisa Cottage and Mr and Mrs I Tippet of Thordisa House to **object** to the above planning application. The development proposal is located across two local planning authority boundaries, Scarborough District Council (SDC) and the North York Moors National Park (NYMNP). The main car park and proposed new road bridge and a small section of pedestrian footpath falls within the NYMNP and detailed consent is applied for. The vehicular access and the junction with the A174, pedestrian route/footpath, pedestrian footbridge and new footpath link falls within SDC's administrative boundary and also seeks detailed consent. This representation specifically focuses on concerns in relation to the pedestrian access route from the car park to the A174, however it goes to the heart of the proposal itself.

Development as originally proposed

The proposal is for the development of a 150 space visitor car park, vehicular bridge, associated infrastructure and associated pedestrian access from the car park. The original scheme proposed that pedestrians would leave the car park on the south side of East Row Beck (the Beck) and then cross over to the north side using a new pedestrian footbridge and then continue along the north side of the Beck until connecting to the A174, from where pedestrians wishing to continue into Sandsend and the beach would cross the A174 to access existing footpaths and the pedestrian bridge to the east of the road bridge built in 2017. In addition Pedestrians wishing to access the beach would also be signposted from the car park along the Private Road to the southside of East Row Beck, in order to discourage the use of the narrow footpath on the westside of the A174 road bridge from the north side of the Beck. This solution was not supported by North Yorkshire County Council Local Highway Authority (the Highway Authority) who registered an objection to the scheme on the grounds of highway safety. It is understood that the applicant explored a number of options to accommodate pedestrian access on the north side of the Beck but none were considered suitable by the Highway Authority either in terms of pedestrian safety or impact on the operation of the A174.

The Highway Authority in their consultation response dated 16th February 2021 requested further information to be submitted by the applicant, including the following:

- Assessment of new traffic to be generated by the proposals and a capacity assessment for the junction, accounting for the summer peak traffic flows, an element of new traffic generated by the proposals and the current traffic patterns over the bridge;
- A visibility splay to be shown by drivers waiting to turn right off the A174 into the development and any work required to improve the vision splay;
- Pedestrian and cycle desire lines from the development site to the A174 and an audit of the routes, identifying any improvements required;

- A Stage 1 Road Safety Audit of the proposed junction layout and operation

Revised Scheme (dated 20th May 2021)

Following the comments received from the Highway Authority regarding the potential for pedestrian and vehicular conflicts the applicant has submitted an alternative scheme and provided the additional information requested by the Highway Authority as set out above. The changes proposed as part of the revised proposal are summarised as follows:

- The relocation of the footbridge closer to the A174 road bridge (within SDC's administrative area);
- The removal of the pedestrian route linking the car park with the private road on the south side of East Side Beck and a replacement with a segregated footway adjacent to the main vehicular access from the car park to the relocated pedestrian footbridge on the north side of the Beck (part in SDC and part in NYMNP);
- Relocation of the pay stations to the eastern side of the main vehicular access adjacent to the footway (within NYMNP);
- Pedestrian improvement to the section of private road from the existing footbridge to the existing footway on the A174 south of the Beck (within SDC)

Planning Policy Context

We consider here the key local planning policies that are considered to be most relevant to the proposals and our client's concerns.

The relevant development plans are the NYMNP Local Plan 2020, and the Scarborough Local Plan 2017. Given that the proposal falls within two local planning authority areas, each LPA will need to determine the element of the application that falls within their administrative boundary. Our client's concerns, in the main, relate to the intensification of the use of the private road on the southside of the Beck, which falls within SDC's administrative area, and as such our focus will be on SDC's development plan policies, although we provide a summary of policies relevant to the element of the proposal that falls within NYMNP.

Scarborough Local Plan 2017

Settlement Hierarchy Statement 5 – Rural Villages – Sandsend falls within this tier of the Settlement Hierarchy and the policy seeks to protect the character of Rural Villages, including their relationship to and setting within the surrounding countryside – where possible this should be enhanced.

Policy DEC1 Principles of Good Design supports the objectives of the National Planning Policy Framework (the Framework) in promoting the principles of good design in new development. The policy sets out a number of principles of good design that development will be required to meet, some of which are particularly pertinent to this proposal, including:

- a.
 - i. *That the proposal reflects the local environment and creates an individual sense of place with distinctive character;*
 - ii. *That the detailed design responds positively to local context.....*
- c. *That the proposal provides suitable and safe vehicular access and suitable servicing and parking arrangements*
- d. *That any elements of public realm have been designed to reinforce or complement the distinctive character of the local area and to ensure that they are attractive, safe, accessible and well connected to their surroundings, including the provision of walking and cycling routes within the development to encourage their use.*

Paragraph 5.6 of the explanatory text advises that in respect of local character and key features within the built environment such as Listed Buildings, these play a significant role in promoting economic and social prosperity by providing attractive living and working conditions and therefore it is essential that local

character is safeguarded. Thordisa Cottage and Thordisa House are located adjacent to the proposed pedestrian route from the car park. Thordisa Cottage is a Grade II listed building and Thordisa House is a building of particular townscape merit and both contribute to the local character in this area and this special quality should be protected.

As part of a well designed proposal, paragraph 5.19 advises that applicants will need to demonstrate safe access and servicing arrangements for vehicles, cycles and pedestrians.

