

The Planning Inspectorate

QUESTIONNAIRE (s78) and (s20) PLANNING AND LISTED BUILDING CONSENT (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.**

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us by the date your statement is due.

Appeal Reference	APP/W9500/W/19/3225783
Appeal By	MR T OUTHART
Site Address	Hill View Barn Dowdale Road Scarborough North Yorkshire YO13 0EL

PART 1

- 1.a. Do you consider the written representation procedure to be suitable? Yes No
- Note: If the written procedure is agreed, the Inspector will visit the site **unaccompanied** by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.*
- 2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land? Yes No
- 2.b. Is it essential for the Inspector to enter the site to assess the impact of the proposal? Yes No
- 2.c. Are there any known health and safety issues that would affect the conduct of the site inspection? Yes No
- 3.a. Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State? Yes No
- 3.b. Are there any other appeals or matters adjacent or close to the site still being considered by us or the Secretary of State? Yes No

PART 2

4. Does the appeal relate to an application for approval of reserved matters? Yes No
5. Was a site ownership certificate submitted with the application? Yes No
6. Did you give publicity to the application in accordance with either Article 15 of the DMPO 2015, Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990? Yes No
7. Does the appeal relate to a county matter? Yes No

8. Please indicate the development type for the application to which the appeal relates.

- Major Developments
- Minor Developments
- Other Developments

8.b. Minor Developments

- Dwellings
- Offices/R and D/light industry
- General industry/storage/warehousing
- Retail and services
- Traveller caravan pitches
- All other minor developments

Is the appeal site within:

- 9.a. A Green Belt? Yes No
- 9.b. An Area of Outstanding Natural Beauty? Yes No
10. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? Yes No

PART 3

11. Would the development require the stopping up or diverting of a public right of way? Yes No
- 12.a. Is the site in a Conservation Area? Yes No
- 12.b. Is the site adjacent to a Conservation Area? Yes No
- 12.c. Does the appeal proposal include the demolition of a non-listed building within a conservation area? Yes No
- 13.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building? Yes No
- 13.b. Would the proposed development affect the setting of a listed building? Yes No
14. Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953? Yes No
- 15.a. Would the proposals affect an Ancient Monument (whether scheduled or not)? Yes No
16. Is any part of the site subject to a Tree Preservation Order? Yes No
17. Have you made a Local Development Order under s61A to 61C of the Town and Country Planning Act 1990 (as inserted by s40 of the Planning & Compulsory Purchase Act 2004) relating to the application site? Yes No
18. Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority? Yes No
- 19.a. Is the appeal site in or adjacent to or likely to affect an SSSI or an internationally designated site (ie. cSAC, SAC, pSPA, SPA Ramsar)? Yes No
- 19.b. Are any protected species likely to be affected by the proposals? Yes No

PART 4

Environmental Impact Assessment - Schedule 1

20.a.i. Is the proposed development Schedule 1 development as described in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes No

Environmental Impact Assessment - Schedule 2

20.b.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes No

20.c.i. Have you issued a screening opinion (SO) Yes No

Environmental Impact Assessment - Environmental Statement (ES)

20.d. Has the appellant supplied an environmental statement? Yes No

Environmental Impact Assessment - Publicity

20.e. If applicable, please attach a copy of the site notice and local advertisement published as required for EIA development. Applies N/A

21. Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place? Yes No
Please attach copies of any comments that you have received in response.
 see '[Questionnaire Documents](#)' section

PART 5

22. Do you wish to attach your statement of case? Yes No

For appeals dealt with by written representations only

23. If this appeal is not following the written representations expedited procedure, do you intend to send a statement of case about this appeal? Yes No

Copies of the following documents must, if appropriate, be attached to this questionnaire

24.a. a copy of the letter with which you notified people about the appeal;
 see '[Questionnaire Documents](#)' section

24.b. a list of the people you notified and the deadline you gave for their comments to be sent to us;
 see '[Questionnaire Documents](#)' section

Deadline

24.c. all representations received from interested parties about the original application;

24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;
 see '[Questionnaire Documents](#)' section

see 'Questionnaire Documents' section

24.e. any representations received as a result of a service of a site ownership notification;

24.f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan);

You must include the front page, the title and date of the approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination.

see 'Questionnaire Documents' section

see 'Questionnaire Documents' section

List of policies

Core Policy J, Development Policy 14 and Development Policy 21

24.g. extracts of any relevant policies which have been 'saved' by way of a Direction;

24.h. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when;

24.i. extracts from any supplementary planning document that you consider necessary, together with the date of its adoption;

In the case of emerging documents, please state what stage they have reached.

24.j. a comprehensive list of conditions which you consider should be imposed if planning permission is granted;

Only tick that this applies if you intend to submit a list of conditions with the questionnaire. If you do not submit the list with the questionnaire, then this should be submitted by the date your statement is due. This list must be submitted separately from your appeal statement.

24.k. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded;

24.l. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued;

24.m. your Authority's CIL charging schedule is being/has been examined;

24.n. your Authority's CIL charging schedule has been/is likely to be adopted;

24.o. any other relevant information or correspondence you consider we should know about.

see 'Questionnaire Documents' section

For the Mayor of London cases only

25.a. Was it necessary to notify the Mayor of London about the application? Yes No

25.b. Did the Mayor of London issue a direction to refuse planning permission? Yes No

LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today.

LPA's reference

NYM/2018/0368/FL

Completed by

Wendy Strangeway

On behalf of

North York Moors National Park Authority

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

Phone no (including dialling code)

Email

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

QUESTIONNAIRE DOCUMENTS

Appeal Reference APP/W9500/W/19/3225783

Appeal By MR T OUTHART

Site Address
Hill View Barn
Downdale Road
Scarborough
North Yorkshire
YO13 0EL

The documents listed below were uploaded with this form:

Relates to Section: PART 4
Document Description: 21. Copies of any comments that you have received in response.
File name: Consultee Responses.pdf

Relates to Section: PART 5
Document Description: 24.a. A copy of the letter with which you notified people about the appeal.
File name: Appeal Notification Letter.pdf

Relates to Section: PART 5
Document Description: 24.b. A document containing a list of the people you notified of the appeal.
File name: List of Those Notified of the Appeal.pdf

