

# NORTH YORKSHIRE COUNCIL

## LOCAL HIGHWAY AUTHORITY CONSIDERATIONS and RECOMMENDATION



**Application No:**

**NYM23/0129**

**Proposed Development:** reconfiguration of site to provide parking and amenity spaces for existing dwellings and construction of two local occupancy dwellings together with landscaping works

**Location:** land to the rear of Blacksmiths Cottage, Back Lane, Hawsker

**Applicant:** E, D and E Holyfield

**CH Ref:**

**Case**

Ged Lyth

**Officer:**

**Area Ref:** 4/33/319

**Tel:**

**County Road No:**

**E-mail:**

**To:** North York Moors National Park Authority

**Date:** 1 November 2023

**FAO:** Hilary Saunders

**Copies to:**

### **Note to the Planning Officer:**

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

#### **Vision splays at the access**

The existing vehicular access associated with the development is below the current required requirement. The design standard for the site is Manual for streets and the required visibility splay is 2.4 metres by 43 metres. The current available visibility is 2.4 metres by 8 metres looking SE and 2.4 metres by 13 metres looking NW. Additionally, the area used as parking at the neighbouring property, Hawks Garth has a similarly bad visibility splay but this is not an approved space as it does not have a dropped kerb.

The LHA have considered this existing use where 3 dwellings have a right of access for vehicles with this very poor visibility with the improved vision splays where 5 dwellings would have a right of access.

The proposed visibility for the access where the corner of the building has been removed is increased to 2.4 metres by 17 metres looking SE and 2.4 metres by 30 metres looking NW.

The LHA considers that the improvement to the SE visibility splays for the residents of the existing 3 dwellings (from being 19% of the standard requirement to 40%) outweighs the increase in the number of people using the access from 3 to 5 dwellings.

Consequently the Local Highway Authority recommends that the following **Conditions** are attached to any permission granted:

OFFICIAL

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation  
sheet:

Application No:

**NYM23/0129**

MHC-05 Visibility Splays

There must be no access or egress by any vehicles between the highway and the application site until splays are provided giving clear visibility of 30 metres measured along the NW channel line of the major road and 17 metres measured along the SE channel line from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason for Condition

In the interests of highway safety

MHi-D Visibility Splays –(MHC-05)

An explanation of the terms used above is available from the Local Highway Authority.

<p><b>Signed:</b></p>  <p style="text-align: center;"><b><i>Ged Lyth</i></b></p> <p><i>for Corporate Director of Environment</i></p>	<p><b>Issued by:</b></p> <p style="text-align: center;"><i>Whitby Highways Office Discovery Way Whitby North Yorkshire YO22 4PZ</i></p> <p><b>e-mail:</b></p>
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**From:**  
**To:** [Planning](#)  
**Subject:** Committee Meeting - 7th September 2023  
**Date:** 06 September 2023 08:00:14

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Good Morning,

Hawsker cum Stainsacre Parish Council would like to reiterate its comments which were made about planning application:

NYM/2023/0129 – Application for reconfiguration of site to provide parking and amenity spaces for existing dwelling and construction of two local occupancy dwellings together with landscaping works at land to the rear of Blacksmiths Cottage, Back Lane, Hawsker - Object – Council has voiced concerns over the accessibility to the site and proposed new properties, it has also highlighted visibility concerns for drivers and pedestrians. Council feels that this is an over development of the space available and for the village.

Kind regards,  
Clerk to Hawsker cum Stainsacre Parish Council

**From:**  
**To:** [Planning](#)  
**Subject:** Re: FAO Hilary Saunders: NYM/2023/0129, land to the rear of Blacksmiths Cottage, Back Lane, Hawsker,  
**Date:** 01 August 2023 20:16:08

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Evening Hilary,

Hawsker cum Stainsacre Parish Council has considered the application and have resolved that its former comments still stand.

NYM/2023/0129 – Application for reconfiguration of site to provide parking and amenity spaces for existing dwelling and construction of two local occupancy dwellings together with landscaping works at land to the rear of Blacksmiths Cottage, Back Lane, Hawsker - Object – Council has voiced concerns over the accessibility to the site and proposed new properties, it has also highlighted visibility concerns for drivers and pedestrians. Council feels that this is an over development of the space available and for the village.

