

North York Moors National Park Authority

Scarborough Borough Council (North) Parish: Fylingdales	App No. NYM/2019/0867/FL
Proposal: change of use of land to garden together with construction of double garage and relocation of vehicular access (revised scheme to NYM/2019/0311/FL)	
Location: Brackenrigg, Fylingdales	
Applicant: Mr G Long, Brackenrigg, Blacksmith Hill, Fylingdales, Whitby, YO22 4QH	
Agent: Cheryl Ward Planning, 5 Valley View, Ampleforth, YO62 4DQ	
Date for Decision: 17 February 2020	Grid Ref: 492986 500770

Director of Planning's Recommendation

Approval subject to the following conditions:

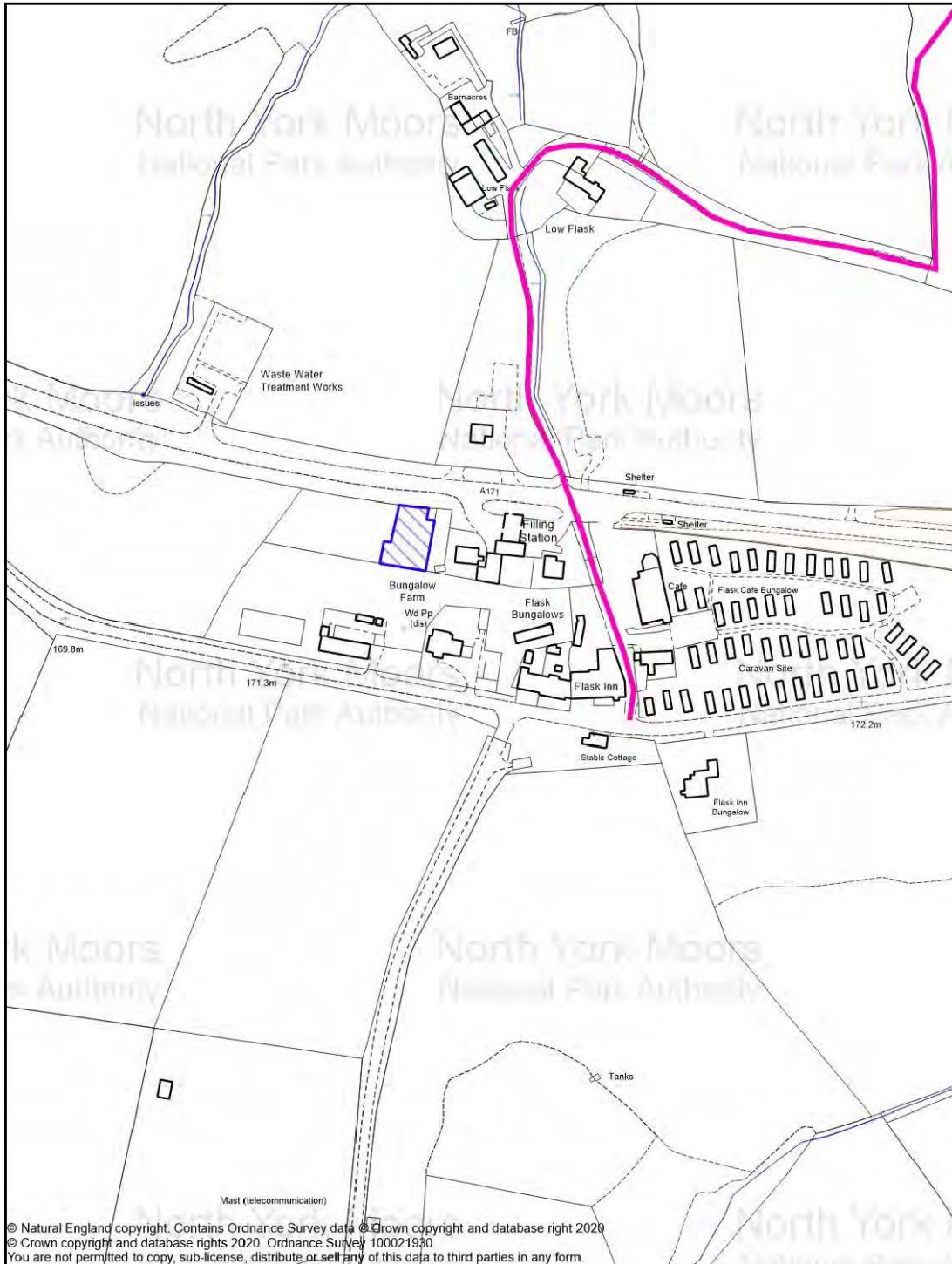
1. Standard Three Year Commencement Date
2. Strict Accordance With the Documentation Submitted or Minor Variations - Document No's Specified
3. Withdrawal of PD Part 1 Class E - Outbuildings Only
4. Domestic Outbuildings - No Conversion to Accommodation - Outside Villages
5. Timber Cladding Samples
6. Roof Colouring (dark grey)
7. Landscaping Scheme Required (native hedge and tree planting along the south and west boundaries of the site)
8. Details of Hardsurfacing to be Submitted
9. Private Access/Verge Crossings: Construction Requirements