Relates to Section: PART 5
Document Description: 24.d. The planning officer's report to committee or delegated report on the application and any other relevant documents/minutes.
File name: September Planning Committee Report and Members Update Sheet.pdf

Relates to Section: PART 5
Document Description: 24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;
File name: Public Minutes of the Planning Committee Meeting held on 20 September 2019.pdf

Relates to Section: PART 5
Document Description: 24.f. Copies of extracts from any relevant statutory development plan policies.
File name: Title Page.pdf

Relates to Section: PART 5
Document Description: 24.f. Copies of extracts from any relevant statutory development plan policies.
File name: Core Policy J.pdf
File name: Development Policy 14.pdf
File name: Development Policy 21.pdf

Relates to Section: PART 5
Document Description: 24.o. Copies of any other relevant information or correspondence you consider we should know about.
File name: Decision Clearing Memo.pdf

Completed by Not Set

Date

03/05/2019 13:00:56

LPA

North York Moors National Park Authority

North York Moors National Park Authority

The Old Vicarage, Bondgate, Helmsley, York YO62 5BP
Tel: 01439 772700
Email: general@northyorkmoors.org.uk
Planning enquiries: planning@northyorkmoors.org.uk
www.northyorkmoors.org.uk



Andy Wilson
Chief Executive

Staintondale Parish Council
c/o Mrs J Marley
Annan
41 Scalby Road
Burniston
Scarborough
YO13 0HN

Your ref:

Our ref: NYM/2018/0368/FL

Date: 30 April 2019

This matter is being dealt with by: Mrs H Saunders

Dear Sir/Madam

Town and Country Planning Act 1990

Land at: Hill View Barn, DOWDALE ROAD, Staintondale

Proposed development: demolition of existing dwelling and outbuildings and construction of replacement local occupancy letting dwelling with holiday use

Appeal reference: APP/W9500/W/19/ 3225783

Appeal starting date: 30 April 2019

Appellant(s) name: Mr T Outhart

I am writing to let you know that an appeal has been made to the Secretary of State in respect of the above site. The appeal relates to an objection to a condition attached to a decision notice issued by this Planning Authority. A copy of the appeal documentation can be seen at, or obtained from, The Old Vicarage, Bondgate, Helmsley and is available to view on the Planning Explorer section of the Authority's website under the application reference number. The appeal is to be decided on the basis of an exchange of written statements by the parties and a site visit by an Inspector.

Any comments already made following the original application for planning permission (unless they are expressly confidential) will be forwarded to the Department and copied to the appellant and will be taken into account by the Inspector in deciding the appeal. Should you wish to withdraw or modify your earlier comments in any way, or request a copy of the appeal decision letter, you should write direct to the Planning Inspectorate, 3D Eagle, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN within five weeks of the appeal start date, quoting the appeal reference number.

Continued.....



Ref No

Three copies of any comments need to be forwarded to the Inspectorate. If they receive representations after the deadline, they will not normally be seen by the Inspector and they will be returned.

The Planning Inspectorate will not acknowledge your letter however; they will ensure that it is passed on to the Inspector dealing with the appeal. Once decided a copy of the appeal decision will be published on the Planning Explorer section of the Authority's website under the application reference number and Planning Portal website www.planningportal.gov.uk/pcs. Guidance on the appeal process can be found on the Planning Portal website using the link set out above.

Yours faithfully

Mark Hill

M Hill

Head of Development Management

COPY

Staintondale Parish Council
c/o Mrs J Marley
Annan
41 Scalby Road
Burniston
Scarborough
YO13 0HN

EHO - Scarborough 1
Commercial Regulation Manager

EHO - Scarborough 2
Private Sector Housing Team

Area Traffic Manager - Scarborough
NYCC - Area 3 Whitby
Discovery Way
Whitby
North Yorkshire
YO22 4PZ

Forestry Commission - Regulation
Yorkshire and North East Area Office
Forestry Commission England
Foss House
King's Pool
1-2 Peasholme Green
York YO1 7PX

Internal - Conservation
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

North York Moors
National Park Authority
Local Development Framework

Core Strategy and
Development Policies

Adopted Copy 13th November 2008

For York
May 2008

Core Policy J - Housing

A mix of housing types and tenures will be sought to maintain the vitality of local communities, consolidate support for services and facilities and support the delivery of more affordable housing. This will be delivered through:-

1. Locating all open market housing, including new build and converted units, in the main built up area of the Local Service Centre of Helmsley and the Service Villages. On larger sites more than 0.1 hectares or where 2 or more residential units are proposed, at least 50% of the resulting units must be affordable including conversion schemes. The 50% target may be varied in the light of the viability of the development, and is an interim figure for a period of 3 years, pending the completion of a general affordable housing viability assessment. Sites of less than 0.1 hectare must meet the definition of a small infill gap.
2. Supporting the development of local needs housing located on infill sites or as a conversion of an existing building within the main built up area of the Local Service Villages and Other Villages.
3. Restricting new housing development in the Open Countryside to that which is proven as essential for farming, forestry or other essential land management activities, replacement dwellings and conversion of traditional rural buildings for residential letting for local needs.
4. Supporting proposals for new development at Botton Village in the eight existing neighbourhoods, (Botton Farm, Lodge, Falcon, Village Centre, High Farm, Stormy Hall, Nook and Honey Bee Nest) where it can be demonstrated that the development is necessary to meet the needs of the existing community and cannot be accommodated through the re-use, extension or alteration of an existing appropriate building.

The occupancy of local needs housing will be restricted to:

- A. People who are currently living in and have permanently resided in the National Park for 5 years or more and are living in accommodation that no longer meets their requirements or
- B. People who do not currently live in the National Park but have a strong and long standing link to the local community including a previous period of residence of 5 years or more or
- C. People who have an essential need to move to live close to relatives who are currently living in and have resided in the National Park for at least the previous 5 years or more and require support for reasons of age or infirmity or
- D. People who require support for reasons of age or infirmity and need to

move to live close to relatives who are currently living and have resided in the National Park for at least the previous 5 years or more or

- E. People who need to live in the National Park as a result of current sole employment within that parish or adjacent parishes within the National Park.

All applicants will need to demonstrate to the satisfaction of the National Park Authority that the needs of the identified proposed occupants are genuine, that the proposal represents the most practical and sustainable solution to meet the need identified and why the existing housing stock cannot meet their needs.