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**From:** Zara Hanshaw  
**Sent:** Thursday, July 27, 2023 12:01 PM  
**To:** Hilary Saunders  
**Subject:** RE: Old Blacksmiths Site, Hawsker - NYM/2023/0129

Hi Hilary,

I've reviewed the Technical Note and the Small Sites Metric, and I am happy with the information contained within. The details included in these reports should be secured as a condition of any consent. I would also recommend that a 30-year Habitat Management Plan is secured as a condition of any consent. This should include detailed information on the management measures for the enhanced habitats, as well as a mechanism for the review and revision of the management plan as required. This is needed for 30-years, as part of the mandatory BNG process.

Best wishes,

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

North York Moors National Park Authority

**From:**  
**To:** [Planning](#)  
**Subject:** NYM/2023/0129 - Blacksmiths Cottage, Hawsker  
**Date:** 11 July 2023 16:25:00

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Hi,

I responded to this one before, but there's still no tree survey. There are some trees on the southern boundary that are very close to the development, so we need a survey to show whether the development encroaches on their root protection area. If it does, then we'd need an Arboricultural Impact Assessment and a method statement to show how the trees will be protected.

Regards,

Nathan

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**From:**

**To:**

**Subject** Re: NYM/2023/0129, land to the rear of Blacksmiths Cottage, Back Lane, Hawsker,

**Date:** 08 July 2023 18:00:47

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Hello

We thank you for consulting the Ramblers Association - Cleveland Group in this proposal.

We have no objections to this application.

Bill Dell

For and on behalf of Ramblers Association-Cleveland Group

85 Farndale Drive, Guisborough, Redcar & Cleveland, TS14 8JX, UK

Ramblers, Cleveland group - Footpath Officer

“The Ramblers’ Association is a company limited by guarantee, registered in England and Wales.

Company registration number: 4458492. Registered Charity in England and Wales number:

1093577, registered charity in Scotland: number: SC039799.

[

**From:**  
**To:** [Planning](#)  
**Subject:** Blacksmiths Cottage, Back Lane, Hawsker - construction of two dwellings, reconfiguration of Blacksmiths Cottage and Anvil Cottage to one dwelling etc. NYM/2023/0129  
**Date:** 05 July 2023 11:47:50  
**Attachments:**

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FAO Hilary Saunders

**Blacksmiths Cottage, Back Lane, Hawsker - construction of two dwellings, reconfiguration of Blacksmiths Cottage and Anvil Cottage to one dwelling etc. NYM/2023/0129**

I refer to your e-mail of the 4<sup>th</sup> July 2023 in respect of the above application. I hereby confirm that I have no objections to the proposals on housing grounds.

Thanks

Steve

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

North Yorkshire Council  
Housing Services  
Town Hall  
St Nicholas Street  
Scarborough  
YO12 2HG





**From:**  
**To:** [Planning](#)  
**Subject:** FAO Hilary Saunders: NYM/2023/0129, land to the rear of Blacksmiths Cottage, Back Lane, Hawsker,  
**Date:** 04 July 2023 16:29:29  
**Attachments:** [NYM\\_2023\\_0129.pdf](#)

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Afternoon Hilary,

I hope you are well. Parish Council are due to meet tonight and will not have had time to consider this new amendment. Their next meeting will be August 1st, can we submit Council's comments at this time?

Thanks,  
Steph  
Clerk to Hawsker cum Stainsacre Parish Council

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**From:**  
**To:** [Planning](#)  
**Subject:** FW: RECONSULTS etc.  
**Date:** 03 May 2023 16:28:02  
**Attachments:** [NYM-2023-0129 Blacksmiths Cottage Hawsker.jpg](#)  
[NYM-2023-0555 Burgate Fm Harwood Dale.jpg](#)

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Hi,

I've just been looking at these – most of these I can't see any tree issues with, but there are a couple which I think need more info:

NYM/2023/0129 – Blacksmiths Cottage, Hawsker - it looks from the aerial map that there are a couple of mature trees on the SE boundary of the site which could be affected by the building, which the plan shows may be within their root protection area. If this is the case we'll need a tree survey, an Arboricultural Impact Assessment (AIA) and a method statement to show how the trees will be protected during construction.

