

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(South)
Parish: Newby and Scalby

Application No. NYM/2019/0289/FL

Proposal: variation of condition 2 (material amendment) of planning approval
NYM/2015/0197/FL to allow amended design of detached dwelling

Location: Ryefield, Hackness Road, Scalby

Decision Date: 09 July 2019

Extended to:

Consultations

Parish – No objections

Highways – 11/6/2019 - No objections

Advertisement Expiry Date – 26 June 2019

Director of Planning's Recommendation

Approval subject to the following condition(s):

1. Variation of Condition (insert)
The development hereby permitted shall be commenced before the 20 September 2019.
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 site layout	Drwg no. RO34/1 39D	8 Sept. 2016
Proposed floor layouts	Drwg no. RO34/1 33B	20 July 2016
Garage details	Drwg no. RO34/1 41	7 April 2016
Proposed elevations	Drwg no. RO34/1 32A	23 March 2015
New dwelling	Drwg no. 37 RO34-01 Rec C	18 June 2019

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.

Application Number: NYM/2019/0289/FL

4. During construction, no machinery shall be operated on the premises before 0700 hrs on weekdays and 0800 hrs on Saturdays nor after 1800 hrs on weekdays and 1300 hrs on Saturdays nor at any time on Sundays or Bank Holidays without the prior written agreement of 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.
6. **Brickwork and Roofing Tiles to Match**
The brickwork and roofing tiles of the development hereby permitted shall match those of the existing building unless otherwise agreed in writing with the Local Planning Authority.
7. All new window frames, glazing bars and external door frames shall be of timber construction, painted white within six months of the date of installation and shall be 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. Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works, as described in the submitted Flood Risk Assessment and Drainage Statement (prepared by Stevenson Associates dated 18 July 2013).
10. There must be no raising of ground levels within flood zone 3 and all excess spoil is to be removed from the flood plain.
11. Unless otherwise approved in writing by the Local Planning Authority, there shall 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) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:
 - i) vehicular turning arrangements;
 - ii) manoeuvring arrangements.
12. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number 11:
 - i) have been constructed in accordance with the submitted drawing
 - ii) are available for use unless otherwise approved in writing by the Local Planning Authority.Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Application Number: NYM/2019/0289/FL

13. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.
14. No trees, shrubs or hedges within the red line of the site shall be felled, uprooted, wilfully damaged or destroyed, cut back or removed without the prior written consent of the Local Planning Authority. Any work approved shall be carried out in accordance with British Standard 3998:2010 Tree Work - Recommendations. If any retained tree/hedge is removed, uprooted, destroyed or dies within five years of the completion of the development, it shall be replaced with trees, shrubs or hedge plants of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Informatives

1	The proposals shall cater for all types of vehicles that will use the site. The parking standards are set out in the North Yorkshire County Council publication 'Transport Issues and Development - A Guide' available at www.northyorks.gov.uk
2	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.

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 enable the Local Planning Authority to retain control over future alterations to the farm buildings in the interests of safeguarding the character of the locality in line with NYM Core Policy A and NYM Development Policy 3, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.
4. In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with NYM Development Policy 3 and NYM Core Policy A, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.

Application Number: NYM/2019/0289/FL

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. 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.
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 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.
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. To avoid pollution of watercourses and to comply with the provisions of NYM Development Policy 1, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.
10. In order to comply with the provisions of NYM Development Policy 2 which seeks to mitigate the impact of flood damage to new development within areas at high risk from flooding and prevent additional flood risk to other properties.
11. In accordance with NYM Development Policy 23 and to ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.
12. In accordance with NYM Development Policy 23 and to ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.
13. In accordance with NYM Development Policy 23 and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity the development.
14. In order to comply with the provisions of NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.

Application Number: NYM/2019/0289/FL



Previous approval



Application Number: NYM/2019/0289/FL

Background

Ryefield is a substantial eight bed dwelling situated within extensive gardens, on the edge of the village of Scalby, outside, but adjacent to the Scalby Conservation Area and close to the bridge to Newby and Scarborough.

The property dates from the 1920's and is constructed in red brick with a rosemary tile roof. A scheme for single storey extensions to the dwelling were approved in 2005 but have not yet been built.

This existing dwelling comprises six bedrooms, games room and three bathrooms on first floor and swimming pool, two kitchens, two sitting rooms, two utility rooms, two bedrooms, lounge and breakfast room, double garage and approved conservatory (not yet built) at ground floor. The house is set within extensive, well treed gardens, to both rear and side, and extensive drive, parking and turning area at the front of the house.

Planning permission was granted in 2015 to subdivide the existing house into three dwellings; in the form of a four bed, five bed and three bed dwelling.

Permission was also granted to construct a new substantial L-shaped five bedroom, two storey dwelling and detached double garage, to the south eastern side of the existing dwelling at a significantly lower ground level than Ryefield.

This application seeks planning permission to amend the design of the proposed new house.

However, following concerns expressed by Officers that the amended design did not reflect the architectural character of the surrounding buildings, in particular that of Ryefield, amended plans were requested.

The amended plans submitted have taken into account the details of the existing Ryefield House in respect of windows, details and roofing details particularly introducing an eaves overhang and soffit and a slight but significant change to the rooflines with the sprocketed eaves.

Entrances have been changed with arts and crafts details, along with arches to window heads, brick sill design and the re-introduction of the Coach House type arch window openings to the front.

Main Issues

The principle of the development has already been accepted, so the issue for consideration here is whether or not the revised design would have a detrimental impact on the character of the adjacent conservation area, the host dwelling or neighbouring amenities.

Core Policy G of the NYM Local Development Plan seeks to ensure that the landscape, historic assets and cultural heritage of the National Park are conserved and enhanced, with high quality sustainable design being sought which conserves or enhances the landscape setting.

Application Number: NYM/2019/0289/FL

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.

Development Policy 4 of the NYM Local Development Plan seeks to ensure that development within or immediately adjacent to a Conservation Area either preserves or enhances the character and appearance or setting of the area. The recent written Ministerial Statement on affordable housing which is now formal government guidance states that affordable housing should not be sought on sites where less than five houses are involved.

In this case it is not considered that the revised design, which retains a similar scale and bulk to the approved plans would have a detrimental impact on the open character of the locality. Whilst a substantial dwelling is proposed, it is set in the context of a group of very large dwellings along Ryefield Drive, and would be well situated on lower ground level adjacent to the existing dwelling. Furthermore, materials proposed would match those of the existing dwellings along this private drive.

Although located just outside of the Scalby Conservation Area, the immediate area is of particular architectural and historic character as the three main dwellings of Ryefield, Brentwood and South Beck House (formerly known as Greenways) all derive from the same period of around the 1920's and are of the Arts and Crafts architectural style. Later developments of No's 111 and 113 Hackness Road relate to a later style of bungalow development.

It is not considered that the revised proposal would have a detrimental impact on the character of the conservation area as the proposed new dwelling is set well within the grounds of the property and would not have a detrimental impact on the open character of the street scene.

The proposal is therefore considered to be in accordance with Core Policy G and Development Policy 4 of the NYM Local Development Plan and consequently approval is recommended.

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 revised design of the proposed dwelling to be in keeping with the host property, so as to deliver sustainable development.