Applicants should refer to:

- Planning Policy Statement 3 – Housing
- Planning Policy Statement 7 – Sustainable Development in Rural Areas
- Regional Spatial Strategy – Policies H1, H4, H6, RR1, C1
- Helmsley Joint Area Action Plan Development Plan Document (to be prepared)
- Housing Supplementary Planning Document

For further reference:

- Delivering Affordable Housing
- Affordable Rural Housing Commission, Final Report 2006
- Yorkshire and Humber Regional Housing Strategy

Sustainability Appraisal

This policy contributes positively towards sustainability objectives which seek to ensure that local needs are met locally. Potential impacts upon the historic environment can be mitigated at the implementation level.

- 9.6 The Regional Spatial Strategy does not include target figures for the provision of new housing in the region's National Parks. With the exception of the Local Service Centre of Helmsley (where sites may be allocated in a future Development Plan Document), all new housing development is likely to be the result of windfalls. Due to the environmental constraints of the Park there are limited opportunities for new housing development and therefore future completions are likely to be small in number. Over the last 16 years (1st April 1991 to 31st March 2007) a total of 423 new build residential properties have been completed within the Park, it is anticipated that future completions will be of a similar average annual figure of 26 units and will be focused in the Local Service Centre and Service Villages. This anticipated level of completed dwellings excludes provision on exception sites, the scale of which will relate to the need identified in a current Parish Housing Needs Survey. As a result of the requirement to meet local need and the small levels of anticipated development it is not considered appropriate to compile a list of developable sites for the 15 year period set out in Planning Policy Statement 3.

- 9.7 Local Occupancy conditions have been applied to new build properties in the Park since 1992. The concept was extended in the 2003 Local Plan to include most new build dwellings. This approach helps the Authority ensure that the limited opportunities for new housing meet local need rather than external demand. The policy does not produce 'affordable' properties as the value of houses with the condition is lowered by only 15 – 20% of market value. The high average house prices in the Park means that this is still unaffordable to many people but the policy does provide opportunities to meet the housing needs of local people who are already in the housing market.
- 9.8 The policy provides a number of potential ways of demonstrating a need for a dwelling in a particular locality. However there is an overall requirement to demonstrate that there are no suitable properties available within the existing housing stock to meet the need and that the proposal is the most appropriate means of meeting that need. The Authority will be producing further guidance on the information that will need to be submitted to demonstrate that the local needs criteria have been met in the Housing Supplementary Planning Document and this information will be required at the planning application stage.
- 9.9 The definition of affordable housing in Planning Policy Statement 3 has been used as the basis for the Authority's definition which is;
- 'Non-market housing provided to those whose needs are not met by the market. It can include social rented and intermediate housing (such as shared ownership). It should be available at low enough cost to afford based on local incomes and house prices and must include provision for the home to remain at an affordable price for future eligible households'.
- 9.10 Affordable housing is usually provided and managed by Registered Social Landlords, however other models will be considered where it can be robustly demonstrated through either an up to date District Housing Needs Survey or Parish Housing Needs Survey that the houses will be affordable to local people in need and will remain so in perpetuity. Further details on the information which will need to be demonstrated by applicants and the different types of affordable housing models will be set out in the Housing Supplementary Planning Document.
- 9.11 Evidence obtained from the District Housing Needs Surveys show that there is a high level of affordable housing need as follows:

District	Date of Housing Needs Survey	Affordable Housing Need per annum in National Park	Total affordable housing requirement (April 2007 to March 2012)
Scarborough	2006	100	500
Ryedale	2006	44	220
Hambleton	2004	8.6	43
Redcar and Cleveland	2006	Not collated at this level	30 required in the sub area of Guisborough, which includes a small part of the National Park

- 9.12 Planning Policy Statement 3 Housing sets an indicative national minimum threshold of 15 dwellings for where a percentage of affordable housing must be provided. However, Local Planning Authorities may set a different threshold where viable and practicable. In determining the minimum site-size threshold, an assessment of the impact on economic viability must be undertaken together with the impact upon overall levels of housing delivery and creating communities.
- 9.13 The Authority has been unable to undertake a full general viability assessment of the affordable housing target in criterion 1 of Core Policy J, but will carry out such an assessment within 3 years of the adoption of this DPD and then review the 50% figure if necessary in the light of the results of the assessment. In the interim period, the 50% quota will be applied. This figure is based on Policy H4 of The Yorkshire and Humber Plan and on the high price of housing in the National Park, which will support the viability of housing developments providing 50% affordable housing. It also takes into account the shortfalls of affordable housing units identified in the District Housing Needs Surveys and the scale of housing that has been provided in the Park in the past. The type of housing provided must reflect the need identified in the relevant Housing Needs Survey.
- 9.14 Proposals for dwellings in the open countryside for people employed in agriculture, forestry and other essential land management activities will be assessed against the criteria set out in Annex A of Planning Policy Statement 7: Sustainable Development in Rural Areas. The occupancy of dwellings approved under this policy will be subject to appropriate occupancy conditions. Applications for the removal of such conditions will be assessed through Development Policy 22.
- 9.15 Core Policy J allows for housing development within the main built up area of the settlements. The Proposals Maps show the entire settlement and an interpretation of what constitutes the main built up area will be considered on a case by case basis.

- 9.16 The majority of new housing development will take place on infill sites and these are defined as a small gap within a continuously built up frontage within the main built up area of the settlement, which can accommodate no more than one dwelling. However it is important to recognise the amenity value of certain open spaces within the built up area of settlements and therefore not every gap will be considered as an appropriate infill site. Gaps created by the development of affordable housing exception sites are not considered as infill gaps and may not necessarily be part of the main built up area of the settlement. On larger sites in Helmsley and the Service Villages consideration will be given to the use of the whole site and therefore on sites which can accommodate more than one unit proposals to split the site into smaller units for the construction of single dwellings will not be considered as infill gaps.
- 9.17 Botton Village towards the head of Danby Dale is a village owned by the Camphill Village Trust, which is a registered charity that works to provide people with special needs with the opportunity to live and work within a largely self sufficient community. Community facilities and houses in which members of the community live in larger 'family' groups are located in neighbourhood areas, each centred around established dwellings/farmsteads. Residents of the community find their daily work within the community and its well developed social and cultural activities provide support and leisure activities for all. Physically and socially Botton Village is different to all other settlements and communities in the Park and therefore requires specific mention in the policy, to allow development for local needs without damaging the landscape.
- 9.18 A large part of Helmsley is located outside of the National Park Boundary within Ryedale District Council. For this reason the Authority will work in conjunction with Ryedale District Council to develop a joint Development Plan Document for the whole settlement which will address the need for further housing development to meet the housing provision figure for Helmsley in the Ryedale Core Strategy.

