

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
Parish: Egton

Application No. NYM/2019/0255/FL

Proposal: construction of shed for workshop/store

Location: Pear Trees House, Broom House Lane, Egton Bridge

Decision Date: 06 June 2019

Extended to:

Consultations

Parish - No objection.

Forestry Commission - Refer to standing advice.

Site Notice Expiry Date - 17 May 2019.

Director of Planning's Recommendation

Approval subject to the following conditions:

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
Site Location Plan	N/A	11 April 2019
North Elevation	N/A	24 April 2019
South Elevation	N/A	24 April 2019
East and West Elevations	N/A	24 April 2019
Plan View	N/A	11 April 2019

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

3. **Domestic Outbuildings - No Conversion to Accommodation - Inside Villages**

The development hereby permitted shall be used for domestic storage incidental to the occupation of the main dwelling on the site and for no other purpose. There shall be no alteration or conversion of the building hereby permitted to permanent residential accommodation and any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.

4. **Timber Cladding (inserts)**

The external elevations of the **workshop/store** hereby approved shall, within three months of first being brought into use, be clad in **horizontal timber boarding and stained in a mid to dark brown stain** and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.

5. **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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6. There shall be no changes to ground levels, excavations, ground compaction, storage of materials or machinery, parking of vehicles, depositing or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within the Root Protection Area of the trees to the north of the development site hereby permitted. The remainder of the root protection area outside the footprint of the building hereby approved shall remain as an exclusion zone during the construction phase and should be clearly demarcated and contractors prevented from entering.

Reasons for Conditions

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 enable the Local Planning Authority to control any future changes to the building which is in a location where the formation of a separate dwelling unit would not normally be permitted in line with NYM Core Policies B and J and would be likely to adversely affect the amenities of existing and future occupiers of the site.
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. 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.
6. The trees within the vicinity of the site are of significant amenity value and every effort shall be made to protect them in accordance with NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.

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(Image taken from Google Streetview – Office pictures lost)

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Background

Pear Trees House is located off Broom House Lane within the Egton Bridge Conservation Area. The property comprises a detached dwelling and garage set in substantial grounds. A considerable part of the rear curtilage is wooded which enjoys protection from a Tree Preservation Order.

Planning permission for an octagonal summerhouse to the rear of the property was granted (to the previous occupiers) in 2008.

The property has recently changed hands and the current owners are seeking full planning permission for the construction of a shed/workshop to the rear of the property, close to the wooded bank. The proposed building is required as a workshop and equipment store for use in connection with the applicants bee-keeping interest and it is proposed to be sited on an area of hard-standing, developed by the previous owners. The proposed building measures 10.5 metres by 3.6 metres, 2.3 metres to eaves and an overall ridge height of 3.6 metres. The proposed materials are horizontal timber cladding under a pantile roof.

Main Issues

The relevant policies contained within the NYM Core Strategy and Development Policy Document to consider with this application are Development Policy 3 (Design) and Development Policy 19 (householder Development).

These policies collectively seek to ensure that development maintains and enhances the special character of the National Park; is sympathetic to the character and appearance of the host dwelling and; should not have an adverse effect upon the amenities of neighbours. This is to be achieved through careful siting, high quality design and appropriate scale, mass and materials.

It is acknowledged that the proposed building is slightly larger than a typical domestic garden shed, however, the host property is relatively substantial and has a fairly extensive curtilage. The applicant keeps bees and requires adequate storage of all the associated equipment and also a work space for extraction and bottling of honey. In this case, bee keeping is considered to be an ancillary domestic use (as listed in Class E, Part 1 of the Town and Country Planning General Permitted Development Order) and in view of the specialist equipment required for the hobby, Officers have no objection in principle to the size of the building.

The position of the building is also quite a distance from the main house (in excess of 20m), however, Pear Trees House benefits from a generous garden and the site is well screened from the road and neighbouring property. Consequently, Officers have few concerns about the impact of the building on the visual and general residential amenity of the area. The neighbouring property to the east also has an outbuilding at the northern limit of their boundary which is just slightly beyond the position of this proposed shed. Normally, the Authority would expect new buildings to have a close association with existing buildings but whilst the proposed store is quite a distance from the host property, The applicant seeks to utilise an area which has previously been 'developed' to minimise the impact of the development.

As the building is proposed to be located in close proximity to woodland trees which are protected by a Tree Preservation Order, the Authority's Woodland Officer requested further details and measurements of the trees closest to the development site.

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The details have been assessed by the Woodland Officer who has advised that the structure is likely to be partially within the theoretical root protection area (RPA) of the sycamore and the oak trees. Given that the RPA is unrestricted in other directions, the trees are on elevated land, and there is no additional excavation to be done I don't see any reason for refusing this application. It is recommended that a condition is included on any approval granted which seeks to protect the RPA.

The proposed building is considered to be of an acceptable design, which reflects its utilitarian nature and of high quality materials which are acceptable for this National Park setting. There have been no objections to the proposal and it is therefore considered to accord with the above planning policies. Therefore, conditional approval is recommended.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.