Policy DEC4 Protection of Amenity seeks to protect both existing and future occupants' amenity. Proposals for development should not give rise to unacceptable impacts by means of:

- a. *Overbearing impact*
- b. *Overlooking and loss of privacy*
- c. *Disturbance from such things as noise, light pollution and other activities;*
- d. *Emissions including smells and other pollutants; or*
- e. *Overshadowing or loss of light*

Paragraph 5.41 advises that even minor development can result in an adverse impact on nearby residential amenity and it is essential that residents are protected from intrusive or disturbing development.

Policy DEC5 The Historic and Built Environment seeks to conserve, and where appropriate enhance historic, urban and coastal environments. In order to ensure this, inter alia, proposals affecting a designated heritage asset should conserve those elements which contribute to its significance. Harm to such assets will only be permitted where this is outweighed by the public benefits.

Policy TOU4 Visitor Accommodation and Facilities in the Countryside seeks to support new accommodation and facilities for the tourism industry but such facilities will only be permitted where:

- a. *They would be of an appropriate scale in relation to their location;*
- b. *They are sited to be visually unobtrusive and can be successfully integrated into the surrounding landscape.....;and*
- c. *The road network and the site's access can safely accommodate any traffic generated.*

North York Moors National Park Local Plan, 2020

The National Park has a number of statutory purposes and duty and these form part of the objectives of the Local Plan:

1. *Conserve and enhance the natural beauty, wildlife and cultural heritage of the North York Moors National Park*
2. *Promote opportunities for understanding and enjoyment of the special qualities of the National Park*
3. *Whilst achieving the above, seek to foster the economic and social well-being of local communities.*

Emanating from the second objective are three further objectives:

- Supporting tourism and recreational enterprises where they do not detract from the National Park's special qualities;
- Maintaining and improving paths and bridleways for the enjoyment of residents and visitors
- Managing tourism pressures in order to avoid harm to the special qualities of the National Park.

Strategic Policy C – quality and Design of Development – sets out a number of criteria that the development must achieve in order to maintain and enhance the distinctive character of the National Park, including in the case of cycling and car parking facilities, not compromising local highway safety, traffic flow or Public Rights of Way. Proposals should also ensure that the environment is accessible, safe and secure for all potential users.

Strategic Policy I – The Historic Environment – requires development to make a positive contribution to the cultural heritage and local distinctiveness of the National Park through conservation, and where appropriate enhancement of the historic environment.

Strategic Policy J – Tourism and Recreation – supports tourism and recreational development, provided inter alia, it does not lead to unacceptable harm in terms of noise and activity to the immediate neighbourhood.

Policy ENV2 – Tranquillity – development will be only permitted if there is no unacceptable impact on the tranquillity of the surrounding area and proposals will be considered in relation to the following criteria:

1. Visual intrusion
2. Noise
3. Activity levels; and
4. Traffic generation

Policy CO3 – Car Parks – only permits new parking facilities where:

1. *It is the only way to solve existing identified parking problems;*
2. *It will benefit the needs of both communities and visitors to the National Park;*
3. *It uses an existing or previously developed site unless it can be demonstrated that no such suitable sites are available; and*
4. *The scale, design, siting, layout and surfacing do not have an unacceptable impact on the natural beauty, wildlife or cultural heritage of the National Park.*

Main Concerns/issues

Impact on residential amenity

The properties of Thordisa Cottage and Thordisa House are located directly opposite the new pedestrian footbridge. Thordisa Cottage, a Grade II Listed property has a single point of entry, which opens directly out onto the paved area, incorrectly identified on Drawing No. 11613-006 as existing footpath. It is understood that the habitable ground floor rooms (living room and kitchen) are set at approximately 20-30cm below street level. The house is largely single aspect, with the only window opening for the lounge facing out onto the private access road. Currently, there are low numbers of vehicular and pedestrian movements, related purely to the other properties that face the access road. However, approval for a 150 space car park will generate significant increases in the number of people using the private access road and passing by both Thordisa Cottage and Thordisa House. Evidently the comings and goings of such an increase in pedestrians will create noise and disturbance to the residents of these properties, whereas previously they had enjoyed a quiet and tranquil environment. This would have an adverse impact on the rural character of this private access road and would be contrary to **Scarborough Local Plan Policy DEC1, DEC5 and Settlement Hierarchy Statement 5**.

The pedestrian route along the private road as currently proposed will result in pedestrians passing directly in front of the main habitable room windows to Thordisa Cottage, with no meaningful separation distance. This would have an unacceptable impact on the amenity of residents of this property by way of loss of privacy and overlooking, and noise impacts contrary to **Scarborough Local Plan Policy DEC4**.

Impact on Heritage Assets

The application proposal has the potential to affect both the setting of the Thordisa Cottage, a Grade II Listed Building, Thordisa House as a building of particular townscape merit and the Sandsend Conservation Area. These heritage assets were identified by the applicant and considered as part of the heritage assessment undertaken.

In respect of Thordisa Cottage and Thordisa House, they were not assessed against the current proposal

and no assessment has been undertaken of the impact on the significance of these buildings arising from the new footbridge located opposite and the potential effect of pedestrians passing immediately in front of Thordisa Cottage. The Heritage Assessment only considered the original proposal where pedestrian access was proposed to utilise a footbridge located further west.