Development Policy 14 – Tourism and Recreation

The quality of the tourism and recreation product in the National Park will be maintained and improved through adopting the principles of sustainable tourism. New tourism development and the expansion or diversification of existing tourism businesses will be supported where:

1. The proposal will provide opportunities for visitors to increase their awareness, understanding and enjoyment of the special qualities of the National Park in a manner that will not undermine the special qualities of the National Park or in a way that conserves and enhances the special qualities.
2. The development can be satisfactorily accessed from the road network¹ (categories 1, 2 or 3) or by other sustainable modes of transport including public transport, walking, cycling or horse riding.
3. The development will not generate an increased level of activity, including noise, which would be likely to detract from the experience of visitors and the quality of life of local residents.
4. It will make use of an existing building. Proposals for new buildings will be expected to demonstrate that the facility cannot be satisfactorily accommodated within an existing building in that location.

Applicants should refer to:

- Planning Policy Statement 7 – Sustainable Development in Rural Areas
- Regional Spatial Strategy – Policy E6
- Development Policies 16 & 17

For further reference:

- Good Practice Guide on Planning for Tourism
- Moors and Coast Tourism Strategy 2006-2009
- A Tourism Strategy for the Tees Valley

8.17 A statutory purpose of the National Park is to promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public. The Regional Economic Strategy for Yorkshire and Humber 2006 - 2015 aims to create a broader and stronger economic base for rural communities and encourage sustainable tourism. The Yorkshire and Humber Sub-Regional Investment Plan provides the vehicle by which the Regional Economic Strategy will be implemented within York and North Yorkshire and highlights

¹ For the purposes of the Local Development Framework, Category 1, 2 & 3 roads are considered to be those defined on the road hierarchy map contained within the North York Moors National Park Management Plan. Category 1 and 2 roads are also visually illustrated on the accompanying Proposals Maps.

the importance of using heritage and the natural and cultural assets of the region as catalysts for economic activity.

- 8.18 The Authority has adopted the principles of sustainable tourism which is most commonly defined by the World Tourism Organisation as ‘meeting the needs of the present tourists and host regions while protecting and enhancing opportunities for the future’. The aim of the Core Strategy and Development Policies is to support tourism based opportunities for visitors and local communities which respect the Park’s special qualities. For this reason the Authority will not support development which would adversely impact the integration between social, economic and environmental benefits. Amongst other environmental considerations, development proposals that could have an adverse effect on the integrity of a European site would not be in accordance with the Development Plan.
- 8.19 The Authority also encourages sustainable tourism through encouraging visitors to use Moorsbus, a recreational bus service meeting the needs of visitors to the Park. The Authority is a member of the Moors and Coast Area Tourism Partnership, which is a private and public sector consortium that seeks to support the growth of the tourism economy through the Moors and Coast Tourism Strategy. The vision of the Tees Valley Tourism Strategy is “a sustainable tourism sector that contributes to the social and economic well-being of the Tees Valley, achieving success through delivery”. The Strategy’s Action Plan includes a number of projects aimed at improving provision in the Cleveland Hills area of the Park.
- 8.20 The management of woodland owned by the Forestry Commission is important for recreation and tourism in the Park and future plans will be set out in the District Strategic Plan to be prepared by Forest Enterprise.
- 8.21 In order to fulfil its purposes the Authority must help to provide opportunities for the enjoyment and understanding of the special qualities of the area. However tourism and recreation facilities can have an adverse impact on the environment, particularly because of traffic generation and it is therefore important to ensure that the special qualities and habitats of the Park are not compromised by new developments. Developers can positively contribute to reducing the impacts of traffic within the Park by encouraging modal shifts, for example through the preparation of green travel plans which will be required for proposals which will have significant transport implications.
- 8.22 The industry can also fluctuate greatly as new types of activity, attractions and areas become more or less popular and this can have a significant impact on the economic stability of the Park.
- 8.23 The Park offers a range of tourist accommodation such as hotels, guesthouses, self catering cottages, hostels, chalets, caravan and camping sites which make it more accessible to a greater number and variety of people. However proposals for new accommodation will only be permitted where the scale and design of the proposed development will not have an adverse impact on the character of the local area. Proposals should be in

locations which can be accessed by public transport, cycling or walking and development should not result in the generation of increased levels of traffic.

- 8.24 Recreational facilities can be both those that serve the local community as in the case of a leisure centre or the needs of visitors to the Park such as specialist activities like mountain bike hire facilities. For the purposes of decision making, proposals for recreational facilities for tourists should be assessed under this Development Policy while proposals for recreation facilities to serve the needs of the local community should be assessed against Core Policy I.

Development Policy 21 - Replacement Dwellings

The replacement of an existing dwelling outside the main built up area of the settlements listed in the settlement hierarchy will only be permitted where:

1. Residential use has not been abandoned.
2. The building is in an unsatisfactory state of repair or lacks basic amenities which cannot be provided within the existing building and its replacement would enable an unsatisfactory dwelling which is incongruous in the landscape to be replaced by one which makes a positive contribution to the landscape and character of the National Park.
3. The replacement dwelling is in the same position and of similar floor area, volume and scale and with a similar curtilage as the existing dwelling.

All replacement dwellings permitted under this policy will be restricted to local occupancy as defined in Core Policy J.

Applicants should refer to:

Design Guide Supplementary Planning Document

- 9.26 The erection of a new dwelling outside the settlements listed in the settlement hierarchy would normally be contrary to policy and the replacement of an existing house with one of a significantly different size and scale could have an adverse impact on the character and appearance of the local area. For this reason permission will only be granted for the replacement of existing dwellings where it can be demonstrated that the building is in an unsatisfactory state of repair and that the residential use has not been abandoned. The replacement dwelling should be of a similar footprint, scale and size as the existing dwelling and in the same location unless an alternative position is more suitable in landscape terms. Because the replacement building constitutes a new dwelling in the Park it will be restricted to local occupancy as set out in Core Policy J.

