

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2023/0573

Development description: proposed dropped kerb and widening of access

Site address: access off A169 to 161 Coach Road, Sleights

Parish: Eskdaleside-Cum-Ugglebarnby

Case officer: Miss Victoria Flintoff

Applicant: Mrs Julie Cownden

161 Coach Road, Sleights, Whitby, YO22 5EN

Agent: Wilf Noble Construction & Plant Hire Ltd

fao: Mr Angus Nicholson, Sneaton Lane, Ruswarp, YO22 5HL

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text
1	TM01	The development hereby permitted shall begin not later than three years from the date of this decision.
2	PL02	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved.
3	MHC-03	The crossing of the highway verge and footway must be constructed in accordance with Standard Detail number E50. All works must accord with the approved details.

Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	RSN TM01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2	RSN PL01	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A

Reason number	Reason code	Reason text
		and C of the North York Moors Local Plan, which seek to conserve and enhance the special qualities of the National Park.
3	RSN MHC-03	To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.
Informative(s)		
Informative number	Informative code	Informative text
1	MC INF09	Please note that the footpath/track that runs through the development site hereby approved must be kept free from obstruction and open for use at all times before, during and after any works.
2	INF MHI-C	Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's website . The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

Consultation responses

Parish

No Objections

Highways

Recommendation of conditions.

Ramblers Association

No objections - the public right of way should be kept open, or an alternative route made available whilst the works are carried out.

Rights of Way Officer

No objections - the driveway must always remain available for use during the works period, to allow access by the public using the afore-mentioned public footpath.

Publicity expiry

25 October 2023

Photos showing entrance to 161 Coach Road, Sleights



The kerb to the left of the entrance is to be dropped to improve access when turning left into the site.



Background

161 Coach Road, Sleights is positioned to the south of St. Johns Church and is currently a dwelling with land that supports a small caravan licence for 5 units. The area of land on which the dwelling and campsite is located is referred to as 'Bonnie Banks'.

There are very few previous planning applications relating to the site, most recently, there was approval for replacement windows to the main dwelling.

This application seeks permission to widen the access to the driveway as the current dropped kerb is getting damaged as motorhomes and caravans turn into the site, as seen in the above photos.

Main issues

Policy Context

The relevant policies contained within the North York Moors Local Plan to consider in relation to this application are Strategic Policy J (Tourism and Recreation) and Policy C04 (Public Rights of Way and Linear Routes).

Strategic Policy J seeks to support tourism and recreation development where it is consistent with the principles of sustainable tourism and in particular does not lead to unacceptable harm to the local landscape character or an ecological or archaeological asset. The proposal should provide and protect opportunities for all people to increase their awareness, understanding and enjoyment of the special qualities of the National Park in a manner that will not undermine the enjoyment of those qualities by other visitors or residents and should be of a quality, scale and design that reflects the sensitivity of the local landscape. Any accommodation should be short term and as relevant in this case, the development should not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way. There should be no unacceptable harm in terms of noise and activity to the immediate neighbourhood.

Policy C04 aims to protect and where appropriate enhance existing networks of Public Rights of Way, linear routes and other access routes used by pedestrians, cyclists, and horse riders. Responsibility for all Public Rights of Way within the National Park has been delegated to the National Park Authority. The protection and enhancement of Public Rights of Way provides opportunities to encourage walking, cycling and horse riding as safe and attractive modes of transport whilst experiencing the special qualities of the National Park.

Material Considerations

The proposal seeks to widen the access to the driveway as the current dropped kerb is getting damaged as motorhomes and caravans turn into the site. This will involve increasing the dropped kerb by a few sections to the left, the driveway itself is remaining the same. Care will still be required when turning in due to the telegraph pole.

In terms of Strategic Policy J, the small caravan site has been in place for a while which has resulted in the damage to the dropped kerb. This proposal will not increase the traffic at the site as the licence remains for a small area of recreational caravans on the land of only 5 units at a time. Therefore, the scale and design of the development is appropriate for the nature of the site and there will be no additional harm to the landscape. The proposal will also enable better access for those wanting to visit the area and enjoy the qualities of the surrounding National Park in accordance with Policy J. As the level of activity will remain the same, there is no compromise to any existing tourism facilities nor the amenity of residents. The only concern was the consideration of disruption to the public right of way which runs through the site.

In terms of Policy CO4, concern for access to the public right of way was reiterated by the National Park Ranger and Ramblers Association. As such, to ensure access is maintained, an informative has been applied which requires the public right of way to be kept free from obstruction and accessible before, during and after the works.

Further to this, the Local Highways Authority also requested that the works be carried out in accordance with the details provided along with standard detail E50 which ensures a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

Conclusion

In summary, the proposal improves access to an existing caravan site whilst maintaining the modest level of activity on the site and providing suitable mitigation in the interest of access to a public right of way and highway safety. As such, the proposal is considered to accord with NYM Strategic Policy J and Policy CO4 and as such, is recommended for approval.

Public Sector Equality Duty imposed by section 149 of the Equality Act 2010

The proposal is not considered to unduly affect any people with protected characteristics.

Pre-commencement conditions

N/A

Explanation of how the Authority has worked positively with the applicant/agent

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including the occupancy of the unit and the design of the proposed fenestration elements, so as to deliver sustainable development.