

North York Moors National Park Authority

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

Application No. NYM/2019/0495/FL

Proposal: construction of first floor balcony

**Location: Hogarth Hill
Boggle Hole Road
Fylingdales**

**Decision Date: 09 September 2019
Extended to:**

Consultations

Parish – No objections

Forestry Commission – Standing advice

Site Notice Expiry Date – 28 August 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 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.
- 3 The balustrade glazing hereby approved shall be non-reflective glass and shall thereafter be so maintained.
- 4 The external column supports for the balcony hereby approved shall, within three months of the balcony first being brought into use, be clad in natural timber 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.

Informatives

1	<p>Bats 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>
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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. 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.
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 the appearance of the development is 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.



Background

Hogarth Hill is situated in an isolated location accessed by a private track that leads from the road to Boggle Hole in Fylingdales. It comprises a small complex of buildings including the main house, modern agricultural buildings and the range of former hotel buildings approximately 70 metres to the south east of the house. The site has been in mixed agricultural and tourist accommodation since the 1960's.

The main house, to which this application relates has for many years been used to provide bed and breakfast facilities and then permission was granted for it to operate as a hotel. Subsequently the detached range of buildings was also extended, including a substantial flat roof stone built extension (approximately 30 years ago) to provide a large dedicated function room. However, in the early 90's the hotel business ceased and the detached range of buildings were converted into cottages which are still in the ownership of Hogarth Hill and let out on long term lets. The function room was converted into garages but has since been converted into 2 four bedroom dwellings for the applicants 2 children and their families.

Earlier this year planning permission was granted to construct a first floor extension over the existing substantial single storey flat roof extension to the main house. The alterations proposed improved internal space, enabling all the existing and proposed bedrooms to have ensuite bathrooms and to increase the total number of bedrooms from 4 to 6.

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This current application follows on from these previous improvements and seeks permission for a first floor balcony on the seaward (eastern) elevation. The balcony would be accessed from the first floor bedrooms 1 and 2. The balcony would measure 12.05m long x 4m deep with the top of the platform measuring 2.5m to the top of the glazed balustrade. The support posts would be clad in timber.

Main Issues

Development Policy 3 of the NYM Local Development Framework 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.

In terms of development Policy 3, the proposed balcony would not detract from the character of the host building nor would it be visually intrusive in the immediate or wider landscape.

In view of the above, the proposal is considered to be in accordance with DP3 and approval is recommended.

Explanation of how the Authority has Worked Positively with the Applicant/Agent**Approval (No Amendments Required)**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.