North York Moors National Park Authority

Internal Memorandum

To: Mr Chris France (Director of Planning)
Mr Mark Hill (Head of Development Management)

From: Mrs H Saunders

File Ref: NYM/2018/0368/FL

Date: 24 September 2018

Application for demolition of existing dwelling and outbuildings and construction of replacement local occupancy letting dwelling with holiday use at Hill View Barn, Downdale Road, Staintondale

For: Mr T Outhart, 15 East Park Road, Scalby, YO13 0PZ

I enclose for your attention the file relating to the above planning application which was approved by the Planning Committee on 20 September 2018, subject to an amendment to condition 12 to allow either timber or aluminium windows and additional conditions requiring the inclusion of a bin store and details of external paraphernalia to be submitted to the Authority prior to installation:

12. MATS00 All new window frames, glazing bars, external doors and door frames shall be of either timber construction and stained dark brown, or dark coloured powder coated aluminium and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

MATS00 - Prior to the first occupation of the dwelling hereby approved, details of the siting and design of a bin store to serve the dwelling shall be submitted to and approved in writing by the local planning authority. The bin store shall be installed in accordance with those approved details within one month of the first occupation of the dwelling and shall thereafter be so maintained.

GACS00 - No external paraphernalia shall be installed in the development hereby permitted until details of paraphernalia have been submitted to and approved in writing by the Local Planning Authority. The external paraphernalia shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.

I should be pleased if you would approve the issue of the decision notice.

C

Members Update Sheet

Item 5 NYM/2018/0368/FL

Parish – Comments on amended plans - The amendments are not sufficient to address the concerns previously expressed. Council's objections to the application therefore stand.

North York Moors National Park Authority

Scarborough Borough Council (South) Parish: Staintondale	App No. NYM/2018/0368/FL
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Proposal: demolition of existing dwelling and outbuildings and construction of replacement local occupancy letting dwelling

Location: Hill View Barn, Downdale Road, Staintondale

Applicant: Mr T Outhart, 15 East Park Road, Scalby, YO13 0PZ

Agent: BHD Partnership, fao: Mr Neil Duffield, Airy Hill Manor, Waterstead Lane, Whitby, YO21 1QB

Date for Decision: 30 July 2018

Grid Ref: SE498974 498705

Director of Planning's Recommendation

Approval subject to the following conditions:

1.	TIME01	Standard Three Year Commencement Date
2.	PLAN01	Strict Accordance With the Documentation Submitted or Minor Variations – Document No's Specified
3.	WPDR01	Withdrawal of all PD Parts 1 & 2 and 14 Classes A to I
4.	RSUO13	Occupancy in Accordance with NYM Core Policy J
5.	RSUO03	Domestic Outbuildings – No Conversion to Accommodation – Outside Villages
6.	GACS07	External Lighting – Submit Details
7.	GACS00	The development hereby approved shall not be occupied until the outbuildings shown on the approved plans to be demolished have been demolished and all materials removed from the site.
8.	MATS19	Roof Colouring (dark grey/black)
9.	MATS26	Timber Cladding (dwelling)(vertical timber boarding)
10.	MATS27	External Timber Cladding to be Stained Dark Brown
11.	MATS28	Timber Cladding Samples
12.	MATS00	All new window frames, glazing bars, external doors and door frames shall be of timber construction and stained dark brown, and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
13.	MATS72	Black Coloured Rainwater Goods
14.	MATS74	Flues to be Coloured Matt Black
15.	LNDS03	Trees/Hedging to be Retained (along the boundaries)

Informative

1.	Bats
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North York Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley YO62 5BP
01439 772700

Application Number: NYM/2018/0368/FL

Scale: 1:1250





Application No: NYM/2018/0368/FL

Consultations**Parish – Object**

The original property was a late 1940's built, one bedroom timber bungalow known as Whitegates Bungalow and the current dwelling was built as a replacement to this following planning permission in 2009. This allowed a replacement two bedroom timber bungalow with the original chimney stack, with the footprint only increased a little. The visible walls of the replacement bungalow were timber.

The replacement dwelling now proposed is further away from the road - presumably to allow the design of the property to take advantage of the falling ground levels by facilitating the creation of a glazed north east elevation with far-reaching sea views. The proposed footprint size is approximately 75% more than the bungalow it replaces and no trace of the original building remains - the chimney has gone.

The outside walls of the two previous bungalows were horizontal timber clad - the proposal is for outside walls to be 3 foot of reclaimed brick topped by 3 foot of vertical timber cladding. Councillors struggled to think of another building in the parish which had outside walls of a similar construction and appearance.

The north east elevation is almost completely glazed which is considered to be totally alien to anything currently or previously seen on the application site or indeed in Staintondale itself.

The proposed roof will be pantiles. While pantiles may be the vernacular for Staintondale and Ravenscar, they are not for this particular site or the previous bungalows on site.

Council takes the view that replacing the existing property with one of a significantly different size, scale and design would have an adverse and detrimental impact on the character and appearance of the local area and does not accord with:

- Development Policy 21-2 by virtue of the fact the applicant has failed to demonstrate that the building is in an unsatisfactory state of repair or lacks basic amenities which cannot be provided within the existing building and its replacement would enable an unsatisfactory dwelling which is incongruous in the landscape to be replaced by one which makes a positive contribution to the landscape and character of the National Park.
- Development Policy 21-3 by virtue of the fact the replacement dwelling is not in the same position and of a similar floor area, volume and scale, and with a similar curtilage as the existing dwelling. Additionally, the applicant has failed to demonstrate that the alternative position is more suitable in landscape terms.

Highways – No objections

Environmental Health – No objections

Forestry Commission – Standing advice in relation to sites on or near Ancient Woodland.

Site Notice Expiry Date – 9 July 2018

Application No: NYM/2018/0368/FL

Background

Hill View Barn is located within the loosely scattered settlement of Staintondale, surrounded by fields and visible from the main road that leads to Ravenscar. Currently the development on the site comprises the two bed single storey timber clad dwelling, a single garage, a timber clad barn and a derelict timber building. The site slopes steeply down from the road and the buildings are at a significantly lower level than the road, but all are visible in the immediate landscape.

