

From:

To: [Planning](#)

Subject: Construction of dwelling at land rear of Cross Farm Buildings: NYM/2022/0470

Date: 28 March 2023 15:35:42

Dear Hilary Saunders.

Please note I object to the latest planning proposal regarding the development of the land to the rear of Cross Farm Buildings.

I have objected to previous planning submissions on 14th July and 14th August 2022. The latest application has been submitted following a traffic survey carried out in February. For the data from a traffic survey to be valid the survey should have been carried out during the schools summer holidays when the traffic in Egton is at its maximum. Also in mid summer the NYMR is operating and virtually all traffic heading for the NYMR at Grosmont passes through Egton.

The report from VIA SOLUTIONS suggests there is an existing "One Way System" operating in front of Cross Farm Buildings. This is not the case. I have lived in Cross Farm House since 1977 and in all that time I have witnessed one minor accident. The vast majority of drivers treat that stretch of road as a "Blind Bend" and take the necessary precautions. In the 46yrs I have lived at Cross Farm House speeding traffic has never been an issue.

The solution proposed by VIA SOLUTIONS would in my view make matters worse as it would give drivers a false sense of security and encourage drivers to take the "Blind Bend "at an increase speed.

The changes to the road layout proposed by VIA SOLUTIONS are inappropriate as this part of Egton is within the Egton Conservation Area and I would be extremely disappointed if this application was approved and "Priority Over Oncoming Traffic" signs were to be erected within the Egton Conservation area behind my house.

I am not convinced that the proposed modifications to the road layout will improve the visibility and safe means of access to the proposed development and as such planning permission should be refused.

Regards,
Anthony Jackson.
Cross Farm House,
Egton

From:
To: [Planning](#)
Subject: Comments on NYM/2022/0470 - Case Officer Mrs Hilary Saunders - Received from Dr Elizabeth Marsh at Dale View, Egton, Whitby, YO21 1TZ
Date: 18 March 2023 06:46:11

Comments from: Dr Elizabeth Marsh, Dale View, Egton

Application: NYM/2022/0470

I have not submitted an objection to the proposals to build a house on land e behind the former abattoir before. My reasons for objecting are given below.

- 1) I note that:
 - a. It is a restart of the application paused whilst the previously rejected scheme was taken to appeal.
 - b. The reasons for the dismissal of that appeal (APP/W9500/W/22/3304496) can be summarised as:
 - i. Site was not considered an appropriate location for housing wrt settlement strategy
 - ii. Negative impact on the character or appearance of the Egton Conservation Area
 - iii. Negative impact on highway safety
 - c. The plans remain as originally submitted.
 - i. The design of the property has been revised in an attempt to minimise impact, I will leave it to others to judge if this has been successful
 - ii. The objections to the site as appropriate for housing remain. Whilst in the built-up centre of the village it would place a completely new residential building in a position where not other such buildings have been permitted. The housing in Egton is principally on a linear plan, strung out along, and facing onto, roadways. Buildings behind this line are almost exclusively barns and outbuildings, some of which have been converted for residential use.
 - iii. The objections to impact on highway safety remain, further comments below.
 - d. The only new document included is the "Technical Note – Access" by VIA Solutions.
- 2) In my view:
 - a. The development of the site would not negatively on my property as long as the boundary hedge and the bank on which it stands are maintained as is and not modified in any way.
 - b. The development shoe horns a house onto a small plot that would be better utilised as a garden for the Cross Farm Buildings conversion (permission granted 19/11/2020)
 - i. No work has been undertaken to convert the Cross Farm Buildings since permission was granted.
 - ii. The applicant has been marketing the property but at least two sales have fallen through. I understand that one of these failed as the applicant wanted too much money for the site under consideration, that the potential purchaser wanted to use as a garden for Cross Farm Buildings.
 - iii. The applicants are motivated by greed to try and force through an over development on this site. If allowed the house would have limited appeal due to a lack of prospects, the wall of the Towbar Express building to the rear and the bank and hedge forming the boundary with 1 Esk View to the front.
- 3) Statements of truth
 - a. I have lived in Egton since 1998 and cannot comment on access use before that date.
 - b. Since 1998 I can testify that that entrance has never been in regular use commensurate with a drive to a residential property, just for periodically for agricultural purposes. Evidence of lack of regular use is a failure to establish a trackway – the vehicle tracks are generally overgrown.
 - c. I believe the statements of truth are, at best, misinformed and misguided at worst concoctions in an attempt to justify the change of use from an emergency exit to regular driveway.
- 4) Technical Note – Access
 - a. This does not mention the limit of 14mph on the 85th percentile speed previously stated as necessary for Highways objections to be the development to be overcome.
 - i. I have not analysed the data attached but note that the 85th percentile speeds quoted in the report, 20.3 mph and 19.7 mph, are considerably in excess of the 14 mph limit. Plus 6.3 mph or 5.7 mph, 45% or 40.7% over 14 mph.
 - b. The traffic survey was undertaken outside the tourist season when volumes of traffic are low. The results cannot be taken to be representative of any period other than when the survey was taken. The type of vehicles using the junction would also not reflect the summer months, when coaches are taking visitors to the NYMR.
 - c. The report contains factual errors regarding the current situation that further calls into question its' validity:
 - i. The island of land between the two branches of the road to Grosmont contains only one contiguous building block, Cross Farm.
 - ii. There is no "one-way working arrangement" currently in place. It would not be possible to impose one as large vehicles such as coaches and lorries are unable to negotiate the junction were the southern branch of the

