

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



**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**

**Application No:** **NYM21/0592/FL**

**Proposed Development:** Application for construction of access road and associated landscaping to serve zone  
2 of the residential development at Broomfield Farm, Whitby (residential development outside National Park boundary)  
**Location:** Land off Stainsacre Lane, Whitby  
**Applicant:** Keyland Development Ltd

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

**Area Ref:** 4/35/2924 **Tel:**

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

**To:** North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
YO62 5BP  
**Date:** 12 October 2021

**FAO:** Mr M Hill **Copies to:**

**Note to the Planning Officer:**

The Local Highway Authority has received further information since the issue of the recommendation dated 1/10/21

It is thus recommended that

**Note to the Planning Officer:**

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

The application documents refer to the Scarborough Borough Council planning application for 290 dwellings, SBC/20/00249/FUL which was granted approval and includes the provision of a roundabout on the A171. The SBC application was a hybrid application with approval for means of access to serve the entire site, including that part of the site now under consideration by NYMNP which was to be served from the internal spine road and the new roundabout, not a separate access off the A171. Whilst it is acknowledged that a roundabout junction will be to the detriment of free flow along the A171, provision of such a junction design was deemed necessary to cater for the level of traffic to be generated by the full site.

The Highways Technical Note submitted by Andrew Moseley associates on behalf of the applicant dated 11<sup>th</sup> October, explains that the roundabout is still required for future

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

NYM21/0592/FL

development but it does not explain why another access off the A171 is needed instead of access to the 60 dwellings being via the roundabout and through zone 1, as was indicated in the Scarborough BC application.

It should be noted that this application is only seeking permission for the access from the A171 and across 1 field but does not include the residential estate road that would follow on from this point. Therefore, until the road layout for the 60 dwellings is approved, the LHA consider that this permanent access should not be considered. Once the road layout is designed and applied for, this could demonstrate the need for a temporary construction access or possibly an emergency access if more than 50 dwellings are served from a cul-de-sac.

The length of A171 between the proposed roundabout and the proposed access is prone to flooding in heavy rainfall conditions and therefore the LHA would not wish to see any additional hardstanding areas where the surface water runs off into this area.

In Summary, the LHA are not objecting to the development of the 60 dwellings which has not gained full approval yet, only to the provision of a new permanent access off the A171 to a site where a suitable alternative access is achievable.