NYM/2023/0555 – Burgate Farm, Harwood Dale – it looks like there's at least one mature tree that could potentially be affected by the building. If not actually within the footprint, its root protection area may well be. Again, we'll need a tree survey, AIA and method statement.

I've attached pics showing the trees in question. Let me know if you need any further information.

Kind regards,

Nathan

Nathan McWhinnie  
Tree & Woodland Officer  
Conservation & Climate Change  
North York Moors National Park Authority

**From:**  
**To:** [Planning](#)  
**Subject:** Hawsker cum Stainsacre Parish Council  
**Date:** 02 May 2023 21:50:38

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NYM/2023/0025 - Application for construction of 10 buildings to create 18 business and industrial units (use classes B2 and E) with associated access road, parking, cycle and bin stores, landscaping and realignment of public right of way at Enterprise Way, Whitby –

Council has raised several concerns over the application. Council believes that this is an overdevelopment, taking into consideration the current economic climate and the local area. Council understand that this site has been earmarked for development prior to this application, however, Council do consider this a greenfield site and do not find this development suitable.

Council have major concerns over the traffic visiting the proposed site and how this can be managed, the car parking spaces, bike spaces and the number of units suggests a large influx of vehicles to the area. Council do not find the current speed on approach to Enterprise Way suitable with the increased queueing traffic to the site if the planning application is accepted. The current structure has a 60mph zone and then a 30mph zone very close to the entrance to Enterprise Way. Council would suggest a change to this speed restrictions including a 40mph zone prior to the 30mph zone to allow for speed reduction on approach.

NYM/2023/0222 - Application for conversion of two outbuildings to provide six en-suite holiday letting bedrooms(revised scheme following withdrawal of NYM/2023/0138) at Low Laithes Farm, Hawsker – No Objections

NYM/2023/0181 -Application for demolition of sectional garage and construction of domestic store and dog grooming salon at 9 Prospect Field, Hawsker– No Objection

NYM/2023/0129 – Application for reconfiguration of site to provide parking and amenity spaces for existing dwelling and construction of two local occupancy dwellings together with landscaping works at land to the rear of Blacksmiths Cottage, Back Lane, Hawsker - Object – Council has voiced concerns over the accessibility to the site and proposed new properties, it has also highlighted visibility concerns for drivers and pedestrians. ~Council feels that this is an over development of the space available and for the village.

NYM/2023/0139 – Application for use of land for the sitting of one caravan for seasonal residential use (01 April to 30 September in any one calendar year) for a temporary five year period at land adjacent Red Barn, Hawsker Lane, Hawsker – Council object to this application. The siting of the site entrance along the highway is not a safe exit. Replacement of caravans would cause issue and could create further danger on an already dangerous junction.

NYM/2023/0245 - Application for non material amendment to planning approval  
NYM/2021/0512 to allow the construction of electricity sub-station and meter  
housing buildings (retrospective) at land at Fairfield Way, Hawsker-cum-Stainsacre  
– No Objections

Kind regards,

Clerk to Hawsker cum Stainsacre Parish Council

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION****Application No:** **NYM23/0129****Proposed Development:** reconfiguration of site to provide parking and amenity spaces for existing dwellings and construction of two local occupancy dwellings together with landscaping works**Location:** land to the rear of Blacksmiths Cottage, Back Lane, Hawsker**Applicant:** E, D and E Holyfield**CH Ref:** **Case Officer:** Ged Lyth**Area Ref:** 4/33/319 **Tel:****County Road No:** **E-mail:****To:** North York Moors National Park Authority **Date:** 18 April 2023**FAO:** Hilary Saunders **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:

**Vision splays at the access**

The existing vehicular access associated with the development is below the current required requirement. The design standard for the site is Manual for streets and the required visibility splay is 2.4 metres by 43 metres. The current available visibility is 2.4 metres by 5 metres looking SE and 2.4 metres by 4 metres looking NW. Additionally, the area used as parking at the neighbouring property, Hawks Garth has a similarly bad visibility splay but this is not an approved space as it does not have a dropped kerb. The proposed visibility for the realigned access as shown on the plans, scales off at 2.4 metres by 9 metres looking SE and 2.4 metres by 31 metres looking NW.

