

North York Moors National Park Authority

Ward: Scarborough Borough Council (North)
Parish: Fylingdales

App No. NYM/2020/0376/FL
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Proposal: construction of 2 no. first floor balconies

Location: Hogarth Hall, Boggle Hole Road, Fylingdales,

Applicant: Mr and Mrs Pattinson,
Hogarth Hall, Boggle Hole Road, Fylingdales, Whitby, YO22 4QW

Agent: Cheryl Ward Planning,
5 Valley View, Ampleforth, York, YO62 4DQ

Date for Decision: 27/07/2020

Extended to: Grid Ref: 493190
501722

Director of Planning's Recommendation

Approval subject to the following condition(s):

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

| Document Description | Document No. | Date Received |
|--|--------------|---------------|
| Proposed staircase & ground floor plan | 1136_11A | 27/07/2020 |
| Proposed staircase & first floor plan | 1136_112A | 27/07/2020 |
| Proposed staircase to west & south elevations | 1136_13A | 27/07/2020 |
| Proposed staircase rear & side (north) elevation | 1136_14A | 27/07/2020 |

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. The balustrade glazing hereby approved shall be non-reflective glass and shall thereafter be so maintained.
4. 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.
5. 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.

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Informative(s)

1. 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.

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 Strategic Policies A and C, 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 Strategic Policies A & C 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. In order to comply with the provisions of NYM Strategic 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 Strategic Policies A & C 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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Consultations

Parish – No objections

Forestry Commission – Standing advice regarding Ancient Woodland

Site Notice Expiry Date – 1 July 2020



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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.

Early in 2019 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.

Later in 2019, a further application was submitted, following on from these previous improvements and sought permission for a first floor balcony on the seaward (eastern) elevation. This application was approved, and will provide access from the first floor bedrooms 1 and 2. This balcony will 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.

This current application seeks permission for two further balconies to serve the bed and breakfast rooms. The first would be located on a section of the east (seaward) elevation; the second would be located off the north facing elevation off the side projecting element

The balconies would be accessed via first floor rooms from 3 no. existing openings which would be enlarged to provide French doors.

The external measurements of the east facing balcony are 11.6 metres long and 4 metres deep and for the north elevation balcony it is 7 metres long and 4 metres wide. To the top of the platform it is 2.5 metres and to the top of the balustrade it is a further 1.1 metres to comply with Building Regulations.

The application has been amended by the applicant during the application process in response to the Covid-19 Pandemic, to enable better separate circulation. This has resulted in additional staircases to the balconies.

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Main Issues

Strategic Policy C of the NYM Local Plan seeks to maintain and enhance the distinctive character of the National Park by ensuring that proposals are of a high quality design that will make a positive contribution to the local environment in accordance with the principles set out in the North York Moors National Park Authority Design Guide.

Strategic Policy J of the Local Plan seeks to support tourism and recreation development where it is consistent with the principles of sustainable tourism; does not lead to unacceptable harm to the local landscape character or an ecological or archaeological asset; provides and protects opportunities for all people to increase their awareness, understanding and enjoyment of the special qualities of the National Park in a manner that will not undermine the enjoyment of those qualities by other visitors or the quality of life of residents; is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape; any accommodation is used only for short term holiday stays; it does not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way; and it does not lead to unacceptable harm in terms of noise and activity to the immediate neighbourhood.

In terms of Strategic Policy C, the proposed balconies would not detract from the character of the host building nor would they be visually intrusive in the immediate or wider landscape, particularly with the use of non-reflective glass. The introduction of additional staircases is considered to improve the appearance of the proposed balconies, by breaking up the length of the elevation.

In terms of Strategic Policy J, it is considered that this proposal is important in enabling the viability of this B&B accommodation, enabling each property to be accessed externally, which is important in the current circumstances and likely longer term restrictions relating to Covid-19.

In view of the above, the proposal is considered to be in accordance with Strategic Policies C and J 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.