In respect of the Sandsend Conservation Area, although the Heritage Assessment considers the impact of the proposal on the Conservation Area, this is not within the context of the revised scheme. Although the proposal may reduce car parking elsewhere in the Conservation Area, which is negatively impacting on its appearance, the current proposal may create congestion on the private access road in terms of vehicles and pedestrians, negatively impacting on the Conservation Area. The proposed footbridge in its revised location should also be assessed in terms of the impact it has on the Conservation Area. Until further assessment has been undertaken we consider that the proposals may have an impact on significance resulting in less than substantial harm where the public benefits do not outweigh this harm, contrary to **Policy DEC5 of the Scarborough Local Plan** and **paragraph 196 of the Framework**.

Impact on highway safety

The properties of Thordisa Cottage and Thordisa House are located directly opposite the new pedestrian footbridge, located south west of the main A174 road bridge. We note in the Sanderson updated Transport Assessment that they advise that pedestrians will cross the footbridge and then be '*directed to cross the road to utilise a proposed delineated 1.7m wide footway which continues north eastbound from the footbridge and ties in with existing footway provisions along the A174*'. We note that on the drawings appended to the Sanderson report, Drawing No. 11613-006 (Appendix B) shows an existing footpath in front of Thordisa Cottage with the proposed footpath extending either side.

By way of clarification, this area of paving in front of the Thordisa Cottage is not an existing footpath but is and has been used for parking and incidental amenity space since 1952 by the owners (the cottage has remained in the same family) and visitors to the cottage, and will be used more intensely during the summer season when the cottage is rented out. This paved area to the frontage provides the only area for parking/amenity for that property. It is understood that since 2004 the family have had permissive rights from the Mulgrave Estate to utilise this area, including laying the cobble stones now in situ.

Further photographic evidence is provided of this in the representation made by Samantha Schofield in June 2021. In addition, the area of Private Road in front of Thordisa House to the left of the Garden Gate where the new connecting footway is proposed has also been historically used for parking by the owners/visitors of Thordisa House. The current proposal will result in pedestrians having to walk along part of the access road when either cars are parked in front of Thordisa Cottage and Thordisa House or the residents of Thordisa Cottage are utilising this as informal amenity space. This would result in potential conflicts between vehicular users of the private access road and pedestrians. In circumstances where the residents/visitors of Thordisa Cottage and Thordisa House could no longer access the permissive parking in front of the cottage and along the boundary wall to Thordisa House, it is likely that cars will pull in nearer to the junction of the A174 thereby creating further congestion and potential conflicts between vehicular traffic and pedestrians, contrary to **Policies DEC1 and T0U4 of the Scarborough Local Plan**.

We also understand that it is not uncommon for large commercial vehicles and buses, whilst negotiating the A174 road bridge to swing their front axles over the private road, which in our view has the potential to create conflicts with the potential large numbers of pedestrians coming along the private road and onto the A174 footpath at this juncture, contrary to **Policies DEC1 and T0U4**.

The pedestrian footpath located on the southern side of the A174 that users of the car park will connect to is only 1.1 metre wide for a distance of approximately 35 metres (up to the Hart Inn). Beyond this point the footpath widens marginally to 1.3 metres for a further 45 metres before reaching the main Sandsend seafront area. The use of such narrow footways will not be accessible for users with wheelchairs, nor will the footpath provide safe access for families with pushchairs and small children in tow. The limited nature of the footpath width will not allow pedestrians to pass safely in both directions and will require users to step out into the busy A174. Not only does this create conflict between vehicular traffic and pedestrians,

creating highway safety issues, it does not create an accessible route for those with disabilities. The proposed pedestrian access solution does not provide a safe and secure environment for all potential users contrary to Scarborough Local Plan **Policy DEC1** and North York Moors Local Plan **Strategic Policy C**.

Although it is appreciated that the applicant has tried to find a workable solution that enables pedestrians from the car park to access Sandsend and the beaches safely we do not consider that this has been achieved and is contrary to the policies of the Scarborough Local Plan as set out above.

Impact on the character of the National Park

Although my clients are not within the NYMNP area, the car park proposal is situated within the National Park and the increase in traffic into this area, together with the activity associated with such a large scale proposal will not conserve the '*natural beauty, wildlife and distinctive character*' of the National Park, contrary to the statutory purposes of the National Park and **Strategic Policy C of the NP Local Plan**. The increase in traffic, noise generated by car doors opening and closing, comings and goings of pedestrians, people talking etc would also be contrary to **Policy ENV2 of the NP Local Plan**.

We trust that you will take account of the above comments in your decision making and would be willing to discuss further if you have any further queries. These comments should be read in conjunction with those made by Samantha Schofield, who also represents the owners and Trustees of Thordisa Cottage.

This letter has also been sent to your counterpart at Scarborough District Council.

Yours sincerely

Katrina Hulse MRTPI
Partner | Development & Planning
Cushman & Wakefield Debenham Tie Leung Limited

Samantha Schofield
3 Filter Cottages
Rivelin
Sheffield
S6 5SP

11th June 2021

FAO Mr Mark Hill
Head of Development Management
North York Moors National Park Authority

Your Ref: NYM/2020/1018/FL

RE: Amended details/additional information dated 20 May 2021 in respect of application NYM/2020/1018/FL - Change of use of sawmill timber yard to visitor car park with associated works including surfacing, installation of associated infrastructure (pay stations, CCTV poles, cycle stands/lockers, electric vehicle charging points, boundary treatment and signage) construction of vehicle bridge and creation of section of footpath

And associated application with Scarborough Borough Council

Re: Amended details/additional information dated 20 May 2021 in respect of application 20/02831/FL - Proposal to develop a 150 space surface level car park with improvements to the existing site access on to the A174 adjacent to East Row Bridge.

