

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
Parish: Fylingdales

Application No. NYM/2019/0498/FL

Proposal: construction of replacement garage

Location: Allotments, Middlewood Lane, Fylingthorpe

Decision Date: 11 September 2019

Consultations

Parish - Support as the replacement garage is almost like for like.

Highways - No objection.

Site Notice Expiry Date - 30 August 2019.

Director of Planning's Recommendation

Approval subject to the following conditions:

- Standard Three Year Commencement Date**
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
- Strict Accordance With the Plans/Specifications or Minor Variations**
The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
- The development hereby permitted shall be used for domestic storage incidental to the use of the adjacent allotment gardens and for no other purpose. There shall be no alteration or conversion of the building hereby permitted to permanent or overnight residential accommodation and any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.
- 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.
- 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.

Application Number: NYM/2019/0498/FL

Informatives

1	<p>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>
2.	<p>The Authority has been informed that the vehicular access to the site is a private way and unsuitable for large or heavy goods vehicles. The applicant is advised to ensure contractors and delivery drivers are made aware of the site constraints and that appropriate measure are put in place to avoid damage to the surface of the access or its boundary walls and fences.</p>

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 be likely to adversely affect the amenities of existing and future occupiers of the site and to accord with the provisions of NYM Development Policy 19.
4. 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.
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 the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.

Application Number: NYM/2019/0498/FL



Application Number: NYM/2019/0498/FL

Background

The allotment gardens are located in the southern part of Fylingthorpe village, nestling in a backland position to the rear of Middlewood Lane. The gardens comprise a triangular piece of land with development backing onto all three sides (namely Kingston Garth, Middlewood Close and Middlewood Lane). The gardens are served by an access from Middlewood Lane and the Authority has been made aware by local residents that the access is a private way.

The allotments are owned/managed by Scarborough Borough Council and the land in question is leased from the Council by the applicant. It is understood that the applicant has sought advice from Scarborough Borough Council prior to submitting this application but the detail of that advice is unknown

This application seeks full planning permission for the removal of an existing garage in poor condition with a replacement structure of a similar size, design and upon the same footprint. The proposed replacement garage is of concrete sectional design measuring approximately 3.7 metres wide by 7.3 metres long, 2.1 metres to eaves and an overall ridge height of 2.7 metres. The roof of the garage is proposed to be of grey fibre cement roof sheets and it is shown to have a white up-and-over style door in the gable with a personnel door in the left-hand elevation.

The applicant has confirmed that the existing structure has been tested and confirmed to contain asbestos.

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.

The existing garage is in a poor state of repair and is of a design which is not considered to contribute to the character of visual amenity of the area. Although of standard pre-fabricated design, the proposed replacement structure is considered to be acceptable on the basis it is very similar in size, scale and design. The proposal would therefore result in minimal impact upon the character of the area. The use of a standard up-and-over style garage door is regrettable but given the utilitarian use of the building and wider allotment site which is barely visible in the streetscene, Officers are satisfied that the proposal would not result in an unacceptably harmful impact on the character of the area. (Had the site been more prominent in public views or within the designated conservation area, Officers would be more likely to seek amendments to the double-width door design).

The Parish Council Support this application as the replacement garage is almost like for like and the Highway Authority has advised that on the basis the application is to replace a garage, there is no anticipated increase in traffic to the site. Consequently there are no local highway authority objections.

Application Number: NYM/2019/0498/FL

No other representations have been received in connection with the proposal and therefore, in view of the above the proposal is considered to accord with the planning policies outlined above and 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.