The current dwelling on the site was constructed in 2009 as a replacement, following the demolition of the previous property known as Whitegates Bungalow, which comprised an unattractive and run-down one bed timber clad bungalow.

The existing site is prominent in the immediate landscape and isolated from other development. Whilst the existing property is of poor quality; it is very low in height, single storey and sits relatively quietly on the hillside.

In accordance with the National Park's replacement dwelling policies, a local occupancy restriction was attached to that approval, although a planning application was subsequently approved to also permit holiday letting.

The replacement dwelling has been occupied but it has never been entirely completed, with the approved dark grey profile sheet roofing not being installed. The property became vacant and in 2017 the local occupancy restriction was varied to allow the addition of holiday letting. Whilst not wholly in accordance with the replacement dwelling policy, this was considered appropriate in this instance due to the small scale and general poor quality of the dwelling which made it more appropriate for short term lets.

This application seeks full planning permission to demolish this recent replacement dwelling and all the outbuildings, and construct a single replacement dwelling with integral garage. The proposed replacement would be sited in a similar position to the existing dwelling but would be set approximately 2m further down the slope of the land. The footprint would be significantly greater than the existing bungalow, but would extend over the footprint of the existing garage and 2m into the footprint of the existing timber barn which is to be demolished. It would not extend over the footprint of the remainder of that barn or the dilapidated barn which is also to be demolished.

The proposed dwelling would measure a total of 19.7m long (including roof overhangs) x a maximum width of 9.5m. The height of the main part of the dwelling would be the same as the existing dwelling, of 4.8m, but then steps down with the slope of the land. The lower part of the building would measure 0.8m above the ridge of the barn to be demolished.

Internally, the dwelling would comprise three bedrooms, two bathrooms, an open plan kitchen/dining area with a living room provided in a mezzanine floor above the kitchen.

The details of the proposed bungalow have been amended, in relation to the proposed materials, with the elevations being entirely clad in vertical timber boarding, with a profiled dark grey/black sheet roof. Windows would be dark brown timber, with the north east facing gable (which looks seaward) being substantially glazed, but set back under an overhanging roof.

The materials used are similar to the original building.

The applicants have requested that the use of the building remains as existing, allowing the option of either local occupancy letting or short term holiday lets.

Application No: NYM/2018/0368/FL

Main Issues**Policy Context**

Core Policy CPJ of the NYM Local Development Plan seeks to ensure the provision of a mixture of housing types and tenure to maintain the vitality of local communities, consolidate support for services and facilities and support the delivery of more affordable housing. This is to be achieved through locating all open market housing, including new build and converted units to the Local Service Centre of Helmsley and the Service Villages, as well as other measures including restricting new housing development in the Open Countryside to that which is proven as essential for farming, forestry or other essential land management activities, replacement dwellings and conversion of traditional rural buildings for residential letting and local needs.

Development Policy 21 of the NYM Core Strategy and Development Policies states that the replacement of existing dwellings outside the main built up area will only be permitted where residential use has not been abandoned, the building is in an unsatisfactory state of repair or lacks basic amenities and its replacement would enable an unsatisfactory dwelling which is incongruous in the landscape to be replaced by one which makes a positive contribution to the character of the area, and where the replacement dwelling is in the same position and of similar floor area, volume and scale. All replacement dwellings will be restricted to local occupancy as defined in Core Policy J.

Development Policy 14 seeks to ensure that new tourism development and the expansion or diversification of existing tourism businesses will be supported where the proposal will provide opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; where the development can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking, cycling or horse riding; where the development will not generate an increased level of activity; and where it will make use of existing buildings.

Material Considerations**Impact on Character of Area**

The existing building, albeit a replacement dwelling itself, has been poorly built and is incomplete; and in conjunction with the array of outbuildings, detracts from the character of the area. The proposed replacement dwelling would have a similar overall footprint as the existing array of buildings, but would be more compact and better designed, whilst still reflecting the character of this scattered settlement which has a number of small scale timber bungalows amongst the stone and pantile properties.

The Parish Council have expressed concerns regarding the glazed gable end. However, this is on the elevation away from the road, and furthermore, the glazing would be deeply set back under the roof overhang to avoid glare. There are other examples of similar development in the locality, including one which was allowed on appeal.

Application No: NYM/2018/0368/FL

Proposed Use

The existing building has permission to be occupied as either a local occupancy dwelling or a short term holiday letting unit. Permission was granted for the existing dwelling to also be used as a holiday letting unit because the building was vacant and small in scale, making it seemingly more appropriate for a short term holiday letting use, particularly due to the apparent light weight build quality and incomplete nature of the development.

Development Policy 21 restricts replacement dwellings to local occupancy use. The applicant is proposing to continue this mixed use including holiday use. However, whilst it was considered appropriate to allow a holiday use for the existing small poor quality building, it is considered that as the replacement dwelling now proposed would have much better space standards and better quality accommodation, it would be entirely suitable for permanent occupation and there is now considered to be no justification to allow development contrary to Development Policy 21.

Whilst a larger dwelling than the one it replaces, it is considered that the replacement of the existing building would result in a significant landscape improvement, particularly with the loss of the outbuildings but furthermore, it would result in a much more suitable local occupancy letting unit.

It is considered that on balance, due to the landscape improvements that would result, the current permitted use of the building, and the benefits that a better quality local occupancy letting unit would provide, the proposal is acceptable and in the spirit of Development Policy 21.

Access and Parking

The property benefits from ample parking and ample amenity space and the proposal will not have any impact on the amenity of the area through vehicular movements.

Conclusion

In view of the above it is considered that the proposal would comply with both Core Policy J and Development Policy 21 of the Core Strategy and Local Development Framework, and consequently, approval is recommended.

Contribution to Management Plan Objectives

Approval is considered likely to help meet Policy C10 which seek to ensure high quality development.

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 recommended changes to the proposal including amendments to external materials so as to deliver sustainable development.

North York Moors National Park Authority Planning Committee

Public Minutes of the meeting held at The Old Vicarage, Helmsley on Thursday 20 September 2018 at 10am.