Dear Mr Hill

Thank you for your letter of 24 May 2021 regarding further information on the above application for planning permission our comments for your consideration are as follows.

Submitted on behalf of the family members (Owners/Residents) of Thordisa Cottage, East Row, Sandsend.

Objection and Comments regarding Proposed Pedestrian Access Strategy and adverse effects on Thordisa Cottage, East Row, Sandsend, Whitby, YO21 3SU (Affected Neighbour)

Firstly it is fully appreciated that the amendments are in direct response to the findings of a Stage 1 Road Safety Audit undertaken in March 2021 and recommendations made by the Road Safety Auditors, which has led to the alternative pedestrian access strategy and proposals for a footbridge to be located south-west of the A174 East Row Bridge and suitably surfaced, delineated footway along the southern side of the private road, between the footbridge and existing pedestrian infrastructure along the A174. It is also fully appreciated that the Stage 1 Road Safety Audit was undertaken to address comments made as part of the February 2021 consultation by the Local Highway Authority (North Yorkshire County Council) and the Residential Property Owners of the Private Road to the south of East Row which included ourselves. Therefore, the efforts being made to separate vehicles and pedestrians, to minimise conflicts and provide a safe and secure route for pedestrians to access the village and beach is truly appreciated.

However, we would like to raise the following concerns for your consideration in relation to the intrusive nature of the amended proposals on Thordisa Cottage, in relation to the Pedestrian Access

Strategy and adverse effects on residential amenity, including loss of privacy, safety, security, disturbance and noise.

Thordisa Cottage

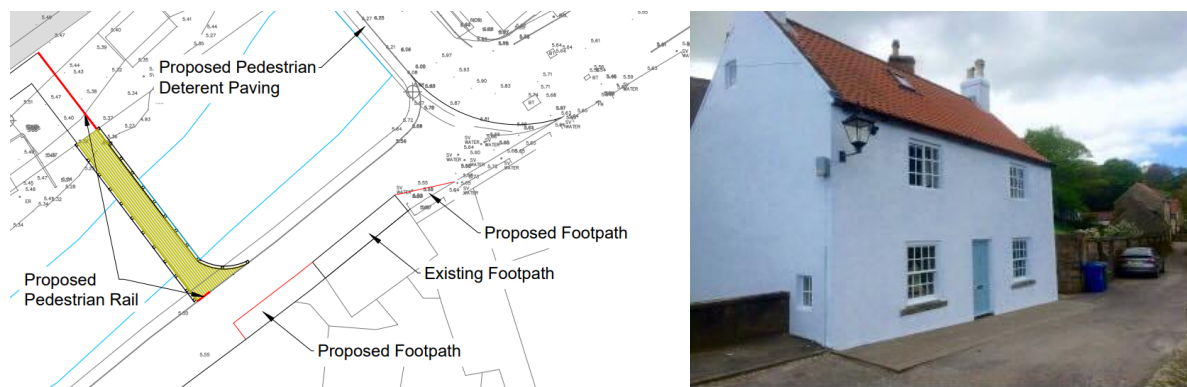
Thordisa Cottage is a Grade II Listed property with a single point of access via the front door on the front of the cottage facing East Row Beck. The front door opens directly onto the paved area of the Private Road. The Private Road currently provides access to 6 residential properties (Thordisa Cottage, Thordisa House, Cobble Cottage, The Old Brewery, Hop Yard Cottage and Daleside) and restricted access to Mulgrave Woods. On entry to the cottage you immediately step down into a small area used to take off and store coats and shoes before entering the kitchen. The entire downstairs area is sunken and is approximately 20-30 cm below street level and consists of a kitchen naturally lit by the sash window to the left of the front door and small side window on the sea facing side wall. The lounge only has one source of natural light which is the sash window to the right of the front door.

Adverse effect on the residential amenity

The proposed car park is for 150 spaces, which means there maybe upwards of 600 people during popular periods travelling to and from the car park along the proposed pedestrian route, potentially multiple times a day, as well as any additional persons wishing to access the restaurants and retail units on the North Side of East Row. Therefore, this is a significant increase in footfall that will be concentrated into the proposed 1.7m footway directly outside Thordisa Cottage.

Point of clarification

Traffic Assessment Addendum Designer Response APPENDIX B Drawing 11613-006 states that there is an existing footpath in front of Thordsia Cottage.



We would like to take the opportunity to point out, that there is no existing footpath. There is an area of paving that was installed by us as the owners of Thordisa Cottage with the permission of The Mulgrave Estate in 2004, to improve surface water drainage and to channel rainfall away from the front of the cottage to the surface drain at the right hand corner of the cottage. The area in front of Thordisa Cottage has been used by family members and our guests for over 50 years to park our vehicles, openly, uninterrupted and without complaint from The Mulgrave Estate. It is also our responsibility to maintain this paved area.



This delineated area has also been used over the years as an outdoor recreational space for sitting outside, BBQs and for the storage of our waste bins. Thordisa Cottage has no other usable outdoor space (only an outdoor toilet at the back of the property in a small outhouse connected to Thordisa House and Beech Cottage). The loss of this space would therefore adversely effect the residential amenity of Thordisa Cottage.

