

# North York Moors National Park Authority

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

Application No. NYM/2019/0311/FL

**Proposal:** Change of use of land to garden and for the siting of 1 no. mobile caravan unit to provide residential accommodation, construction of double garage and relocation of vehicular access

**Location:** Brackenrigg, Fylingdales

**Decision Date:** 09 August 2019

## Consultations

**Parish** – No objections provided that when finished with the caravan will be removed.

**Highways** – No objection, conditions recommended.

**Environmental Health Officer** -

**Forestry Commission** – No comments, standing advice given regarding ancient woodland.

**Police (Traffic)** –

**Fylingdales Village Trust** -

**Site Notice/Advertisement Expiry Date** – 16 July 2019

**Others** – John Northon, Fylingdales Service Station – Objects for the following reasons:

- A new access onto the busy A171, where several accidents have happened, will increase problems in the future;
- Brackenrigg currently has a right of access across the service station to their property and the field beyond however permission would not be given to access to further development as this could impede the flow of traffic into/out of the petrol forecourt;
- The shared septic tank is already working to capacity and not able to cope with extra demand.

## Director of Planning's Recommendation

### Reason(s) for Refusal

1	Given the scale and specification of the accommodation proposed, the Local Planning Authority does not consider that this fulfils the definition of annexe accommodation ancillary to the main dwelling and the proposal is therefore contrary to Development Policy 19 of the Core Strategy and Development Policies Document. The siting of a mobile home on the land for permanent occupation is tantamount to the construction of a new dwelling in the open countryside which is not essential to meet the needs of farming, forestry or other essential land management activities as required by Core Policies B and J and paragraph 79 of the National Planning Policy Framework.
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**Application Number: NYM/2019/0311/FL**

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| 2 | <p>The siting of the timber clad mobile home, large double garage and extension of the domestic curtilage into the field adjacent to Brackenrigg would extend the existing built form of development centred around The Flask Inn, holiday park and service station further west, into the open countryside resulting in a detrimental impact on the setting of the existing development and the wider landscape of this area of the National Park particularly given the relatively open nature of the site and long distance views. As such the proposal is contrary to Core Policy A and Development Policies 19 and 20 of the Core Strategy and Development Policies Document.</p> |
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**Application Number: NYM/2019/0311/FL**

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**Background**

Brackenrigg is a detached dormer bungalow, built of stone under a pantile roof located on the south side of the A171 Scarborough to Whitby road and lies at the west end of a cluster of development comprising The Flask Inn, holiday park and service station along with several residential properties. Access to the property from the A171 is currently across the forecourt of the petrol station. The property comprises the main dwelling and a small flat roof sectional garage with garden to the front and west side. The applicant also owns the field immediately to the west.

Planning permission is sought for an extension to the domestic curtilage of Brackenrigg into the adjacent field to the west upon which it is proposal to site a timber clad 3 bedroom mobile home (measuring 15.2 metres by 6.7 metres and fulfilling the definition of a caravan) to provide accommodation for two members of the applicant's family that currently live away but are in need of care and supervision. In addition a large timber clad double garage is proposed along with a new vehicular access from the A171 with the associated driveway, vehicular turning and parking space.

**Main Issues****Policy Context**

The relevant policies of the Core Strategy and Development Policies Document are Core Policy A (Delivering National park Purposes and Sustainable Development), Core Policy B (Spatial), Core Policy J (Housing), Development Policy 19 (Householder development) and Development Policy 20 (Extension to Domestic Curtilages).

Core Policy A seeks to further the National Park purposes and duty by encouraging a more sustainable future for the Park and its communities whilst conserving and enhancing the Park's special qualities, and gives priority to providing a scale of development and level of activity that will not have an unacceptable impact on the wider landscape or the quiet enjoyment, peace and tranquillity of the Park, nor detract from the quality of life of local residents or the experience of visitors.

Core Policy B is the overarching spatial strategy for the National park and in the open countryside development is limited to housing relating to an essential need to live in the countryside and replacement dwellings. This is reinforced by Core Policy J, the overarching housing policy, which restricts 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.

Development Policy 19 supports proposals for development within the domestic curtilage of dwellings where the scale, height, form, position and design does not detract from the character and form of the original dwelling or its setting in the landscape and where the development does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling. In the case of annexe accommodation, the policy requires the development to be ancillary to the main dwelling in

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**Application Number: NYM/2019/0311/FL**

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terms of its scale and specification, and in the case of new build to be physically attached to the main dwelling.