Grosmont road joins the High Street

- d. The report proposes further restricting the width of the northern branch of the Grosmont road and implementing a priority system.
 - i. It is assumed, without any supporting evidence, that this will reduce speeds, by "up to 5 mph". Even if achieved this would not have dropped the 85th percentile speed noted in the survey below the 14 mph limit.
 - ii. I do not believe the proposed scheme would have any significant impact on driver behaviour and may in fact increase the risk of an accident.
 - iii. Improving visibility round the corner is likely to increase, not reduce the speed of those exiting the High Street.
 - iv. The proposed narrowing of the road may push "southeast bound traffic away from the corner of the building" (referring to Cross Farm Buildings) but this is negated by the fact that it would push traffic closer the Cross Farm, a long established home.
 - v. The existing kerbs are sufficiently high to deter drivers mounting them. The proposed narrowing would not change this.
 - vi. The road changes proposed are purely an attempt to facilitate the building of one house and would provide no benefit to anyone other than the applicant. The way the report concludes confirms this. It in no way "adequately demonstrates that the proposal [the planning application] would not harm highway safety".
- e. The report claims that the proposed changes will address some of the concerns over speeding in the village. No evidence to support this assertion is provided.
 - i. I attended a recent meeting arranged by the Parish Council to allow the residents to air concerns over speeding. These were primarily associated with the speed on the High Street, not the side roads. I cannot see any way that this scheme would have any impact on speed on the High Street.
 - ii. I live near the junction of the branch of the Grosmont road impacted by this scheme and have for many years observed the behaviour of junction users. As a result of my observations I raised the safety of the junction at the meeting, the only person to do so. My concerns would not be addressed by this scheme. Dangerous driver behaviour would not be impacted. People would still exit the junction from Grosmont without stopping risking collision with those coming up from Egton Bridge. People would still assume that I was not going to slow down sufficiently to use my drive rather than turn down to Grosmont at a higher speed, thus risk colliding with the rear of whatever vehicle I was driving / riding.