Present: Leslie Atkinson, Malcolm Bowes, Ena Dent, Alison Fisher, Janet Frank, David Hugill, David Jeffels, Heather Moorhouse, Caroline Patmore, Clive Pearson, Ted Sanderson, Andrew Scott

Apologies: Jim Bailey, Stuart Parsons, Guy Coulson, Christopher Massey, Sarah Oswald, Jeremy Walker

Copies of all Documents Considered are in the Minute Book

58/2018 Minutes

Resolved:

That the minutes of the meeting held on 16 August 2018, having been printed and circulated, be taken as read and be confirmed and signed by the Chair as a correct record.

59/2018 Members Interests

Members were reminded of their responsibility to declare any personal, prejudicial and/or discloseable interests relating to any agenda item prior to its consideration.

60/2018 Emergency Evacuation Procedure

The Chairman informed Members of the Public of the emergency evacuation Procedure.

61/2018 Miscellaneous Items

Considered:

The report of the Director of Planning.

Resolved:

That the report be noted.

62/2018 Applications for Planning Permission

The following members of the public addressed the meeting regarding the Plans List Items indicated:

Considered:

Plans List Item 1 – Alison Borg spoke as the applicant, Mr Anderson spoke against the application and at the Chair's discretion Heather Phillips spoke on behalf of the Parish Council.

Plans List Items 2 & 3 – Mrs Ward spoke for 6 minutes on behalf of the applicant and Mrs Jarman spoke for 6 minutes against the application.

Plans List Item 4 – Mrs Liddle spoke on behalf of the applicant and Kathryn Hope spoke against the application.

The report listing applications and the Director of Planning’s recommendations thereon. Members also considered further information circulated on the Members’ Update Sheet at the meeting including; updated recommendations from the Director of Planning and comments received after the agenda was printed from: consultees, objectors and supporters.

Resolved:

(a) That with regard to all applications listed in the report and subject to:

- (i) the amendments specified below; and
- (ii) the imposition of conditions in accordance with the relevant provisions of Sections 91-94 of the Town and Country Planning Act 1990, except in those instances where an alternative condition is contained in the Director of Planning’s recommendation or in an amendment referred to in (i) above;

decisions be given in accordance with the Director of Planning’s recommendations:

List No	Plan No and Description of Proposal
1.	<p>NYM/2018/0255/FL – Conversion of and extensions to stable block to form supported residential accommodation at 24 Castlegate, East Ayton for Tom Herring, 24 Castlegate, East Ayton, Scarborough, YO13 PEJ.</p> <p>Decision A motion for a Member site visit was proposed and seconded and a vote taken which was lost. A motion of approval as recommended was proposed and seconded and vote taken which was carried. Approved as recommended with amendments to conditions 3 and 13 as set out on the Members Update Sheet: 3. The units of annexe accommodation hereby approved shall not be occupied as separate independent dwellings and shall remain ancillary to the use of the main dwelling known as 24 Castlegate, East Ayton. The units of annexe accommodation shall form and shall remain as part of the curtilage of this main dwelling as a single planning unit, shall not be sold or leased separately from the main dwelling, shall at all times be managed and controlled by the occupier of the main dwelling and shall be used only for members of the family (or fostered children/young adults) of the occupier of the main dwelling. 13. No supported living annexe unit shall be occupied until the related parking facilities have been constructed in accordance with the submitted drawing. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.</p>
2.	<p>NYM/2018/0244/FL – Erection of general purpose agricultural building with hardstanding area and associated access track at Valley View Farm, Village Streets, Old Byland, Helmsley YO62 5LG.</p> <p>Decision Approved in principle, contrary to the Officer recommendation as the applicant subsequently agreed (as stated in the agent’s presentation) to use high quality materials and implement an effective landscaping scheme as had been advised in negotiations by Officers, with the matter delegated to the Director of Planning to negotiate high quality materials, a substantial landscaping scheme and a track which is to cross over the adjacent archaeologically important site.</p>

3.	<p>NYM/2018/0353/FL – Erection of general purpose agricultural building at Valley View Farm, Old Byland, Helmsley for Mr S Robinson, Valley View Farm, Old Byland, Helmsley, YO62 5LG.</p>
	<p>Decision Approved in principle, contrary to the Officer recommendation as the applicant subsequently agreed (as stated in the agent’s presentation) to use high quality materials and implement an effective landscaping scheme as had been advised in negotiations by Officers, with the matter delegated to the Director of Planning to negotiate high quality materials, a substantial landscaping scheme and a track which is to cross over the adjacent archaeologically important site.</p>
4.	<p>NYM/2018/0347/FL – Construction of replacement balcony to rear (retrospective) at 8 Park View, Glaisdale for Mrs Emma Ashton-Wickett, 8 Park Views, Glaisdale, Whitby, YO21 2PP.</p>
	<p>Decision Approved as recommended with an amendment to condition 1 as set out on the Members Update Sheet: 1. Within three months of the date of this approval the boundary mitigation details stated in the email dated 14 September 2018 from Emma Ashton-Wickett which includes: the replacement of the existing handrail with trellis privacy panels and the construction of a planter to be planted with 1m-1.25m Beech hedge plants shall be implemented and thereafter maintained in perpetuity for the lifetime of the balcony/decking hereby approved.</p>
5.	<p>NYM/2018/0368/FL – Demolition of existing dwelling and outbuildings and construction of replacement local occupancy letting dwelling at Hill View Barn, Downtdale Road, Staintondale for Mr T Outhart, 15 East Park Road, Scalby, YO13 0PZ</p>
	<p>Decision Approved with the decision delegated to the Director of Planning to clear an additional condition requiring the provision of a bin store and submission of the design.</p>
6.	<p>NYM/2018/0531/FL – Construction of replacement conservatory and porch, new dormer window and revised parking and turning area following demolition of garden shed and fences at Crown Cottage, Beck Hole Road, Goathland for Mr and Mrs Andrew Scott, 14 New Walk Terrace, York, YO10 4BG.</p>
	<p>Decision Andrew Scott declared a personal and prejudicial interest in this item as the applicant, however left the Meeting prior to consideration of the item. Approved as recommended.</p>

63/2018 Any Other Business - Biennial Design Awards

Members were asked to give their thoughts on how the presentation of the Awards should be made. Members were of the opinion that to recognise the achievements of the entries the Design Awards presentation should be a more formal occasion with the press and Parish Council representatives also invited to attend.

