

# North York Moors National Park Authority

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

Application No. NYM/2020/0207/FL

**Proposal:** use of land as domestic garden together with demolition of buildings and construction of summerhouse/office and separate detached workshop/store (part retrospective)

**Location:** South Beck House, Hackness Road, Scalby

**Decision Date:** 11 June 2020

**Extended to:**

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## Consultations

### Borough/District -

**Parish** - No overall objections subject to conditions being imposed on any approval that the building only be used ancillary to main house, it is not used as living accommodation and not sold off separately. Be aware there have been some neighbour concerns about a variety of issues at the site in recent times: smoke from bonfires, digging near trees and impact on wildlife, retrospective past applications, where toilet waste & service would go.

**Highways** – No objections

**Yorkshire Water** -

**Environmental Health Officer** -

**Site Notice/Advertisement Expiry Date** – 25 May 2020

**Others – Walker Morris Solicitors on behalf of local residents** – Neighbours are concerned that there was no prior consultation with neighbours by the applicant regarding the proposed development. If approved neighbours would wish to see planning conditions to ensure the buildings are used for ancillary domestic use and no commercial use and that the restriction be secured under a S106 Agreement. That the Local Planning Authority impose a covenant that the applicant re-tarmac the shared access road as a matter of good faith.

## Director of Planning's Recommendation

**Approval** subject to the following condition(s):

1. PLAN02 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.
2. RSU00 The development hereby permitted shall be used for domestic use / domestic storage incidental to the occupation of the main dwelling on the site and for no other purpose. There shall be no alteration or conversion of the buildings hereby permitted to permanent residential accommodation and any such use or alteration will require a separate grant of planning permission from the Local Planning Authority. Both the summerhouse/office and workshop/store shall remain ancillary to the use of the main house known as South Beck House and shall remain as part of the curtilage to the main dwelling as a single planning unit and shall not

- be sold off or leased off separately without a further grant of planning permission from the local Planning Authority.
3. MISC00 Three bat boxes shall be installed, in accordance with industry best practise, at the site before the development hereby approved is brought into first use.
  4. MATS09 All new brickwork utilised in carrying out the development hereby permitted shall match that of the existing building unless otherwise agreed in writing with the Local Planning Authority.
  5. MATS00 The external timber cladding of the buildings hereby approved shall be stained dark grey/black and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
  6. MATS19 The external surface of the roof of the buildings 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.
  7. MATS61 No work shall commence to stain/paint the windows and doors in the development hereby approved until details of the paint colour/finish of the windows and doors has been submitted to and approved in writing by the Local Planning Authority. The work shall be completed in accordance with the approved details within six months of being installed and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

#### **Reason(s) for Condition(s)**

1. PLAN01 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.
2. RUSU03 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 not normally be permitted in line with NYM Core Policies B and J and would be likely to adversely affect the amenities of existing and future occupiers of the site.
3. MISC02 In order to comply with the provisions of NYM Core Policy C which seeks to protect species protected under national and international legislation.
- 4 – 7. MATS02 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.



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**Background**

South Beck house is a substantial detached property standing in large grounds at the end of a private drive of similar nature properties. Planning permission has been granted in the past for extensions and remodelling of the house. In recent times retrospective planning permission was granted to retain a large wildlife pond situated in an area of what appears to be remote garden land between the house and the 'Sea Cut'.

Whilst there is some doubt as to whether the remote area has always been garden/curtilage in appearance terms the area appears as part of the garden and does not encroach onto open countryside. This application seeks to normalise the position and retain the larger garden area as domestic garden curtilage.

This application is partly retrospective and also seeks to retain and permit two garden buildings, firstly: a summerhouse/office and secondly a workshop/store.

The single storey summerhouse would extend to 18m long 6.5m wide and the workshop 10m long by 5m wide. Both would be approx. 100m from the main house served by a new track. The application have attracted concern from a neighbour as the garden wraps around the rear of the adjacent property South Beck Cottage which has itself just undergone substantial remodelling to create a contemporary dwelling.

The two garden buildings are well related in scale and proposed use to the host property and whilst somewhat remote still sit well into the setting of the large garden and would not unduly impinge on the amenities of adjacent occupiers by reason of boundary treatments and distance. They are of a domestic design, dark coloured timber boarding and matching brick plinth with coloured glazing bars and profiled sheeting roofing. There is a toilet and fire place within the office but consistent with the function

Notwithstanding neighbour and Parish comments about drainage, trees, wildlife and potential for future accommodation uses , acceptable information has been submitted in respect of drainage and trees and wildlife. Future use can be controlled. The neighbour request to secure resurfacing of the private track is considered outside the scope of this application.

**Main Issues**

NYM local plan policy Development Policy 19 permits the development of domestic outbuildings provided that they are related well in scale, height, form position and design to the host dwelling and its setting. Furthermore that it would not adversely affect the amenities of neighbouring occupiers.

The two garden buildings are well related in scale and proposed use to the host property and whilst some-what remote still sit well into the setting of the large garden and would not unduly impinge on the amenities of adjacent occupiers by reason of boundary treatments (fencing, hedging and trees.) and distance from neighbouring property..

Given the position within the garden and distance from host dwelling and neighbour comments and scope for increased activity at rear of garden , it is considered appropriate to impose planning conditions to avoid the buildings becoming separate residential accommodation.

**Draft Local Plan**

Policy CO17 contains a similar householder development policy : in respect of outbuildings, it advises that buildings should be ; incidental, proportionate and close to existing buildings.

Whilst the buildings are not close, the large size of the domestic garden serves to ensure the distance is not harmful to the local environment.

**Pre-commencement Conditions**

None.

**Contribution to Management Plan Objectives**

Approval is considered likely to help meet Policy C10 which seeks to ensure new development is of a high quality design and conserve built heritage.

**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.