Comments made by Dr Elizabeth Marsh of Dale View, Egton, Whitby, YO21 1TZ

Preferred Method of Contact is Email

Comment Type is Strongly Object

The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Tom Stanforth
Heathlands
Egton
Whitby
YO21 1TX

20th March 2023

RE: NYM/2022/0470 Application for construction of 1 no. principal residence dwelling with associated amenity space, parking, and access (revised scheme following refusal of NYM/2021/1005/FL) at land read of Cross Farm Buildings, High Street, Egton.

Dear Sir/Madam,

The Traffic Census undertaken in February 2023, is full of misrepresentation, and facts which are bordering on falsehoods. There is no "one-way system". The statement made that "traffic volumes" are very low is a total travesty. Of course, in the quietest week, in the middle of winter, this might be true. But how about doing the survey in June/July/August when the NYMR (North Yorkshire Moors Railway) is open? When holiday traffic, motorcycle rallies etc. etc. take place, then a totally different picture will emerge.

I am astounded that the Marquis of Normandy, through his agent, Mr. Robert Childerhouse, a serving Magistrate, appears to go along with this underhand behaviour, which seems to be bordering on Illegality.

I have yet to find anyone in the village that supports this application. It is a case of Mulgrave Estate ignoring the feelings of the Egton residents in pursuit of corporate greed.

The idea of delivery vans, cars, etc pulling out onto a blind corner is dangerous and beyond belief, a fatality waiting to happen!

I notice that Towbar Express has put a notice on the exit gate that states, "Emergency Exit Only" and rightly so, good on them for being so responsible!

This application should be refused out of hand.

Kind Regards,

Tom Stanforth

From: [k](#)
To: [Planning](#)
Subject: Comments on NYM/2022/0470 - Case Officer Mrs Hilary Saunders - Received from Mr Ian Woodcock at Dale View, Egton, Whitby, Whitby, United Kingdom, YO21 1TZ
Date: 12 March 2023 07:01:53

I have previously submitted comments regarding this and the applicant's previous application for this site, the appeal for which has been dismissed by the Planning Inspectorate. They have recently conducted another duplicitous speed survey, undertaken out of the main holidays season and with the NYMHR closed. This is prima facie a blatant attempt to achieve a result that does not exist, the report from Via Solutions states. This report admits that the speed survey was a failure in that it showed speeds above the maximum permitted by highways (the 85th percentile being 45% above the maximum permitted by highways for the proposal). A proper traffic survey must be carried out in the height of the summer season and not the depths of winter. They also mention "...the one-way working arrangement that presently exists...". There is no such one-way system and never has been. A one-way system would not work as larger vehicles and buses would not be able to navigate it. It is clear that this report contains significant errors.

In addition, their proposal to amend the footpath around Cross Farm Buildings will just make a dangerous corner even narrower. The installation of priority signs will make no difference to driving behaviour on the corner, it will remain a dangerous site entrance.

Nothing in this application changes the considered view of The Planning Inspectorate in dismissing appeal APP/W9500/W/22/3304496. In addition, the applicants wish to impose changes on the village in pursuit of their own financial gain with no supporting evidence that these changes are either wanted or acceptable to the residents of Egton.

This desperate second application for this site fails to address the access issues in any acceptable manner and should be rejected.

Comments made by Mr Ian Woodcock of Dale View, Egton, Whitby, Whitby, United Kingdom, YO21 1TZ

Preferred Method of Contact is Email

Comment Type is Strongly Object

From:
To: [Planning](#)
Subject: Comments on NYM/2022/0470 - Case Officer Mrs Hilary Saunders - Received from Ruth Grayson at The Forge, High Street., Egton, yo21 1tz
Date: 20 August 2022 19:29:26

I am expressing my concerns regarding this planning application and the impact it will place on the already precarious road junction. It is my opinion that the constant use of the twin trod track approaching the main road through Egton, would cause further danger to an already dangerous road junction. I know of one collision there and have witnessed several near collisions. Adding further traffic problems to this ancient and now inadequate road junction may prove to be an expensive problem that could not be overturned in future. Many roads leading off the High Street through Egton, were designed and constructed before the use of the numerous high powered vehicles using the network today.

