

# NORTH YORKSHIRE COUNCIL

## LOCAL HIGHWAY AUTHORITY CONSIDERATIONS and RECOMMENDATION



**Application No:**

**23/00196/MOUT**

**Proposed Development:**

Outline application for the erection of 19 no. dwellings with associated highways and drainage works - access, scale and layout to be considered (site area 0.89 ha)

**Location:**

Land At Keld Head Road Keld Head Road Kirkbymoorside

**Applicant:**

Mrs E Humble

**CH Ref:**

**Case**

**Officer:**

Vikki Orange

**Area Ref:**

**Tel:**

0300 131 2 131

**County Road No:**

**E-mail:**

Area4.KirbyMisperton@northyorks.gov.uk

**To:**

North Yorkshire Council [Ryedale]

**Date:**

22 May 2023

**FAO:**

Alan Goforth

**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:

In principle the Local Highway Authority would offer no objections to the proposed erection of 19 dwellings at Land at Keld Head Road.

The site should be developed with an adoptable estate road layout along the guidelines given in Manual for Streets and manual for Streets 2 and taking into account the current North Yorkshire Council (NYC) guidance on Residential Estate Roads where appropriate. Parking provision must be in line with NYC guidance on minimum parking standards for new residential developments. It is imperative that a positive outfall for surface water drainage from the new estate road is established at the earliest stage.

Off-site works to widen the carriageway to match the existing carriageway width covering the site frontage will be required and should be secured via a section 278 agreement - the agreement should take into account the site entrance and footway provision up to Keld Head Orchard and additional street lighting and road drainage along Keld Head Road.

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

MHC-01 Detailed Plans of Road and Footway Layout

OFFICIAL

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation  
sheet:

Application No:

**23/00196/MOUT**

Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority.

The development must only be carried out in compliance with the approved engineering drawings.

**Reason for Condition**

To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.

**MHi-B Detailed Plans of Road and Footway Layouts (MHC-01)**

It is recommended that in order to avoid abortive work, discussions are held between the applicant, the Local Planning Authority and the Local Highway Authority before a draft layout is produced and any detailed planning submission is made.

To assist, the Local Highway Authority can provide a full list of information required to discharge this condition. It should be noted that approval to discharge the condition does not automatically confer approval for the purposes of entering any Agreement with the Local Highway Authority. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition

**MHC-02 Construction of Adoptable Roads and Footways**

No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation.

The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

**Reason for Condition**

To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.

**MHi-A Other Permissions required from the Local Highway Authority**

Applicants are reminded that in addition to securing planning permission other permissions may be required from North Yorkshire County Council as Local Highway Authority. These additional permissions can include, but are not limited to: Agreements under Sections 278, 38, and 184 of the Highways Act 1980; Section 38 of the Commons Act 2006, permissions through New Roads and Streetworks Act 1991 and Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended and including all instruments, orders, plans, regulations and directions).

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation  
sheet:

Application No:

**23/00196/MOUT**

Further information on these matters can be obtained from the Local Highway Authority. Other permissions may also be required from third parties. It is the applicant's responsibility to ensure all necessary permissions are in place.

**MHC-07 Delivery of off-site highway Works**

The following schemes of off-site highway mitigation measures must be completed as indicated below:

- Site Entrance works description at Land at Keld Head Road prior to occupation.
- Footway and tactile crossing works description at Land at Keld Head Road prior to occupation.

For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.

An independent Stage 2 Road Safety Audit carried out in accordance with GG119 - Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site.

A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

**Reason for Condition**

To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

**MHi-F Delivery of off-site highway works –(MHC07)**

Notwithstanding any valid planning permission for works to amend the existing highway, there must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and North Yorkshire Council as the Local Highway Authority. To carry out works within the highway without a formal Agreement in place is an offence.

**MHC-09 Details of Access, Turning and Parking at Land at Keld Head Road location**

There must be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) at Land at Keld head Road until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- vehicular, cycle, and pedestrian accesses;

OFFICIAL

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



**Continuation  
sheet:**

**Application No:**

**23/00196/MOUT**

- vehicular and cycle parking;
- vehicular turning arrangements including measures to enable vehicles to enter and leave the site in a forward gear, and;
- loading and unloading arrangements.

No part of the development must be brought into use until the vehicle access, parking, manoeuvring and turning areas at Land at Keld Head Road have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

**Reason for Condition**

To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.

**MHi-H Details of Access, Turning and Parking –(MHC-09A)**

The proposals should cater for all types of vehicles that will use the site. The parking standards are set out in North Yorkshire Council's 'Interim guidance on transport issues, including parking standards' and subsequent amendments available at <https://www.northyorks.gov.uk/sites/default/files/2023-05/Interim%20guidance%20on%20transport%20issues%20including%20parking%20standards%20-%20accessible.pdf>

**MHC-09B Provision of Approved Access, Turning and Parking Areas at Land at Keld Head Road**

No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at Land at Keld Head Road have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

**Reason for Condition**

To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

**MHC-15A Construction Management Plan**

No development for any phase of the development must commence until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved Construction Management Plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. details of any temporary construction access to the site including measures for removal following completion of construction works;
2. wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
3. the parking of contractors' site operatives and visitor's vehicles;
4. areas for storage of plant and materials used in constructing the development clear of the highway;
5. measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation  
sheet:

Application No:

**23/00196/MOUT**

6. details of the routes to be used by HGV construction traffic and highway condition surveys on these routes;
7. protection of carriageway and footway users at all times during demolition and construction;
8. protection of contractors working adjacent to the highway;
9. details of site working hours;
10. erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate;
11. means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
12. measures to control and monitor construction noise;
13. an undertaking that there must be no burning of materials on site at any time during construction;
14. removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;
15. details of the measures to be taken for the protection of trees;
16. details of external lighting equipment;
17. details of ditches to be piped during the construction phases;
18. a detailed method statement and programme for the building works; and
19. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason for Condition

In the interest of public safety and amenity

**Signed:**

***Vikki Orange***

***for Corporate Director of Environment***

**Issued by:**

*Kirby Misperton Highway Office  
Beansheaf Industrial Park  
Tofts Road  
Kirby Misperton  
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