From:
To: [Planning](#)
Subject: Hill View Barn, Downdale Road, Staintondale NYM/2018/0368/FL
Date: 12 June 2018 10:17:43

FAO Helen Saunders

Hill View Barn, Downdale Road, Staintondale – Construction of dwelling - NYM/2018/0368/FL

I refer to your e-mail of the 8th June 2018 regarding the above. I hereby confirm that I have no objections on environmental health or housing grounds.

Thanks

Stephen Reynolds DipAc, DipEH, BSc, DMS, MSc(ENG), MCIEH, CEnvH, CMIWM
Residential Regulation Manager
Scarborough Borough Council

From: [Elsbeth Ingleby](#)
To: [Planning](#)
Subject: Bat informatives 04/06/2018 - 17/06/2018
Date: 25 June 2018 17:18:43

If the following applications are approved, please can Bat Informatives be included with the Decision Notice:

NYM/2018/ 0368/FL Hill View Barn, Downdale Road

Many thanks,

Elsbeth

Elsbeth Ingleby
Land of Iron Natural Heritage Officer
North York Moors National Park Authority
The Old Vicarage, Bondgate, Helmsley, York YO62 5BP
Telephone: 01439 772700
[Logo banner black ring ouzel]

From:
To: [Planning](#)
Subject: RE: Hill View Barn, Downtdale Road, Staintondale, - NYM/2018/0368/FL
Date: 28 June 2018 15:28:09

Dear Sir or Madam,

Thank you for your email with regards to the above reference number.

We provide standing advice in place of individual responses to planning consultations on or near ancient woodland.


Please view the following link to the Forestry Commission and Natural England's standing advice in relation to ancient woodland and veteran trees.

<https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

Should you require bespoke advice in relation to this planning application, please let us know.

Kind regards,

Serena Clifford
Area Administration Officer

 Yorkshire and North East Area Office
Forestry Commission England
Foss House, King's Pool,
1-2 Peasholme Green,
York YO1 7PX

-

**NORTH YORKSHIRE COUNTY COUNCIL
BUSINESS and ENVIRONMENTAL SERVICES**



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM18/368/FL**

Proposed Development: demolition of existing dwelling and outbuildings and construction of replacement local occupancy letting dwelling with holiday use

Location: Hill View Barn, Downton Road, Staintondale

Applicant: Mr T Ouhart

CH Ref: **Case Officer:** Kay Aitchison

Area Ref: 4/27/197A **Tel:**

County Road No: **E-mail:**

To: North York Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 28 June 2018

FAO: Hilary Saunders **Copies to:**

The application is for the demolition of an existing dwelling and the construction of a replacement for holiday letting use. The existing dwelling has a constructed access and on the clear understanding that there will be no change to the existing access arrangements, there are **no local highway authority objections** to the proposed development.

Signed:

Issued by:

Whitby Highways Office
Discovery Way
Whitby
North Yorkshire
YO22 4PZ

For Corporate Director for Business and Environmental Services

e-mail:

NYMNPA

28/06/2018

From:
To: [Planning](#)
Subject: Comments on NYM/2018/0368/FL
Date: 20 July 2018 14:51:35

Demolish existing dwelling and outbuildings and construct replacement local occupancy letting dwelling with holiday use at Hill View Barn, Staintondale

The above application has been considered by Staintondale Parish Council.

Property at this location was previously known as Whitegates Bungalow. Councillors believe the dwelling in its present format is the result of NYM/2009/0699/FL which allowed the late 1940's built one bedroom timber bungalow on site to be replaced by a two bedroom timber bungalow. The original chimney stack was retained and while the footprint of the building increased, it was by a negligible amount. The visible walls of the replacement bungalow were timber. the roof was felt.

Now forward some 9 years to the present application NYM/2018/0368/FL. The replacement dwelling is further away from the road - it is suspected that has been done in order to allow the design of the property to take advantage of the falling ground levels by facilitating the creation of a glazed north east elevation with far-reaching sea views. The proposed footprint size is approximately 75% more than the bungalow it replaces.

No trace of the original building remains - the chimney has gone.

The outside walls of the two previous bungalows were horizontal timber clad - the proposal is for outside walls which are approximately 3 foot of reclaimed brick topped by 3 foot of vertical timber cladding. Councillors struggled to think of another building in the parish which had outside walls of a similar construction and appearance.

The north east elevation is almost completely glazed, being broken only by a small amount of cladding and the brick plinth. Councillors considered this elevation to be totally alien to anything currently or previously seen on the application site or indeed in Staintondale itself.

The proposed roof will be pantiles. While pantiles may be the vernacular for Staintondale and Ravenscar, they are not for this particular site or the previous bungalows on site.

Council takes the view that replacing the existing property with one of a significantly different size, scale and design would have an adverse and detrimental impact on the character and appearance of the local area.

Council therefore **objects** to the application as submitted on the grounds it does

not accord with:

- Development Policy 21-2 by virtue of the fact the applicant has failed to demonstrate that the building is in an unsatisfactory state of repair or lacks basic amenities which cannot be provided within the existing building and its replacement would enable an unsatisfactory dwelling which is incongruous in the landscape to be replaced by one which makes a positive contribution to the landscape and character of the National Park.
- Development Policy 21-3 by virtue of the fact the replacement dwelling is not in the same position and of a similar floor area, volume and scale, and with a similar curtilage as the existing dwelling. Additionally, the applicant has failed to demonstrate that the alternative position is more suitable in landscape terms.

--

J Marley (Mrs)
Clerk to Staintondale Parish Council
Annan,
41 Scalby Road,
Burniston,
Scarborough
YO13 0HN

From: [Hilary Saunders](#)
To: [Planning](#)
Subject: Fwd: Comments on NYM/2018/0368/FL as amended
Date: 13 September 2018 21:30:15

----- Original message -----

From: "

Date: 13/09/2018 20:45 (GMT+00:00)

To: Hilary Saunders <h.saunders@northyorkmoors.org.uk>

Subject: Fwd: Comments on NYM/2018/0368/FL as amended

Hilary - the amendments notified to this Council by a letter dated 23/8/18 have tonight been considered by Council.

Councillors do not consider the amendments are sufficient to address the concerns previously expressed. Council's objections to the application therefore stand.

Regards, Jools