

CHRISTOPHER HEARN

CHARTERED ARCHITECT

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THE HOMESTEAD
FLAXTON
YORK
NORTH YORKSHIRE
YO60 7RP

Ms N. Bonner,
Planning Department,
Ryedale District Council,
Ryedale House,
Malton
YO17 7HH

3rd. October 2021

Dear Niamh

Re:- Application for Planning Permission Town and Country Planning Act 1990 for construction of driveway site access on to Amotherby Lane from The Reservoir, Amotherby Lane, Amotherby, North Yorkshire. YO17 6UP for Mr John Hopkinson

Further to our telephone conversation last Monday I have now been able to study the submissions from North Yorkshire County Council Highways Authority and Amotherby Parish Council which you had kindly informed me you had received and discussed them with the Applicant.

It was pleasing to see the positive support from the Highways Authority for this application. The Conditions are in line with what the applicant would have expected and are all sound practical matters which can be achieved. This proposal therefore addresses all the concerns that the Planning Inspector raised, in his decision dated 6th. March 2012, in respect of highways matters as ground for refusal and therefore should now be supported as the applicant is not seeking change of use for the site but only to provide safe and effective access to the site.

As regards the comments submitted by Amotherby Parish Council I have set out the applicant's response as follows:-

1. Whilst it might have been the case that the maintenance vehicles used by the previous owner, Yorkshire Water, used to park on the verge when staff visited the site it would have been a highly dangerous action on their part as they would have been in the vicinity of a blind bend and most of the vehicle must have been on the highway due to the verge being in the form of a steep bank rising up from the roadside.
2. This application is specifically for safe vehicular access on to and exiting the site. If there are other issues a subsequent application will be submitted but at this time they are not material considerations to the content of this application. The proposal will remove what is considered to be an unauthorised access and will enable the

existing adjacent field hedge, which sits on top of the roadside banked verge, to be extended across the site frontage along the crown of the re-instated verge bank across to the new site access which will greatly enhance the setting of the site. This will be an improvement upon the open timber rail fence which is understood to have been the boundary finish, along the roadside boundary whilst the site was in Yorkshire Water's ownership.

3. The 1.8m high palisade fence is essential in this day and age to define the site and provide a level of security to a site boundary which is particularly important in this instance with the site being remote and unmanned for much of the day. The installation of the new hedge at the crown of the verge bank on the roadside of the fence will substantially screen the fence. This provision along with the new length of hedge is part of this application.
4. The original function of the facility was one of storage and distribution and that is the intended use retaining the Planning Use Class B8 which applies to the premises and was confirmed by Ryedale District Council Development Management Manager in Mr S. Robson's letter of 28th February 2013 to the applicant.
5. The emphasis put on the '*perceived impact*' the proposed access '*will have on the scenic qualities of the area should carry great weight*' is a gross exaggeration of the reality which would result. Driving northward down Amotherby Lane from the south the access will have little if any visual impact. With the deep bank verge and the added hedge planted ones eye will be drawn to the corner of the road and the existing entrance to the field to the north of the proposed site entrance. Whilst heading south along Amotherby Lane again set low between the high bank verges topped with hedges the proposed site entrance adjacent to the existing field entrance will be visible but as there is already an access off the road in this area the additional width of opening will not have a detrimental impact to the degree implied by Amotherby Parish Council. In any case self-respecting drivers heading along the lane should be concentrating on the road as they approach this sharp left hand corner of the road set down deep within the roadside tall banked verges topped with hedges. The creation of the new drive adjacent to the farmer's field entrance will have the benefit of substantially improving his access on to his land and more significantly when exiting the field to Amotherby Lane with his large modern machinery for which the original gateway was not designed so greatly improving the safety of all travelling along the lane. During the preparation of this application the owners of the field had been consulted by the applicant and have been very supportive of the proposal.
6. The size of vehicles using the site access is determined by the layout of the proposed access which is designed for use by a Luton van as a maximum. Amotherby Lane is not suited for larger vehicles and the applicant would not be proposing for larger vehicles to be attending the site.
7. In conclusion the increased use of the site which has established B8 usage will not be of such a scale to have an adverse impact upon the landscape. Bringing the use of the building back to purposeful life will ensure that the site is carefully and sensitively maintained which will enhance the appearance of the site; the proposal will improve the highway safety as vehicles attending the site will be able to legally

pull off the road rather than be a parked obstacle on the roadside; the portion of the entrance on to the highway which is within the highway boundary will have the added benefit of creating a safe passing place on this currently dangerous corner (there is no suitable passing place for some considerable distance either side of this entrance); the detailing of the access will also ensure there is no increase in water run off down Amotherby Lane.

It is hoped that your authority will look favourably upon this application which is specifically about legal safe access on to the site which has a B8 Class usage facility in a structure which has been present here for more than 70years.

Yours sincerely

Christopher Hearn