

From:
To: [Planning](#)
Subject: FW: High Cragwell, Aislaby - Construction of one local connection dwelling with associated access etc.
NYM/2022/0563
Date: 25 January 2023 10:53:09

From: Steve Reynolds
Sent: 15 August 2022 11:29
To: Planning
Subject: High Cragwell, Aislaby - Construction of one local connection dwelling with associated access etc. NYM/2022/0563

FAO Miss Megan O'Mara

High Cragwell, Aislaby - Construction of one local connection dwelling with associated access etc. NYM/2022/0563

I refer to your e-mail of the 15th August 2022 in respect of the above application. I hereby confirm that I have no objections to the application on housing or environmental health grounds.

Thanks

Steve

Steve Reynolds DipAc, DipEH, BSc, DMS, MSc(ENG), MCIEH, CEnvH, CMIWM
Residential Regulation Manager
Scarborough Borough Council

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION-
ADDITIONAL/AMENDED INFORMATION**

Application No: **NYM22/0563/FL**

Proposed Development: construction of one local connection dwelling with associated access, parking, amenity space and landscaping works

Location: High Cragwell, Aislaby

Applicant: Mr & Mrs Pearson

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

Area Ref: 4/36/153A **Tel:**

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

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 17 January 2023

FAO: Megan O'Mara **Copies to:**

Note to the Planning Officer:

The Local Highway Authority has received further information since the issue of the recommendation dated 2/9/22

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:

High Cragwell is a private access road which appears to be the only vehicular access for 5 existing dwellings plus another dwelling, Moorside, which has vehicular access on this access and on Moor Lane . The applicant has provided information that vehicular access would be permitted for residents and visitors of the proposed property

The NYCC highways design guide recommends that private drives should not serve as the vehicular access to more than 5 dwellings. Any more than this the access should be constructed up to adoptable standards. The access is a single vehicle width track and cannot be reasonably conditioned to be improved to an adoptable standard, principally because of the width available.

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

NYM22/0563/FL

the additional information provided, the applicant has suggested that access between the site and the publicly maintainable highway could be improved and widened to a minimum width of 3.5 metres. For a road layout to be up to adoptable standards, the minimum width should be 4.5 metres. For a private drive where there is a possibility of two cars passing, the drive width of a private drive, section 3.8 of the NYCC Highway design Guide is recommended to be a minimum width of 4.1 metres.

The design standard for the site is Manual for Streets and the required visibility splay is 2 metres by 43 metres. The available visibility is 2 metres by 15 metres.

The LHA are also concerned about the visibility splay for drivers leaving High Cragwell onto Aislaby Road. The hedges on both sides of the access restrict the visibility and neither of these are shown as being in the control of the applicant.

The available visibility splays have been assessed as 2 metres by 15 metres in both directions.

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

R1 ROADS LEADING TO THE SITE

The Planning Authority considers that the road leading to the site are by reason of its insufficient widths is considered unsuitable for the traffic which would be likely to be generated by this proposal.

R3 VISIBILITY AT EXISTING ACCESS

The existing access, by which vehicles associated with this proposal would leave and re-join the County Highway is unsatisfactory since the required visibility of 2 metres x 43 metres cannot be achieved at the junction with the County Highway and therefore, in the opinion of the Planning Authority, the intensification of use which would result from the proposed development is unacceptable in terms of highway safety

<p>Signed:</p> <p style="text-align: center;"><i>Ged Lyth</i></p> <p><small>For Corporate Director for Business and Environmental Services</small></p>	<p>Issued by: Whitby Highways Office Discovery Way Whitby North Yorkshire YO22 4PZ</p> <p>e-mail: _____</p>
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From:
To: [Planning](#)
Subject: Re: NYM/2022/0563
Date: 07 October 2022 17:15:58
Attachments: [0.png](#)

Dear Planning

The above application was discussed at our recent Parish Council meeting and unfortunately the council do have some concerns with regards to the access and also drainage. Concerns were raised as to whether the sewage system can cope with an additional property.