**North York Moors
National Park
Authority**

Application Number: NYM/2019/0867/FL

Scale: 1:2500





Application No: NYM/2019/0867/FL

Consultations

Parish - Object to this application, the proposed location of the garage is inappropriate with the access being in a dangerous area.

Highways - On the basis that the visibility from the proposed access would be in the region of 2.4 metres by 250 metres (in excess of the required 2.4 metres by 215 metres), conditional approval is recommended.

Forestry Commission - Issue standing advice

Site Notice Expiry Date - 5 February 2020

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 was refused in August 2019 for a 45m wide extension to the domestic curtilage of Brackenrigg into the adjacent field to the west upon which it was proposed to site a timber clad three 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 were in need of care and supervision. In addition a large timber clad double garage was proposed along with a new vehicular access from the A171 with the associated driveway, vehicular turning and parking space. The reasons for refusal were as follows:

- 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.*
- 2. 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.*

Application No: NYM/2019/0867/FL

Background continued

This application seeks permission for an extension of the domestic curtilage to Brackenrigg by 18 metres into the field to the west of the property along with the siting of a timber clad double garage measuring 8 metres by 6.7 metres and the creation of a new vehicular access from the A171.

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), 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.

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 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.

Principle of Development and Landscape Impact

There is no objection in principle under Development Policies 19 and 20 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 domestic curtilage or to the creation of a new vehicular access.

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 although it would be screened to some extent by the roadside hedgerow.

As originally submitted the garage was to be sited some 26 metres to the west of the host property with an extension to the domestic curtilage of 22 metres. However after Officers expressed concern at the divorced nature of the proposed garage, amended plans have been received that position the garage much closer to the boundary of the existing domestic curtilage and the existing sectional garage and some 16 metres from the main dwelling. This

Application No: NYM/2019/0867/FL

Main Issues continued

will ensure that the built development around The Flask Inn does not extend significantly to the west so as not to have a detrimental impact on the character and appearance of the locality.

The extension to the domestic curtilage has also been reduced to 18 metres from 22 metres and should Members be minded to approve the application then a condition removing permitted development rights for outbuildings is recommended.

As such the proposal is to comply with to Core Policy A and Development Policies 19 and 20 of the Core Strategy and Development Policies Document and approval is recommended.

Highway Safety

The concerns of the Parish Council are noted however the Highway Authority have confirmed that given the visibility from the proposed access, they do not consider that the proposal would give rise to conditions prejudicial to highway safety.

Conclusion

It is considered that the proposed modest extension to the domestic curtilage of Brackenrigg, the siting of a timber double garage along the southern boundary of the site and the creation of a new vehicular access would not unduly extend the existing built form of development centred around The Flask Inn, holiday park and service station further west, into the open countryside and as such would not have a detrimental impact on the setting of the existing development and the wider landscape of this area of the National Park. As such the previous reasons for refusal have been overcome and the proposal complies with the development policies of the Core strategy and Development Policies Document.

Draft Local Plan

The relevant policies of the emerging Local Plan are considered to be CO17 (Householder Development) and CO19 (Extensions to Domestic Curtilages) and the proposed development is considered to comply with these policies and as there has been a low level of objection to these policies, weight can be attached to the policies.

Contribution to Management Plan Objectives

Approval is considered likely to help meet Policy E3 which seeks to ensure new development does not have a detrimental impact on the landscape of the National Park.

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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.