**Footway improvements**

These proposals show the marginal widening of the 800mm wide footway along the B1447 which aids the improvement of the visibility but the LHA would not wish to see the 5 metre wide carriageway used as a bus route reduced any further.

**Use of the access**

The existing vehicular access serves the 3 properties, Blacksmiths Arms, Blacksmiths Cottage and Anvil Cottage. The allowance by the developer to provide a space for the neighbouring property, Hawks Garth and along with the 2 proposed dwellings would increase the use of the shared drive to 6 dwellings. The North Yorkshire residential highway design guide recommends that shared drives should serve no more than 5 dwellings.

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

**NYM23/0129**

**Summary**

Taking into consideration the advantages and disadvantages, the LHA are recommending refusal. The LHA has balanced the improved visibility and the widened footway weighed against the increased use to a level above the recommended maximum threshold level, the reduced carriageway width of the bus route and the proposed visibility splay still below the recommended specification.

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

**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 2.4 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><b>Signed:</b></p>  <p style="text-align: center;"><b><i>Ged Lyth</i></b></p> <p>for Corporate Director of Environment</p>	<p><b>Issued by:</b></p> <p style="text-align: center;"><i>Whitby Highways Office Discovery Way Whitby North Yorkshire YO22 4PZ</i></p> <p><b>e-mail:</b></p>
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**From:**  
**To:**  
**Cc:**  
**Subject:** NYM/2023/0129 land to the rear of Blacksmiths Cottage, Back Lane, Hawsker  
**Date:** 06 April 2023 13:22:36

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Hi Hilary,

The ecology report submitted by MAB states that there will be a “a residual loss of habitat from the development”. Although the implementation of formal 10% Biodiversity Net Gain is not scheduled until November, within the National Park, we already 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”.

I would therefore recommend that a Biodiversity Net Gain Assessment is completed.

Best wishes,

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

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

**From:**  
**To:** [Planning](#)  
**Subject:** Hawsker cum Stainsacre Parish Council  
**Date:** 04 April 2023 21:28:20

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Good Evening,

NYM/2023/0129 – Application for reconfiguration of site to provide parking and amenity spaces for existing dwelling and construction of two local occupancy dwellings together with landscaping works at land to the rear of Blacksmiths Cottage, Back Lane, Hawsker

Object – Council has voiced concerns over the accessibility to the site and proposed new properties, it has also highlighted visibility concerns for drivers and pedestrians. ~Council feels that this is an over development of the space available and for the village.

NYM/2023/0139 – Application for use of land for the sitting of one caravan for seasonal residential use (01 April to 30 September in any one calendar year) for a temporary five year period at land adjacent Red Barn, Hawsker Lane, Hawsker –

Council need clarification on if this is one caravan or a pitch that is multiple caravans over the season. It also wishes to raise the point that after a death on the corner near to the site, an increased changeover of caravans may pose a safety risk.

NYM/2023/0181 - Application for change of use of domestic garage to dog grooming salon at 9 Prospect Field, Hawsker – No Objection

Kind regards,

Hawsker cum Stainsacre Parish Council



**From:**  
**To:**  
**Subject:** NYM/2023/0129 Blacksmiths Cottage, Hawsker - Archaeology  
**Date:** 28 March 2023 11:09:42

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Hello Hilary,

The application for site reconfiguration and construction of two dwellings to the rear of Blacksmiths Cottage, Back Lane, Hawsker will require archaeological conditions if successful. The conditions should ensure an archaeologist is present for all ground disturbance works, afforded access to observe and record any archaeological finds or features of significance (known as a watching brief), and submits a report on the site. Conditions AR03, to allow the National Park Authority to approve a methodology, and AR04, to carry out a watching brief on all groundworks and submit archive and reports, should suffice.