The parking of vehicles directly outside Thordisa Cottage has provided a buffer from passing members of the public over the years providing a degree of privacy by obscuring lines of sight into living and working spaces, as well as preventing individuals from walking in close proximity to the windows and front door of the cottage, providing a sense of security and personal safety and reducing levels of disturbance.

Due to the internal living space being 20-30-cm below street level, it can feel quite intimidating when people walk in close proximity to the front door and downstairs windows and when sat by the window in the lounge you will be less than 1m away from people walking by. This also means there is direct line of site into all downstairs living and working areas and the noise from general chatter and people passing by will be significantly increased from current levels. The increase in noise and the sense of people being in "touching distance" means we will be discouraged from opening the

windows for ventilation for nuisance, security and personal safety reasons and in a world where COVID safety measures for internal spaces is to open windows where possible this is of particular concern.

We could of course install blinds, shutters or close the curtains to obscure direct line of site into the cottage from passers-by, but this would also mean shutting out our only source of natural light and any changes to the sash windows themselves such as replacement with opaque glass would change the exterior of a Grade II listed property within the boundaries of the designated Conservation Area and Register of Parks and Gardens of Special Historic Interest.

Adverse effect of the development on the character and appearance of the Conservation Area and on the setting of the Listed Building

The plans submitted as a part of the amended details/additional information, do not provide details of the construction or type of surfacing to be used on the delineated footway, along the southern side of the private road between the footbridge and existing pedestrian infrastructure along the A174 and if it will be appropriate in protecting the historical and architectural significance of Thordisa Cottage, or if it will raise the street level even further, or if the plan is simply to leave the paved area as it is currently and tie in the new areas of footway with the existing paving.

Also the addition of the footbridge across East Row Beck in our opinion does negatively impact the view of East Row when looking from Sandsend Village towards Mulgrave Woods despite the sensitive design proposals to paint metal work Mulgrave Green and install a timber/eco deck, as well as planting around the foundations and bank regrading, as it is one of Sandsend's historic views that has changed very little over the years.

Adequacy of parking and loading and adverse effect on Highways Safety

The proposed footbridge is a minimum of 25m from the East Row Road Bridge, in order to provide sufficient distance for drivers of vehicles turning into the Private Road on the Southside, especially when travelling south along the A174 to react and stop safely to any pedestrians crossing the private road. However, if vehicles are no longer able to pull directly in front of Thordisa Cottage and off the Private Road, then there will be times that the Private Road is blocked in close proximity to the junction, whilst they are loaded/unloaded. As Thordisa Cottage is used by all family members and is also let Commercially loading/unloading by visitors and cleaning/laundry services, will be frequent especially during school holidays and at weekends. Loading/Unloading will also require crossing the path of people using the footway to take shopping, luggage, laundry, cleaning/maintenance equipment through the front door as it is the only access, which also gives rise to safety and security concerns.

Thank you for taking our comments into consideration.

Yours Sincerely,

The Family Members of Thordisa Cottage (Diana Renshaw Smith, Emily Renshaw Smith, Mandy Ayers, Andrew Ayers, Samantha Schofield, Nancy Balfour and Anthony Balfour)

To be read in conjunction with the response submitted on behalf of Thordisa Cottage and Thordisa House by Katrina Hulse MRTPI, Development & Planning, Cushman & Wakefield Debenham Tie Leung Limited.

From:
To: [Planning](#)
Subject: NYM/2020/1018/FL East Row, Sandsend
Date: 01 June 2021 18:19:13
Importance: High

FAO Mr Mark Hill

Dear Mr Hill

I have been instructed to make representations to the above application by the owner and trustees of Thordisa House, which is affected by the proposals. Due to holidays it will not be possible to send our representation to until the beginning of next week. I notice that the end date for the current consultation is this Wednesday 3rd June, however would you be willing to accept the late representation. If you can confirm that would be much appreciated.

I have emailed your counterpart at Scarborough DC asking for a similar extension.

Look forward to hearing from you.

Kind regards

Katrina

Katrina Hulse MRTPI
Partner, Planning, Development & Strategic Advisory

-
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From:
To: [Planning](#)
Cc:
Subject: Re: NYM/2020/1018/FL
Date: 28 May 2021 13:51:06

FAO Mark Hill

Thank you for your letter and opportunity to comment on the latest proposals for NYM/2020/1018/FL change of use of sawmill timber yard to visitor car park with associated works - East Row, Sandsend

I can confirm due the impact of the proposed Pedestrian Access Strategy on Thordisa Cottage and Thordisa House, that we will be submitting comments and we have engaged the services of Katrina Hulse of Cushman and Wakefield, who will be in contact in due course.

Kind Regards

Samantha Schofield

From:
To: [Planning](#)
Subject: Neighbours Comments on NYM/2020/1018/FL
Date: 09 February 2021 05:00:05

FAO Planning Officer Mr M Hill

The following comments were added to the online portal for planning application:

NYM/2020/1018/FL change of use of sawmill timber yard to visitor car park with associated works - East Row, Sandsend

On the evening of the 8th February 2020 on behalf of the Neighbours residing at:

- Cobble Cottage
- Daleside
- Hop Store (Yard) Cottage
- The Old Brewery
- Thordisa Cottage
- Thordisa House

For your consideration:

Comments

Submitted on behalf of the Residential Property Owners of the Private Road proposed as the main pedestrian route for visitors wishing to access the beach and Sandsend Village from the proposed Visitor Car Park.