Comments made by Ruth Grayson of The Forge, High Street., Egton, yo21 1tz

Preferred Method of Contact is Post

Comment Type is Comment

From: anthony jackson

Sent: 14 August 2022 15:53

To: Hilary Saunders <

Subject: Fw: NYM/2022/0470 : Planning Application for construction of Principal Residence dwelling at the rear of Cross Farm Buildings

Hilary,

Good afternoon,

Please note revised comments to replace those sent on Friday 12th August

Further to my comments on the subject planning application of the 14th July, please note additional comments focused on the three "Statements of Truth" confirming the use of a right of way over a private road.

Many thanks,

Anthony

comments

----- Forwarded message -----

Planning approval for the change of use of Cross Farm Barn to light industrial use was granted on the 3rd December 1980 with conditions.

Condition 5 states: the existing doorways on the southside of the building and gateway at its north western corner shall not be used for any purpose other than that of emergency exits and are to be clearly marked as such to the satisfaction of the local planning before the change of use is brought into operation..

Note the use of the word gateway, this was because in December 1980 there was a gate across the subject right of way and that gate was in existence for a number of years before it disintegrated through lack of care and attention. Mulgrave Estate was responsible for maintaining the subject gate.

Mulgrave Estate applied for a relaxation of Condition 5 but this was refused on 29th April 1981. In 2018 I was advised by the NYMNPA that Condition 5 was still valid and Mulgrave Estate had been advised accordingly..

The planning approval also stated that access to Cross Farm Buildings was to be via the entrance to Egton Abattoir and a purpose built parking area was to be constructed between the abattoir and Cross Farm Buildings.

Non of the above conditions and requirements were ever addressed by Mulgrave Estate.

Statement of Truth: James Mortlock.

Rupert Mansell.

Mr Mortlock states that from November 1981 to November 1986 Cross Farm Buildings was used by Rupert Mansell as a clothing design workshop with four employees. I have no recollection of this particular operation. I have contacted colleagues in Egton Village but no one can recall that for five years we had a clothing design workshop in the village! I may be wrong but I would have thought I would have remembered as I can remember all the other businesses that have occupied Cross Farm Buildings.

What adds to the confusion is that the first business to occupy Cross Farm Buildings in 1981 was a company from Thornaby on Tees packaging Nail Varnish and Nail Polish remover.

Evidence of that operation can still be found at the back of Cross Farm Buildings where is located a metal deflector plate that was installed as part of the ventilation extraction system. It is only in recent years the the red discolouration of the stone work has faded.

It should also be noted that on the 8th May 1981 I wrote to the NYMNPA: Mrs Dilcock voicing my concerns as to the operation of the Nail Varnish company. One of my areas of concern was the noise from the extraction fan and the aroma of Acetone that drifted across the village. I cannot recall when they ceased trading at Cross Farm Buildings but I know the issues were discussed by the NYMNPA in July 1981

Colin Williamson.

I new Colin Wilkinson very well although I was not aware he employed staff.

Colin parked his car behind Cross Farm Buildings using the subject private road. In violation of Condition 5 However he should have been driving to his parking place via the entrance to the abattoir.

John Drake: Beekeeping Business.

John and his colleagues used the south facing doors for access for him, his colleagues and his beekeeping equipment in violation of Condition 5. As most of John`s beekeeping equipment was delivered on trailers he had no need to use the subject access at the rear of the building.

The Lickerish Tooth Gin Distillery: Steven Donnelly.

I got on well with the Lickerish Tooth team but I did voice my concerns to the NYMNPA in 2017

regarding a number of issues ;

1. A metal stairwell had been installed to the rear of the Cross Farm Building.
2. Security Lights had been installed to each of the four exit doors on the south side of the building.

Both of the above are in violation of Condition 3 as no planning application was raised.

