

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(North)
Parish: Fylingdales

Application No. NYM/2019/0175/FL

Proposal: construction of 2 no. garage blocks (3 no. garages per block) for domestic use

Location: Coal Yard, Station Road, Robin Hoods Bay

Decision Date: 14 May 2019

Extended to:

Consultations

Borough/District - The Council is landowner of the access so there may be some concern around potential intensification of use and the impact on our adjoining workshops. If possible would be grateful if you would advise me of the outcome

Parish -

Highways – No objections. Station Road is not a publicly maintainable highway. The details provided show the applicant has right of access along station road and across the adjacent land to the location of the proposed gates.

Site Notice Expiry Date – 10 May 2019

Director of Planning's Recommendation

Approval subject to the following condition(s):

- 1 Standard Three Year Commencement Date
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
- 2 Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified
The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Proposed block plan	DT4b	12/03/2019
Proposed plans	DT1c	12/03/2019
Proposed landscaping	Landscape 2	25/04/2019

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
- 3 External Lighting - Submit Details
No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.

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- 4 All new brickwork utilised in carrying out the development hereby permitted shall match that of the existing building immediately to the east of the proposed development unless otherwise agreed in writing with the Local Planning Authority.
- 5 Roof Colouring (insert)
The external surface of the roof of the building hereby permitted shall be coloured and thereafter maintained dark grey and shall be maintained in that condition in perpetuity unless otherwise be agreed in writing with the Local Planning Authority.
- 6 All new doors and garage doors hereby approved shall within six months of the date of their installation be painted/finished dark grey and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
- 7 Guttering Fixed by Gutter Spikes
The guttering to the development hereby permitted shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilised in the development and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
- 8 Black Coloured Rainwater Goods
The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
- 9 The development hereby permitted shall be used for domestic garaging and storage only and for no other purpose, without the prior written consent of the Local Planning Authority.
- 10 Landscaping Scheme to be Implemented - Large Scale Development/ General Development
All hard and soft landscape works comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. Any trees or plants planted in accordance with this condition which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
- 11 No trees shall be felled within the bird nesting season (March to September inclusive) unless the trees and surrounding areas have been checked by a suitably qualified person for bird nests immediately (within 24 hours) prior to felling. Any active bird nests (includes period of building through to chicks fledged until the nest is abandoned) must be left undisturbed.

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Informatives

1	The applicant is advised to contact the Estates Surveyor, Estates and Strategic Land Department at Scarborough Borough Council, prior to work commencing as Scarborough Borough Council are landowners of the access to the site.
2	<p>MISC INF01 Bats</p> <p>All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.</p>
3	<p>MISC INF 12 Birds</p> <p>Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England</p> <p>http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotected/birds.aspx. Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.</p> <p>If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</p>

Reason(s) for Condition(s)

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.

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4. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
5. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
6. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
7. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
8. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
9. In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with NYM Core Policy A which seek to conserve and enhance the special qualities of the NYM National Park.
10. In order to comply with the provisions of NYM Development Policy 3 this seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
11. In order to comply with the provisions of NYM Core Policy C which seeks to protect species protected under national and international legislation.



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Background

This application relates to a parcel of land located between two business units to the west of Fylingthorpe Village Hall and the Station Car Park at the top of Robin Hoods Bay.

The site is outside the Robin Hood's Bay Conservation Area and forms part of the old railway line, with the platform still in existence.

This application seeks full planning permission to construct 6 domestic garages (in two groups of three), in line with the Station Yard workshop units to the east. Each garage block would measure 11.465m long x 7.19m deep with a height to the eaves of 2.6m and to the ridge of 4.8m. The garages would be constructed of red brick to match the adjacent buildings with a dark grey profile roof, garage doors and doors.

A landscaping scheme is proposed to include new tree planting at the rear of the site, along with a number of beehives for use by the applicant.

It is proposed that the garage units will be rented out as domestic garages to local residents.

Main Issues

Core Policy CPI of the Local Development Plan supports the provision of new health, sport, education and other community facilities, where they are in the main built up areas of Service Villages and Local Service Villages, in other locations where there are no suitable sites in the local service villages or where they provide an essential facility to support the local community..

Development Policy 3 seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, layout and density of development preserves or enhances views into and out of the site; that the scale, height, massing and design are compatible with surrounding buildings; that the standards of design are high; that there is satisfactory landscaping and that the design takes into account the safety, security and access needs for all potential users of the development.

Core Policy C of the Local Development Plan seeks to ensure that the quality and diversity of the natural environment is conserved and enhanced, and to maintain, and where appropriate enhance conditions for priority habitats and species identified in the North York Moors Local Biodiversity Action Plan.

The site is located on land that is currently used to site sheds and storage buildings, and located between two separate commercial enterprises. The site currently detracts from the character of the locality.

It is considered that the proposed use, to provide garaging for local residents would be unlikely to conflict with those adjoining uses and would also provide a useful facility for the local community as parking within the village can be congested.

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In terms of ecology and bio-diversity, the site of the garages overlaps an area surveyed as holding semi-improved neutral grassland in the 80s. Whilst it appears that the site has been modified extensively since then, including trees growing and hard standing being created, it is possible that some value still remains. To secure this, and to maximise the ecological potential of the applicants landscaping proposals, it is suggested that we condition that only native plants may be planted (if planting is planned around the 'beehive' area). It is also respectfully suggested that in order to maximise the potential for both the owners honey bees but also wild pollinators, that the proposed hedge is made of a mix of native hedging species, including hawthorn, elder, blackthorn, field maple, honeysuckle, holly etc in order to provide foraging over a longer period of time than just the hawthorn flowering window. The proposed hazel will also be valuable in providing early nectar.

In terms of trees, none of the existing trees are considered to be of particular merit and replacement trees are proposed.

Scarborough Borough Council Land Services have expressed some concern that there may be an issue with access, in view of this, an informative is proposed advising the applicant to speak to the relevant department prior to starting work.

In view of the above considerations the proposal is considered to be in accordance with the above policies and consequently, approval is recommended.

Pre-commencement Conditions

There are no pre-commencement conditions

Explanation of how the Authority has Worked Positively with the Applicant/Agent**Approval (Amendments Requested and Received)**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including improved landscaping scheme, so as to deliver sustainable development.