Firstly, we would like to state our general support for the proposed change in use of the sawmill to a Visitor Car Park (North York Moors National Park Planning Application NYM/2020/1018/FL) and the benefits it will bring to visitors, local business and residents. We appreciate the sympathetic design that has considered its rural setting and its proximity to the Conservation Area, Buildings of Historic Merit, including those that are Grade II Listed, maintaining the character of Sandsend.

Our concerns we wish to voice are in relation to the proposed changes to the original design, that have occurred in response to the comments made by the Highways Authority and the need to discourage pedestrian use of the East Row Bridge (specifically the narrow footpath on the west side of the bridge) to access the beach and main Sandsend Village. The need to discourage the use of this footpath is fully supported, as an individual who has worked in Highways as a Health, Safety, Environment and Quality professional for over 17 years and who has personally witnessed many a near miss between pedestrian and vehicle on the bridge, the need to effectively manage the vehicle and pedestrian interface, separating vehicles and pedestrians as much as possible, ensuring safe access and egress is fully appreciated.

It is with this in mind we would like to make the following comments for your consideration that specifically relate to the proposal for the main pedestrian access route from the proposed 150 space Visitor Car Park to be along a Public Footpath on the south side of the East Row Beck to join with the public footpaths along the A174.

Firstly it is important to note that the proposed route is not a registered Public Footpath or signposted as such from the A174, the primary current use is as a Private Road providing vehicle access to six private residential properties, majority of which have private garages and driveways. The fields at the top end of the road are currently used by the Sandsend Boat Club, to store boats and the tractors used to transport them along the Private Road to the beach. The fields behind Thordisa House accessed by the track to the side of Daleside are also used for live stock grazing with the Private Road being used for access by large vehicles with trailers. Access along this road to the east side of the Mulgrave Sawmill is currently restricted, with no public access and very minimal vehicle access, as the main route to the sawmill is along the road to the north side of the East Row Beck. This Private Road was established pre 1911 when the land now occupied by The Old Brewery House, Hop Yard Cottage and Daleside formed part of the Old Brewery and as such within their deeds include “right of road” and “right for all proper and accustomed purposes over the private roadway” and “right of use at all times and for all purposes in connection with the enjoyment ...” and “right in common to pass and repass with vehicles over the turning area”, as do the Deeds of the older properties Cobble Cottage, Thordisa House and Thordisa Cottage.

The Registered Public Footpath on checking current OS Maps and those of the North York Moors National Park, runs up the hill from the west side of Daleside, alongside Birstly Dale, to join up with Dunsley Lane, with a joining Public Footpath that runs past Meadowfields Reservoir and joins with Meadowfield and the public highway leading down to the seafront. It is appreciated that as the public footpath at the side of Daleside leaves you no where to go but down the Private Road it is currently used by Walkers as a connecting route to the narrow public highway footpaths of Sandsend along the A174 towards Whitby, but this use is currently minimal, causing minimal disturbance and loss of privacy to individuals in the residential properties (with front doors and garage doors that open directly onto the Private Road and direct line of site into the living and working spaces). The increased use of the Private Road by members of the public also gives rise to security concerns as well as nuisance from noise, litter or personal calls of nature with public toilet facilities being quite a walk away. The current pandemic is also giving rise to health concerns for the residents with doors and

windows that open directly onto or accessible from the Private Road and the increased risk of transmission of COVID or other such viruses that increased footfall along the Private Road would bring.

It is also important to note that the Private Road itself is half compacted gravel and half original (and very uneven in places, as well as slippery when wet) coble stone, that is narrow (one cars width) with a pinch point that requires careful navigation between the garages/ Coach House of Thordisa House and Coble Cottage as it narrows further. As there are driveways, garages (those of Thordisa House open directly outwards onto the road) and a turning point, there are waiting, reversing and manoeuvring vehicles, including visitors, deliveries and collections to the households and very few safe Pedestrian Refuge Zones. The other point to consider, as it is a road with no delineated footpath and the position of Thordisa Cottage (Grade II Listed) pedestrians needing to access the narrow public footpath that runs along the A174 towards Whitby, need to walk in close proximity to the road junction itself and vehicles waiting to cross the bridge (as it is only wide enough for one direction of traffic at a time, waiting vehicles often also pull into the Private Road entrance to give space to oncoming traffic). Access to the narrow public footpath is also further restricted by the available parking spaces on the Public Highway adjoining the Private Road, which are permanently occupied by the vehicles of residents of the cottages running between Thordisa Cottage and Estbek House Hotel. The vehicles are also normally parked in such a way that there is no room between the wall of Thordisa Cottage and the bumper of the parked vehicle.