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

**R6 ACCESS INTERFERING WITH FREE FLOW (revised)**

The Planning Authority considers that the proposed access to the development is not required as an approved access from the roundabout has already been granted. Approval of this access would unnecessarily interfere with the free flow of traffic on the A road when it is not required.

~~~~~

However if the local planning authority is minded to grant permission it is requested that the following conditions are attached to the permission:

**Note**

It is assumed from section 8 of the application form and the updated drawing nr AMA/21105/SK/004, Rev P1 that the extents of the application include the access across the existing A171 highway verge and the road layout across a field to the edge of the NYMNP / SBC boundary. This proposed road would be expected to be offered for adoption to the Highway Authority and should therefore be part of a section 38 agreement. This agreement needs to include drainage and lighting considerations and this is particularly relevant as this area of the A171 is prone to being flooded in heavy rainfall conditions.

**1. MHC-01 Detailed Plans of Road and Footway Layout**

Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority.

The development must only be carried out in compliance with the approved engineering drawings.

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



**Continuation sheet:**

**Application No:**

**NYM21/0592/FL**

**Reason for Condition**

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

**2. MHC-07 Delivery of off-site highway Works**

The following schemes of off-site highway mitigation measures must be completed as indicated below:

- Relocation of the central refuge island located on the A171 between the proposed access and Fairfield Way planned with traffic management considerations
- Relocation of the bus stop located on the south side of the A171 between the proposed access and Fairfield Way planned with traffic management considerations
- Footway width improvement on the south side of the A171 between the proposed access and the proposed roundabout prior to occupation of any of the 60 dwellings.

For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.

An independent Stage 2 Road Safety Audit carried out in accordance with GG119 - Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site.

A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

**Reason for Condition**

To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

**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:

**NYM21/0592/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:** **NYM21/0592/FL**

Application for construction of access road and associated landscaping to serve zone

**Proposed Development:** 2 of the residential development at Broomfield Farm, Whitby (residential development outside National Park boundary)

**Location:** Land off Stainsacre Lane, Whitby

**Applicant:** Keyland Development Ltd

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

**Area Ref:** 4/35/2924 **Tel:**

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

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

**Date:** 28 September 2021

**FAO:** Mr M Hill **Copies to:**

**Note to the Planning Officer:**

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

The application documents refer to the Scarborough Borough Council planning application for 290 dwellings, SBC/20/00249/FUL which was granted approval and includes the provision of a roundabout on the A171. The SBC application was a hybrid application with approval for means of access to serve the entire site, including that part of the site now under consideration by NYMNP which was to be served from the internal spine road and the new roundabout, not a separate access off the A171. Whilst it is acknowledged that a roundabout junction will be to the detriment of free flow along the A171, provision of such a junction design was deemed necessary to cater for the level of traffic to be generated by the full site. Removing part of the development site and some 60 dwellings from needing to use the roundabout may have meant that alternative access arrangements, with less impact for traffic on the A171, for SBC/20/00249/FUL would have been acceptable.

It should be noted that this application is only seeking permission for the access and does not include the residential estate road that would follow on from this point. Therefore, until

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

**NYM21/0592/FL**

Application No:

the road layout for the 60 dwellings is approved, the LHA consider that this access should not be considered

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

**R6 ACCESS INTERFERING WITH FREE FLOW (revised)**

The Planning Authority considers that the proposed access to the development is not required as an approved access from the roundabout has already been granted. Approval of this access would unnecessarily interfere with the free flow of traffic on the A road with the introduction of the roundabout when it is not required.

**Signed:**

***Ged Lyth***

*For Corporate Director for Business and Environmental Services*

**Issued by:**

Whitby Highways Office  
Discovery Way  
Whitby  
North Yorkshire  
YO22 4PZ

**e-mail**

---

**From:** Elspeth Ingleby  
**Sent:** 20 September 2021 12:23  
**To:** Mark Hill  
**Cc:** Planning  
**Subject:** NYM/2021/0592/FL -

Dear Mark

I have now had time to scrutinise the information submitted with this development, and note that it is explicitly stated in the submission documents that the land subject to this application is not required to provide any BNG for the associated development outside of the National Park. We can therefore consider any implications of the development that constitute habitat impact/loss solely within the site itself. Whilst the proposals are supported by a PEA which sets out habitat values in terms of the DEFRA Metric and an assessment of the hedgerows under the Hedgerow Regulations 1997, some additional information is required to enable us to determine the potential impacts of the development.

The PEA has identified that a Biodiversity Net Gain Strategy (BNS) and Ecological Impact Assessment (EclA) would be required prior to submission of planning details in order to clearly set out how the proposed site landscaping and enhancements post development would demonstrate that Biodiversity Net Gain (or no net loss) has been secured for the site. This information does not yet appear to have been provided and will be **required before the application can be determined** to enable us to fully assess the impact of the proposals. I note for example that the proposed plans do not appear to include any native hedge creation which would be required to compensate for the loss of sections of two hedges to enable this development to proceed.

I am satisfied that the other recommendations stated within the PEA report, for a CEMP (Biodiversity) and Biodiversity Management Plan, would be appropriate to include within conditions rather than being necessary to include in pre-determination information. We can finalised appropriate wording for this in due course.

Details of any proposed street lighting for this section will also need to be reserved by condition to minimise impacts on dark skies qualities of the National Park.

Best wishes

Elspeth

**Elspeth Ingleby MA<sup>Cantab</sup> ACIEEM**  
**Ecologist**  
North York Moors National Park Authority  
The Old Vicarage, Bondgate, Helmsley, York YO62 5BP

**From:**  
**To:**  
**Subject:** Hawsker cum Stainsacre Planning Decisions  
**Date:** 07 September 2021 22:42:32

---

Good evening,

Application NYM/2022/0635/FL - Council have no objections to the planning application, however, Council has shown concerns over where the skip and shipping container that is currently located at the property will be placed whilst works are undertaken.

Application NYM/2021/0592/FL - Council object to this application, Council has concerns in relation to the speed limit approaching the access, currently 60mph down to 30mph just before proposed location. Council object to using 7 acres of agricultural land for the purpose of landscaping. Council also had concerns over drainage arrangements which would see water from the fields flow to the access area, at this time Council do not feel the drainage is substantial enough to cope with the amount of water in the location.

Kind regards,

Steph Glasby

Clerk to Hawsker cum Stainsacre Parish Council



**From:**  
**To:** [Planning](#)  
**Subject:** Fwd: NYM/2021/0592/FL - Hawsker cum Stainsacre  
**Date:** 27 August 2021 11:31:23

---

Morning,

If I could receive a response to the below email (dated 17th August 2021) by Wednesday the 1st of September that would be greatly appreciated.

Kind regards,

Steph Glasby

Clerk to Hawsker cum Stainsacre Parish Council

---

**From:** Hawsker Stainsacre  
**Sent:** Tuesday, 17 August 2021, 08:08  
**To:**  
**Subject:** NYM/2021/0592/FL - Hawsker cum Stainsacre

Good Morning,

I have received a question from a Councillor on why the ecovillage part of the estate being created at Broomfields (NYM/2021/0592/FL) needs separate access to the rest of the estate.

Could you just clarify why this is needed please?

Kind regards,

Steph Glasby

Clerk to Hawsker cum Stainsacre Parish Council

**From:**  
**To:** [Planning](#)  
**Subject:** NYM/2021/0592/FL FAO Mark Hill  
**Date:** 12 August 2021 11:27:25

---

Dear Mark,

**Proposal**                    **Application for construction of access road and associated landscaping to serve zone 2 of the residential development at Broomfield Farm, Whitby (residential development outside National Park boundary)**

**Location**                **Land off Stainsacre Lane Whitby**

Thank you for giving North Yorkshire Police the opportunity to comment on this planning application. In relation to designing out crime, having reviewed the documents submitted, I have no comments to make regarding the proposal.

If I can be of further assistance, do not hesitate to contact me.

Kind regards

Richard

Mr Richard Ball, MPlan  
Designing out Crime Officer  
Police Station, Fulford Road, York, North Yorkshire, YO10 4BY

\*\*\*\*\*  
\*\*\*\*\*

Internet email is not to be treated as a secure means of communication.

North Yorkshire Police monitors all internet email activity and content.

This communication is intended for the addressee(s) only.

Please notify the sender if received in error. Unauthorised use or

disclosure of the content may be unlawful. Opinions

expressed in this document may not be official policy.

Thank you for your co-operation.

\*\*\*\*\*  
\*\*\*\*\*

**From:** [Hawsker Stainsacre](#)  
**To:** [Planning](#)  
**Subject:** NYM/2021/0592/FL - Hawsker cum Stainsacre  
**Date:** 17 August 2021 08:08:34

---

Good Morning,

I have received a question from a Councillor on why the ecovillage part of the estate being created at Broomfields (NYM/2021/0592/FL) needs separate access to the rest of the estate.

Could you just clarify why this is needed please?

Kind regards,

Steph Glasby

Clerk to Hawsker cum Stainsacre Parish Council