The reason for this request is the central location of the application site in High Hawsker. The origins of Hawsker are unclear: though the name is derived from Old Norse (Haukr's enclosure/yard) no early medieval archaeology is known. The village is not mentioned in Domesday but does appear in the 1301 tax records for the area. It is not clear whether High or Low Hawsker are the older site, but as the building fronting the street at this site is noted as an inn from at least the OS first edition in 1850 and evidently also a smithy at some point, there is a possibility of medieval/post-medieval domestic remains being present. Archaeological intervention here may help clear up the origins of the village, as well as add to our general knowledge of life in the hinterland of Whitby from the medieval to present.

As ever if the applicant or their agent requires further information, or would like to discuss the archaeological process, please do put them in touch.

Best,

**Nick Mason**  
**Archaeology Officer**

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

**Chris France**  
**Director of Planning**  
**North York Moors National Park Authority**  
**The Old Vicarage**  
**Bondgate**  
**Helmsley**  
**York**  
**YO62 5BP**

**Yorkshire Water Services**  
**Developer Services**  
**Pre-Development Team**  
**PO BOX 52**  
**Bradford**  
**BD3 7AY**

**For enquiries contact:**

**Your Ref: NYM/2023/0129**  
**Our Ref: Z001458**

**24th March 2023**

Dear Sir/Madam,

**land to the rear of Blacksmiths Cottage, Back Lane, Hawsker - Application for reconfiguration of site to provide parking and amenity spaces for existing dwellings and construction of two local occupancy dwellings together with landscaping works**

Thank you for consulting Yorkshire Water regarding the above proposed development. We have the following comments:

**Waste Water**

If planning permission is to be granted, the following conditions should be attached in order to protect the local aquatic environment and Yorkshire Water infrastructure:

**No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority. (To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network)**

1. On the Statutory Sewer Map, there is a 150 mm diameter public foul water sewer recorded to cross the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme. It may not be acceptable to raise or lower ground levels over the sewer and we will not accept any inspection chambers on the sewer to be built over.

In this instance, Yorkshire Water would look for this matter to be controlled (by Requirement H4 of the Building Regulations 2010).

A proposal by the developer to alter/divert a public sewer will be subject to Yorkshire Water's requirements and formal procedure in accordance with Section 185 Water Industry Act 1991.

2. Yorkshire Water has no objection to the proposed building position over/near to public sewer subject to control under Part H4 Building Regulations 2000, submitted on drawing, Proposed Site Plan 0009 W2 00 00 DR A P01 dated 18/12/2022 prepared by W2 Property Design.

3. The submitted Planning Supporting Statement P2022#0435 (revision V4) dated 23 February 2023 prepared by Cheryl Ward Planning is acceptable.

In summary, the report states that  
Foul water will discharge to public foul water sewer network  
Surface water will discharge to soakaways within the site

3. Yorkshire Water promote the surface water disposal hierarchy. It is noted from the submitted planning application the developer is proposing to discharge surface water to soakaway.

Notes For The Developer:

The developer should also note that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact our Developer Services Team (tel 0345 120 84 82, email: [technical.sewerage@yorkshirewater.co.uk](mailto:technical.sewerage@yorkshirewater.co.uk)) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.

Yours faithfully

**Becca Khan**  
**Pre-Development Sewerage Technician**

**From:**  
**To:** [Planning](#)  
**Subject:** Land to the rear of Blacksmiths Cottage, Back Lane, Hawsker - construction of two local occupancy dwellings etc. NYM/2023/0129  
**Date:** 10 March 2023 15:42:56

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FAO Mrs Hilary Saunders

**Land to the rear of Blacksmiths Cottage, Back Lane, Hawsker - construction of two local occupancy dwellings etc. NYM/2023/0129**

I refer to your e-mail of the 10<sup>th</sup> March 2023 in respect of the above application. I hereby confirm that I have no objections to the proposals 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