Due to direction of traffic on the A174 Buses and Heavy Commercial Vehicles often encroach/use/swing into the entrance and over the junction of the Private Road with the Public Highway, in order to obtain a safe line to cross the bridge without damaging their vehicle or the bridge and hence will be swinging directly into the path of Pedestrians walking behind the parked cars on the Public Highway to access the narrow footpath to the side of Thordisa Cottage and along the A174 till they find an appropriate point to cross. It is also important to note that this footpath is only wide enough for one direction of travel, so pedestrians often have to step out into the road to pass each other and with the Estbek House Hotel and The Hart Inn also along this stretch there are often delivery vehicles encroaching onto the footpath preventing pedestrians passing without stepping out into the road either to cross over the road or to walk around the vehicle. There is also direct access to the “to be discouraged” narrow footpath along the west side of the road bridge from in front of Thordisa Cottage and it is on this corner of the bridge where in 2014 a member of the public suffered life changing injuries after

being crushed between the wall of the bridge and a large moving vehicle which led to the construction of the dedicated footbridge on the east side which was completed in 2017. The Transport Assessment completed for the proposed Visitor Car Park did not capture this incident as it only reviewed the last 3 years of accident data. This direct access means pedestrians will not be discouraged from its use if they wish to access the retail units on the north side of the beck or as an alternative route if the foot path in front of Estbek House Hotel and The Hart Inn is too congested or blocked by parked/waiting vehicles.

This is another more general point of concern in that the current main Visitor Parking Facilities i.e. along the main road from Whitby to Sandsend and the car park to the North of Sandsend are all on the Beach Side and hence visitors wishing to access the main visitor attraction, can do so directly without crossing the road. The proposed Visitor Car Park will be the largest parking provision for Sandsend, but there seems to be no provision on the main highway to help pedestrians cross the road safely at a known congested pinch point, with queuing traffic and regular impatient drivers. This is true whether pedestrians are coming from the north or south side of East Row Bridge. The additional road safety hazards of those trying to cross from the paths on the south side is the blind corner and waiting buses at the bus stop, as well as the previously mentioned stationary delivery vehicles for EstbekHouse Hotel and The Hart Inn.

It is therefore the proposed increased footfall along the Private Road that causes us concern as we do not see how the use of the Private Road as the main pedestrian route for potentially 600+ Visitors (mostly families with young children) making several trips to and from their parked vehicles, on a beautiful summers day wishing to go to the beach and village can achieve the design aims to: separate pedestrians from vehicle traffic for reasons of safety and convenience, provide a safe and secure route for pedestrians to access the village and beach, avoid vehicle and pedestrian conflicts in the swept path areas of the road bridge.

We respectfully ask that since the plans include the building of a new dedicated footbridge connecting the car park to the north side of the beck, as well as plans to widen the current access road providing separate routes for vehicles and pedestrians and recognising one of the aims of the proposals is to encourage visitors to the retail units on the north side of the beck (due to be potentially expanded in time) that the main pedestrian route uses this new infrastructure and plans for the upgrade of existing junction onto A174 (Scarborough Borough Council Planning Application 20/02831/FL) include safe pedestrian crossing provisions from the front of the retail units, to the wider footpaths on the beach side for direct access to the north

beach, main Sandsend village and The Cleveland Way Coastal Path, as well as the existing dedicated footbridge for safe passage to the south beach.

Thank you for taking our comments into consideration.

Yours sincerely,

Samantha Schofield

Thordisa Cottage, East Row, Sandsend, Whitby, YO21 3SU

on behalf of the owners of:

- Cobble Cottage, East Row, Sandsend, Whitby, YO21 3SU
- Daleside, East Row, Sandsend, Whitby, YO21 3SU
- Hop Store (Yard) Cottage, East Row, Sandsend, Whitby, YO21 3SU
- The Old Brewery, East Row, Sandsend, Whitby, YO21 3SU
- Thordisa Cottage, East Row, Sandsend, Whitby, YO21 3SU
- Thordisa House, East Row, Sandsend, Whitby, YO21 3SU

Sent from my iPhone

From:
To: [Planning](#)
Subject: Comments on NYM/2020/1018/FL - Case Officer Mr M Hill - Received from Mrs Samantha Schofield at 3 Filter Cottages, Rivelin, Sheffield, S6 5SP
Date: 08 February 2021 18:59:37

Submitted on behalf of the Residential Property Owners of the Private Road proposed as the main pedestrian route for visitors wishing to access the beach and Sandsend Village from the proposed Visitor Car Park.

Firstly, we would like to state our general support for the proposed change in use of the sawmill to a Visitor Car Park (North York Moors National Park Planning Application NYM/2020/1018/FL) and the benefits it will bring to visitors, local business and residents. We appreciate the sympathetic design that has considered its rural setting and its proximity to the Conservation Area, Buildings of Historic Merit, including those that are Grade II Listed, maintaining the character of Sandsend.

Our concerns we wish to voice are in relation to the proposed changes to the original design, that have occurred in response to the comments made by the Highways Authority and the need to discourage pedestrian use of the East Row Bridge (specifically the narrow footpath on the west side of the bridge) to access the beach and main Sandsend Village. The need to discourage the use of this footpath is fully supported, as an individual who has worked in Highways as a Health, Safety, Environment and Quality professional for over 17 years and who has personally witnessed many a near miss between pedestrian and vehicle on the bridge, the need to effectively manage the vehicle and pedestrian interface, separating vehicles and pedestrians as much as possible, ensuring safe access and egress is fully appreciated.

It is with this in mind we would like to make the following comments for your consideration that specifically relate to the proposal for the main pedestrian access route from the proposed 150 space Visitor Car Park to be along a Public Footpath on the south side of the East Row Beck to join with the public footpaths along the A174.

