

# North York Moors National Park Authority

District/Borough: Scarborough Borough Council  
(North)  
Parish: Hawsker-Cum-Stainsacre

Application No. NYM/2018/0412/FL

**Proposal:** insertion of dropped kerb

**Location:** School House  
Hawsker

**Decision Date:** 06 September 2018  
**Extended to:**

## Consultations

**Parish** – No objections

**Highways** – No objections subject to conditions

**Site Notice Expiry Date** – 7<sup>th</sup> August 2018

## Director of Planning's Recommendation

**Approval** subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2.	PLAN02	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3.	HWAY07	Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:  i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority. ii) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details and maintained thereafter to prevent such discharges.  All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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4.	HWAY10	There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 45 metres measured along both channel lines of the major road Hawsker Lane from a point measured 2 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
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**Informative(s)**

1.	An explanation of the terms used in conditions HWAY07 and HWAY10 is available from the Highway Authority.
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**Reason for Condition(s)**

1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	PLAN01	In accordance with NYM Development Policy 23 and in the interests of road safety.
3.	HWAY07	In accordance with NYM Development Policy 23 and in the interests of road safety.
4.	HWAY10	In accordance with NYM Development Policy 23 and in the interests of road safety.

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**Background**

This planning application relates to School House, Hawsker, Whitby and seeks planning permission for the insertion of a dropped kerb to provide vehicle access through an existing gate onto Hawsker Road.

**Main Issues**

Development Policy 19 is supportive of development within the domestic curtilage of dwellings which takes into account the special qualities of the National Park and architectural character of settlements. Amongst other things, development will only be supported where the scale, height, form, position and design does not detract from the character of the original dwelling and its setting.

Given that there is an existing entrance gate at School House and no objections have been raised from the Highway Authority, it is considered that the insertion of a dropped kerb to provide vehicle access would not be contrary to Development Policy 19 and therefore approval is recommended.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent**

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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