Although Lickerish Tooth did take deliveries using the private road the main problem was the HGV's that delivered pallets of gin bottles and did their unloading on the roadside using the doorways on the southside of the building. It could take up to twenty minutes for unloading to take place with the road to Grosmont blocked for this period of time. This activity was in violation of Condition 5 In Egton Lickerish Tooth were a victim of their own success.

There are numerous comments regarding "Grazing" but surely the real issue is the use of the Private Road for access to the grazing areas as the designated access to the grazing areas ,yard, paddock etc was always via the abattoir main entrance. Even so the use of the Private Road by the "Graziers has been very intermittent and hardly warrants a reason for designating the Private Road as the accepted access to the area behind Cross Farm Buildings,

Mulgrave Estate seem to conduct themselves entirely to their own satisfaction. They have for for over 40 years refused to discharge their responsibilities towards the Cross Farm Buildings and the adjacent areas.in accordance with the conditions applied to the approved planning application of 1981.

Mulgrave Estate`s management of the area adjacent to Cross Farm Buildings leaves a lot to be desired and is not of the standard one would expect of a company with the history and standing of Mulgrave Estate.

Mulgrave Estate as the largest landlord in the area should be working in partnership with parishes such as Egton rather than seeing the parishes as some sort of cash cow.

It is not acceptable for Mulgrave Estate to benefit from their arrogant approach to the planning system that is in place for the benefit of all residents in the National Park and as such this planning application should be refused

Regards,
Anthony Jackson
Cross Farm House.
Egton.
YO211TZ

From:
To: [Planning](#)
Subject: Comments on NYM/2022/0470 - Case Officer Mrs Hilary Saunders - Received from Mr Ian Woodcock at Dale View, Egton, Whitby, YO21 1TZ
Date: 13 August 2022 15:54:17

Comments on the Statements of Truth provided in support of the above referenced planning application by Mr Robert Childerhouse, Mr Steven Donnelly and Mr James Mortlock:

1. In statement #3 Mr Childerhouse states that he believes a right of way has been established due to long use. I would maintain that having lived in Egton since 1998, that the road has never been in frequent use and is in fact rarely ever used.
2. In statement #4 Mr Childerhouse states he is “personally aware of the continual, uninterrupted use of the road as access...”. I do not understand how somebody who does not live in the village and has only been in the service of the Estate since 2016 can have personal knowledge of such a matter, it can only be based upon hearsay. In addition, I believe that he is incorrect and that he has provided an erroneous statement in support of his own planning application. The road in question has not been in continual, uninterrupted use for the many years that I have lived very close to it.
3. Regarding statement #4.2 by Mr Childerhouse, I agree the land behind the slaughterhouse was, and still is, grazed but the animals normally access the garth behind the slaughterhouse via the gate at grid reference NZ 80899 06419. Animals have on occasions been moved via the road in question but only on rare occasions such as when Mr Smith would have animals awaiting slaughter which could not be housed within the slaughterhouse pens. After Mr Smith retired this practice ceased.
4. In statement #4.3 it is stated that the land it is now let to a Mr Cornforth. Can this Mr Cornforth confirm himself if he is using the entrance otherwise it is again hearsay?
5. In statements #4.4 and 5 Mr Childerhouse states again that the track has been in constant use, I would disagree with these statements.
6. Mr Mortlock makes many of the same erroneous points and again he does not live in Egton so cannot be personally aware of many of the points raised.
7. Mr Donnelly does not mention in his statement that frequently their vehicles were too large to access the rear of Cross Farm Buildings so they would instead block the road up from Grosmont whilst loading and unloading.

I would like to stress that my concerns are solely related to the highway safety of the entrance that is proposed for the development. The applicants seem desperate to prove something that is not true, the entrance is not, and to the best of my knowledge since 1998 has not been in constant use. Identical statements from people who do not live in the village can only be based upon hearsay and assumption. Anybody familiar with the junction in question would be able to confirm how unsuitable it is as anything other than an emergency entrance/exit.