Many thanks

Connie

*Connie Wiggins
Parish Clerk
Aislaby Parish Council
C/O Moorgarth
The Mill Green Way
Goathland
Whitby
North Yorkshire YO22 5LZ*

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM22/0563/FL**

Proposed Development: construction of one local connection dwelling with associated access, parking, amenity space and landscaping works

Location: High Cragwell, Aislaby

Applicant: Mr & Mrs Pearson

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

Area Ref: 4/36/153A **Tel:**

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

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 2 September 2022

FAO: Megan O'Mara **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:

High Cragwell is a private access road which appears to be the only vehicular access for 5 existing dwellings plus another dwelling, Moorside, has vehicular access on this access and on Moor Lane . The access road is not shown as being within the applicants control and neither is it shown on the definitive map as a public right of way. Whilst it is assumed that the applicants, as residents of the property called High Cragwell, have a right of access along the access road, permission will need to be obtained from the land owner of the track for the new proposed new residents to have a right of access.

The NYCC highways design guide recommends that private drives should not serve as the vehicular access to more than 5 dwellings. Any more than this the access should be constructed up to adoptable standards. The access is a single vehicle width track and cannot be reasonably conditioned to be improved to an adoptable standard, principally because of the width available.

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

R1 ROADS LEADING TO THE SITE

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

NYM22/0563/FL

Application No:

The Planning Authority considers that the road leading to the site are by reason of its insufficient widths, poor condition and lack of footways/lighting/turning area is considered unsuitable for the traffic which would be likely to be generated by this proposal.

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:
To:
Cc: [Planning](#)
Subject: NYM/2022/0563 High Cragwell, Aislaby
Date: 31 August 2022 14:40:37

Hi Megan,

I've reviewed the documents submitted with this application. The documents state that there are several fruit trees on the plot, and the aerial photos appear to show that the site is heavily vegetated. No details on the proposed retention of this vegetation has been submitted, and it is therefore not possible to fully assess the application. Orchard habitat can be a priority habitat, and the loss of any vegetated habitat can impact on biodiversity.

Within the National Park, we have policies to require that development does not cause a detrimental impact on our habitats and wildlife, in effect requiring 'no biodiversity net loss'. These policies include;

- Strategic Policy A - Sustainable development means development which "maintains and enhances geodiversity and biodiversity through the conservation and enhancement of habitats and species";
- Strategic Policy E - "The quality and diversity of the natural environment will be conserved and enhanced" and;
- Strategic Policy H - All development will be expected to; "Maximise opportunities to strengthen the integrity and resilience of habitats and species within the National Park and provide a net gain in biodiversity"

Additionally, the recently adopted Environment Act 2021 states that all development should result in a 10% net gain for biodiversity. Although this will not be mandatory until 2023, paragraph 174d of the NPPF 2021 also states that planning decisions should be "*providing net gains for biodiversity*".

I therefore recommend that an assessment of the habitats onsite is completed, and details of how the development will result in gains for biodiversity should be provided.

Best wishes,

Zara Hanshaw ACIEEM
Assistant Ecologist
[\(she/her\)](#)

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

Date: 16 August 2022
Our ref: 403573
Your ref: NYM/2022/0563



BY EMAIL ONLY

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

Dear Planning Services

Planning consultation: Application for construction of one local connection dwelling with associated access, parking, amenity space and landscaping works

Location: High Cragwell, Aislaby

Thank you for your consultation on the above dated 15 August 2022 which was received by Natural England on 15 August 2022

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to

Yours faithfully

Thomas Bell
Consultations Team

Annex A – Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 174 of the [National Planning Policy Framework](#) (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 174 and 175). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling separate guidance on soil protection for site restoration and aftercare is available on [Gov.uk](#) website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying [Good Practice Guide for Handling Soils in Mineral Workings](#).

Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)². Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

² <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

Annex A – Additional advice

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

Natural England's [Biodiversity Metric 3.1](#) may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the [Small Sites Metric](#) may be used. This is a simplified version of [Biodiversity Metric 3.1](#) and is designed for use where certain criteria are met. It is available as a beta test version.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside [Biodiversity Metric 3.1](#) and is available as a beta test version.

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Annex A – Additional advice

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 100 and 174 of the NPPF highlight the importance of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

From:
To: [Planning](#)
Subject: Re: NYM/2022/0563
Date: 15 August 2022 18:24:23
Attachments: [0.png](#)

Dear Planning

Thank you for your email. Unfortunately our next Parish Council meeting isn't until the 4th October and this application will be discussed at that meeting. I will forward you the thoughts of the council immediately after the meeting.

Kind regards

Connie
Connie Wiggins
Parish Clerk
Aislaby Parish Council
C/O Moorgarth
The Mill Green Way
Goathland
Whitby
North Yorkshire YO22 5LZ