Development Policy 20 supports proposals for the extension of existing domestic curtilages only where the land does not form an important amenity or open space and where the change of use to domestic curtilage will not have an adverse impact on the character of the landscape. It acknowledges in the justification that in areas of open countryside the change of use of agricultural land for domestic use can result in the erosion of the quality of the landscape particularly when domestic paraphernalia, landscaping and fencing is added.

The National Planning Policy Framework at paragraph 79 advises that planning decisions should avoid the development of isolated homes in the countryside unless there is an essential need for a rural worker to live permanently at or near their place of work in the countryside; the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; the development would re-use redundant or disused buildings and enhance its immediate setting; the development would involve the subdivision of an existing residential dwelling; or the design is of exceptional quality, in that it is truly outstanding or innovative and would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

**Principle of Development**

The proposal is to site a timber clad 3 bedroom mobile home some 20 metres to the west of the host property in the adjacent field with a new vehicular access taken from the A171. The mobile home will provide accommodation for 2 family members (mother and brother) of the current occupants of Brackenrigg who are in need of care and supervision yet currently live away with no family nearby to support them.

Whilst clearly the proposed occupants of the mobile home would satisfy the local occupancy criteria of Core Policy J having an essential need for reasons of age or infirmity to move to live close to relatives who are currently living in the National Park, the proposal is considered tantamount to the siting of a new dwelling in the open countryside for which there is no proven essential need to meet farming, forestry or other rural land management activities and therefore contrary in principle to Core Policies B and J. The agent has set out the difficult situation the applicant is in, proving care for two family members whilst living some distance away and the need to move those relatives closer to the applicant's home where a greater level of care can be provided. The agent has ruled out the option of extending the host property to provide the necessary additional bedroom space as not financially viable although has not expanded on this any further. Development Policy 19 clearly states that any new building annex accommodation should be physically attached to the main dwelling.

Whilst there is great sympathy for the applicant's situation, the proposal is clearly contrary to Development Policy 19 and also Core Policies B and J. The provision of a separate unit of accommodation of the scale and specification proposed (3 bedrooms), detached from the host property and set some distance away is not considered to form annexe accommodation and instead would form a separate dwelling even if the ownership was tied to the host property.

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**Application Number: NYM/2019/0311/FL**

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**Landscape Impact**

It is considered that the proposed mobile home, whilst screened to some extent by the roadside hedgerow, would be visible in the wider landscape of this area of the National Park and would visually extend the built form of development surrounding The Flask Inn, holiday park and service station. There are static caravans at The Flask Holiday Park which have been in this location for many years. Under the Authority's current tourism and recreation policies a new static caravan site in such a prominent location would not now be permitted. It is unreasonable to use a historical static caravan holiday park as justification for the siting of a mobile home as a permanent dwelling contrary to local and national planning policies regarding new housing in the open countryside. It is acknowledged that there is an unauthorised static caravan located closer to the application site but it is not considered this unacceptable development should set a precedent for further development of a similar nature which would further harm the landscape of this area of the National Park.

There is no objection in principle to a modest extension of the domestic curtilage to Brackenrigg upon which to site a double garage to serve the property given the relatively tight constraints of the existing curtilage. However it is considered that almost tripling the size of the domestic curtilage and the siting of the garage remote from the dwelling and set forward against the roadside hedgerow would have a detrimental impact on the character and appearance of the locality. At present the site is a grass paddock which although not an important amenity space, does contribute to the setting of the cluster of development around The Flask Inn, holiday park and service station. Any development of this site would extend the built form of the existing group of buildings further west into the open countryside. A double garage positioned back from the roadside hedgerow and closer to the host property, using the existing access would be more acceptable however this has not been negotiated with the applicant given the fundamental objection to the siting of a mobile home on the land as set out above.

In view of the above it is considered that the proposal is tantamount to the siting of a new dwelling in the open countryside rather than the provision of annexe accommodation contrary to local and national housing policies. The siting of the timber clad mobile home, large double garage and extension of the domestic curtilage would also have a detrimental impact on the landscape of the area of the National Park by extending the built form of the cluster of development around The Flask Inn, holiday park and service station to the west into the field that contribute to the setting of the site. As such the proposal is contrary to Core Policies A, B and J and Development Policies 19 and 20 of the Core Strategy and Development Policies Document and refusal 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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.