Comments made by Mr Ian Woodcock of Dale View, Egton, Whitby, YO21 1TZ

Preferred Method of Contact is Email

Comment Type is Raise Concerns

From:
To: [Planning](#)
Subject: Planning Application :NYM/2022/0470:
Date: 14 July 2022 17:01:28

Please note the following comments to subject planning application: NYM/2022/0470.

This application is a revised version of planning application: NYM/2021/1005/FL which was refused for reasons that can be equally applied to the current planning application: NYM/2022/0470 namely;

The site is not considered to form a suitable small site as it is not well related to the scale, form and grain of the existing surrounding residential development within this area of Egton and would be likely to have an overbearing and detrimental impact on the neighbouring residential amenity.

If approved the proposal would make it increasingly difficult for the Local Planning Authority to resist future applications for new housing on inappropriate sites which would cumulatively pose a major threat to the character, special qualities and distinctiveness of the more rural settlements of the National Park.

In the absence of a speed survey to demonstrate that the access will not be unsafe it is considered that the access would be harmful to highway safety for users of the highway.

Further considerations:

Egton Conservation Area.

The proposed Planning Application falls within the Egton Conservation Area and as such a "single storey principal residence dwelling" i.e. a bungalow would be totally out of place within the built environment of Egton.

Access Issues.

In December 1980 Mulgrave Estate applied for a change of use for Cross Farm Outbuilding from agricultural to light industrial. This was approved with conditions: including reference to the access locations.

"The existing doorways on the southside of the building i.e. at the roadside and gateway at its north western corner i.e. the proposed access shall not be used for any purpose other than that of emergency exists and which are to be clearly marked as such to the satisfaction of the Local Planning Authority before the change of use is brought into operation"

This condition was imposed "In the interests of the safety and convenience of the users of the highway and of the free flow of traffic on the highway.

The Local Planning Authority also stated that the designated access to Cross Farm Outbuildings was to be via the access to the Egton Abattoir.

In 1981 Mulgrave Estate applied for the relaxation of the condition which restricted the use of these accesses to emergency use only. This request was refused.

In May 2018 I raised concerns with the Local Planning Authority concerning the operation of the Lickerish Tooth Gin Distillery and was advised that the original planning conditions of 1980 still applied.

Condition 5: Relating to the "Access" issues has never been addressed by Mulgrave Estate.

The proposed access has been in use for many years but very infrequently by the tenants of Cross Farm Outbuildings and by a local farmer only because Mulgrave Estate have failed over 40years to address their responsibilities.

If the above planning conditions imposed on the access to Cross Farm Outbuildings are still relevant then they must equally apply to the same access to the proposed dwelling.

I note that for the refused planning application NYM/2021/1005/FL the North Yorkshire Local Highway Authority raised no objections as "access to the site from the highway is via an existing dropped kerb". So the fact that the subject access exits onto a blind bend is of no consequence and was deemed by the Highways Authority as irrelevant.

To sum up I propose that the planning application be refused in view of;

1. The reasons for refusing NYM/2021/1005/FL are relevant for NYM/2022/0470.
2. The development is inappropriate for the Egton Conservation Area.
3. The conditions relating to the access to Cross Farm Outbuildings equally apply to the access to the propose development.

Since the original planning application for the change of use of Cross Farm Buildings in 1980 there has been a vast increase in traffic on the highway at the exit of the access to the proposed development. This increase has been influenced by the success of the NYM Railway. At present there is only one direction sign to the NYM Railway which is on the A171 and it directs the vast majority of NYM Railway traffic through Egton. So if the use of the subject access was deemed to be a safety issue in 1980 it is surely more of a safety issue in 2022

Regards,
Anthony Jackson.
Cross Farm House,
Egton,
YO211TZ.

