

North York Moors National Park Authority

Scarborough Borough Council
Parish: Egton

Application No: NYM/2016/0279/FL

Proposal: Formation of access road (retrospective)

Location: Land to the rear of High Street, off Egton Lane, Egton

Decision Date: 8 August 2016

Consultations

Parish – No comment as they understand the Highways Dept. say there has always been an access road at the place in question.

Highways – Although this application is retrospective, the visibility which is required for an access outside the village speed restriction and on this alignment of carriageway would be a minimum of 120 metres, this new access has been created in a position where the visibility is less than required. The application site has an existing alternative access which has been surfaced within the site using the same material as the new access. The applicant has also installed a gate on the highway boundary which would necessitate vehicles stopping in the carriageway, on a bend, in a location of restricted visibility in order to open the gate. The construction within the highway does not meet the Highway Authorities requirements. Consequently, the Local Highway Authority recommends that planning permission is refused for the following reasons:

The Planning Authority considers that clear visibility of 120 metres cannot be achieved along the public highway from a point 2 metres from the carriageway edge measured down the centre line of the minor/access road and consequently traffic generated by the proposed development would be likely to create conditions prejudicial to highway safety.

Site Notice Expiry Date – 14 July 2016.

Director of Planning's Recommendation

REFUSAL for the following reason:

1.	The Planning Authority considers that clear visibility of 120 metres cannot be achieved along the public highway from a point 2 metres from the carriageway edge measured down the centre line of the minor/access road and consequently traffic generated by the proposed development would be likely to create conditions prejudicial to highway safety. The development therefore fails to comply with Core Policy A which seeks to deliver only sustainable developments which are of a scale and level of activity that will not have an unacceptable impact on the wider landscape or the quiet enjoyment, peace and tranquillity of the Park, nor detract from the quality of life of local residents or the experience of visitors. Allowing the proposal would mean that the Authority would be failing in its duty and create a new access that would be highly unsafe.
----	---

A. Khan 5/8/16

Application Number: NYM/2016/0279/FL

Background

This application is for formation of access road (retrospective) at land to the rear of High Street, off Egton Lane, Egton.

The application site is located west of Egton village, immediately south of the classified highway (Egton Lane) which gives access between Glaisdale and Egton villages.

The applicant has recently acquired a narrow strip of land at the rear of the properties which front onto Egton High Street. The applicant does not reside at the site or within Egton village.

There is no planning history associated with the application site.

The application has come about following an investigation by this Authority on the basis of that the landowner had been trying to use the land as a leisure plot. The applicant now accepts that the land can only be used for agriculture and horticulture and utilises an historic caravan on the site, purchased with the land, as shelter when using the site.

It is this parcel of land with which the applicant wishes to provide a new access directly onto Egton Lane. The formation of two accesses has already taken place without the necessary planning permission. A new stone surface has been laid together with the building of a dry stone wall and erection of one set of double gates and a further single gated entrance. It is the northern most access with single gated access that the applicant wishes to retain in situ.

The applicant has advised that the second access (west) will be taken up and the land reinstated to its former condition, the land is deemed to be an unregistered piece of ground and no attempt has been made by the applicant to find the land owner.

The formation of a highway access to a classified road where there was no previous access together with the crossing of the highway verge requires the benefit of planning permission. The applicant advises that the road is to be made up with rubble topped over with a mix of road plainings and compost then sown with grass seed.

The application submitted is brief and there is no supporting justification as to why a new access is required when there is already an existing field access to serve the land.

Main Issues

Core Policy A of the NYM Local Development Framework seeks to encourage a more sustainable future for the Park and its communities whilst conserving and enhancing the Park's special qualities. The policy looks to ensure that the scale of development and level of activity proposed will not have an unacceptable impact on the wider landscape or the quiet enjoyment, peace and tranquillity of the Park, nor detract from the quality of life of local residents or the experience of visitors.

The creation of new accesses and parking and turning provision on land for land and buildings requires careful consideration, should have minimal impact on the landscape and in all cases is required to meet with highway safety standards.

The Highway Authority has been consulted on the planning application as a statutory consultee and has commented that in assessing the submitted proposal and reaching its recommendation the Local Highway Authority has taken into account the following matters.

A. Man 5/8/16

Application Number: NYM/2016/0279/FL

Main Issues (Continued)

Although this application is retrospective, the visibility which is required for an access outside the village speed restriction and on this alignment of carriageway would be a minimum of 120 metres, this new access has been created in a position where the visibility is less than required. The application site has an existing alternative access which has been surfaced within the site using the same material as the new access. The applicant has also installed a gate on the highway boundary which would necessitate vehicles stopping in the carriageway, on a bend, in a location of restricted visibility in order to open the gate. The construction within the highway does not meet the Highway Authorities requirements. Consequently, the Local Highway Authority recommends that planning permission is refused.

The Parish Council comments are unclear and/or the application has been misinterpreted by them over an alternative access. For this reason they carry little weight.

It is based on the highway grounds mentioned above that the Local Planning Authority are clear in their position that if permitted, this could create a wholly unsatisfactory and unsafe access and Officers concur that that application should be recommended for refusal.

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 conclude that the scheme represents a form of development so far removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.

A. Khan *5/8/16*