Firstly it is important to note that the proposed route is not a registered Public Footpath or signposted as such from the A174, the primary current use is as a Private Road providing vehicle access to six private residential properties, majority of which have private garages and driveways. The fields at the top end of the road are currently used by the Sandsend Boat Club, to store boats and the tractors used to transport them along the Private Road to the beach. The fields behind Thordisa House accessed by the track to the side of Daleside are also used for live stock grazing with the Private Road being used for access by large vehicles with trailers. Access along this road to the east side of the Mulgrave Sawmill is currently restricted, with no public access and very minimal vehicle access, as the main route to the sawmill is along the road to the north side of the East Row Beck. This Private Road was established pre 1911 when the land now occupied by The Old Brewery House, Hop Yard Cottage and Daleside formed part of the Old Brewery and as such within their deeds include "right of road" and "right for all proper and accustomed purposes over the private roadway" and "right of use at all times and for all purposes in connection with the enjoyment ..." and "right in common to pass and repass with vehicles over the turning area", as do the Deeds of the older properties Cobble Cottage, Thordisa House and Thordisa Cottage.

The Registered Public Footpath on checking current OS Maps and those of the North York Moors National Park, runs up the hill from the west side of Daleside, alongside Birstly Dale, to join up with Dunsley Lane, with a joining Public Footpath that runs past Meadowfields Reservoir and joins with Meadowfield and the public highway leading down to the seafront. It is appreciated that as the public footpath at the side of Daleside leaves you no where to go but down the Private Road it is currently used by Walkers as a connecting route to the narrow public highway footpaths of Sandsend along the A174 towards Whitby, but this use is currently minimal, causing minimal disturbance and loss of privacy to individuals in the residential properties (with front doors and garage doors that open directly onto the Private Road and direct line of site into the living and working spaces). The increased use of the Private Road by members of the public also gives rise to security concerns as well as nuisance from noise, litter or personal calls of nature with public toilet facilities being quite a walk away. The current pandemic is also giving rise to health concerns for the residents with doors and windows that open directly onto or accessible from the Private Road and the increased risk of transmission of COVID or other such viruses that increased footfall along the Private Road would bring.

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This is another more general point of concern in that the current main Visitor Parking Facilities i.e. along the main road from Whitby to Sandsend and the car park to the North of Sandsend are all on the Beach Side and hence visitors wishing to access the main visitor attraction, can do so directly without crossing the road. The proposed Visitor Car Park will be the largest parking provision for Sandsend, but there seems to be no provision on the main highway to help pedestrians cross the road safely at a known congested pinch point, with queuing traffic and regular impatient drivers. This is true whether pedestrians are coming from the north or south side of East Row Bridge. The additional road safety hazards of those trying to cross from the paths on the south side is the blind corner and waiting buses at the bus stop, as well as the previously mentioned stationary delivery vehicles for Estbek House Hotel and The Hart Inn.

It is therefore the proposed increased footfall along the Private Road on the south side of East Row that causes us concern as we do not see how the use of the Private Road as the main pedestrian route for potentially 600+ Visitors (mostly families with young children) making several trips to and from their parked vehicles, on a beautiful summers day wishing to go to the beach and village can achieve the design aims to: separate pedestrians from vehicle traffic for reasons of safety and convenience, provide a safe and secure route for pedestrians to access the village and beach, avoid vehicle and pedestrian conflicts in the swept path areas of the road bridge.

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Thank you for taking our comments into consideration.

Yours Sincerely,

The Owners of: Thordisa Cottage, Thordisa House, Coble Cottage, The Old Brewery, Hop Yard Cottage and

Daleside

Comments made by Mrs Samantha Schofield of 3 Filter Cottages, Rivelin, Sheffield, S6 5SP

Comment Type is Raise Concerns

From:
To: [Planning](#)
Subject: Comments on NYM/2020/1018/FL - Case Officer Mr M Hill - Received from Mrs Louise Armstrong at Melrose House, The Parade, Sandsend, Whitby, YO21 3SZ
Date: 02 February 2021 16:12:55

Whilst acknowledging the surge in car parking demand in Sandsend during the peak summer season (and in particular 2020/1 Covid-19 Staycation season), I would like my objections to the current proposal noted:

1. Despite its expansive beach at low tide, the small village of Sandsend cannot absorb 150 more cars' worth of visitors (potentially 600+)
2. The proposed site's entrance/exit is a notorious bottle-neck, where the main road is obliged to right angle turn over a narrow stone bridge...the very place at which a visitor lost her leg, as she was crushed by a tight-turning lorry. To assume 150 cars may join this already sluggish and dangerous flow of traffic at this very point is sheer folly.
3. No toilets? How can Mulgrave expect upwards of 600 people to decant from cars after travelling on average 2 hours not to need these essential facilities? This will only give rise to a grave Health and Safety issue as children and adults alike will be forced to urinate (and worse) in the bushes and beck...a beck which flows to the sea, via the children's boating pond.
4. Tucked away from view, I am nervous that this carpark will become a popular venue for unsavoury activity through the night.
5. The very charm which attracts tourists to our village will be eroded by this greedy and insensitive project. Sandsend is not Whitby, nor should it be turned into a sacrificial satellite to appeal to the masses. Litter, queuing, traffic, noise, pollution and crime will only increase.

Please do not facilitate the destruction of my home and the pearl of this stretch of the Yorkshire Coast.

Kindest regards,

Louise Armstrong

Comments made by Mrs Louise Armstrong of Melrose House, The Parade, Sandsend, Whitby, YO21 3SZ

Preferred Method of Contact is Email

Comment Type is Adverse Comments