From:
To: [Planning](#)
Subject: Comments on NYM/2022/0470 - Case Officer Mrs Hilary Saunders - Received from Mr Wayne Borrett at Towbar Express , Heathlands, The Old Surgery, Egton, Whitby, YO21 1TX
Date: 04 July 2022 12:41:34

As owners of the property formally known as Egton Abattoir and now as The Old Barn we have the following concerns with this application.

The access in and out of the title comes out onto a blind bend and presents significant danger to the cars travelling from Grosmont and into Egton. I note that a traffic survey was done earlier this year but it is worth mentioning that this survey was done when the NYMR in Grosmont was not operational and when essential utility works were being done 200 yards up the road. I would suspect had the survey been done in June/July and with the NYMR open, the results would be drastically different. Could I then suggest that this survey was done in Summer months in order to establish a more representative flow of traffic which would form a clearer picture of safety.

The location of the proposed dwelling is directly behind our barns (to the East). These barns have windows on the East side and any dwelling will block all light into them to the point of total darkness. I would ask that information is given to us to justify why this would be allowable.

Construction on The Old Barn is now well under way with work scheduled to be completed in Autumn/Winter this year. This will lead to significant employment opportunities in the Village. A further phase of our development was to be an application to Parks to convert our barns into further offices either for our own use, or for other businesses to use. If a dwelling were to go up in its proposed location, this would prevent this application entirely and limit any further employment opportunities we had planned to generate.

Access into the location would typically be restricted by two closed farm gates that would be in place to establish our boundaries. This access has been agricultural use only for the past 80+ years and to my knowledge still is.

Comments made by Mr Wayne Borrett of Towbar Express , Heathlands, The Old Surgery, Egton, Whitby, YO21 1TX

Preferred Method of Contact is Email

Comment Type is Site Visit Requested

From:
To: [Planning](#)
Subject: Comments on NYM/2022/0470 - Case Officer Mrs Hilary Saunders - Received from Mr Ian Woodcock at Dale View, Egton, Whitby, YO21 1TZ
Date: 28 June 2022 08:16:21

Whilst I have no objection to this application, as long as the integrity of our boundary is not impacted, I have concerns with the statements made in the Planning, Heritage, Design and Access Statement.

Clause 4.10 states that:

"Access will be from the High Street utilising the existing access. This access has been in continual use by the tenants of the Outbuilding and the landowners of the land to the rear and a right of way over it has existed for many years.

Clause 4.11 states that:

"A formal Statement of Truth can be provided by the applicant (owner of the Outbuilding and the land to the rear (the application site)) at the LPA's request confirming that the access has been in continual use by vehicles for at least 10 years and longer right up until the present day. This (resubmitted) application, therefore, should be considered as the previous application initially was, which is on the basis that the access has a lawful use as a vehicular and pedestrian access and is not restricted to emergency use only. Sufficient space is available to enable vehicles to enter and egress the plot in first gear."

Having lived next to the site since 1998 I would disagree that the entrance has been in constant use, to the best of my knowledge it has never been in constant use except for the short period of time as a gin factory (and even then vehicular movement was minimal). It would be interesting what information the applicants have that could form "A formal Statement of Truth".

In addition, the danger posed is not whether somebody can use first gear, it is the blind nature of the location and the danger posed to traffic travelling from Grosmont. Following the previous rejection the applicants arranged for traffic monitoring to be conducted to try to prove a point. This was installed at a time when (i) the NYMHR was not running as it was out of season and (ii) for part of the time the road was actually closed for utility work. The results of this survey, if they have been presented in support of the application, must be discounted as they are, at best statistically irrelevant and at worst an attempt to manipulate the data.

I would request the authority to definitively confirm or correct the belief that prior planning conditions did restrict the access to emergency use only.

Comments made by Mr Ian Woodcock of Dale View, Egton, Whitby, YO21 1TZ

Preferred Method of Contact is Email

Comment Type is No objections but comments