

North York Moors National Park Authority

Delegated decision report

Application number

NYM/2021/0105/FL

Development description

demolition of stable building and construction of office/garden room building

Site address

Croftlands, Church Lane, Fylingthorpe,

Parish

Fylingdales

Case officer

Mrs J Bastow

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition text									
1	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.									
2	<p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table border="1"> <thead> <tr> <th>Document Description</th> <th>Document No.</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Garden Room & Office</td> <td>D11969-07 B</td> <td>30 June 2021</td> </tr> <tr> <td>Location Plan & Block Plan</td> <td>D11969-05 B</td> <td>30 June 2021</td> </tr> </tbody> </table> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p>	Document Description	Document No.	Date Received	Garden Room & Office	D11969-07 B	30 June 2021	Location Plan & Block Plan	D11969-05 B	30 June 2021
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Garden Room & Office	D11969-07 B	30 June 2021								
Location Plan & Block Plan	D11969-05 B	30 June 2021								
3	The home office/garden building hereby approved shall only be used for purposes incidental and ancillary to the use of the main dwelling known as Croftlands, shall form and shall remain as part of the curtilage of this main dwelling as a single planning unit and shall be used only for members of the family of the occupier of the main dwelling.									
4	No work shall commence on the timber cladding of the development hereby permitted until details, including the design and fixing of the timber cladding including samples if so required have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.									
5	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.									
6	All external doors, door frames and shutters (excluding the bi-fold doors) shall be of timber construction and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.									
7	All window frames and bi-fold doors in the development hereby approved shall be coloured dark grey within six months of the date of installation and									

Document title

	shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
Reason(s) for condition(s)	
Reason number	Reason text
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 Strategic Policies A and C of the North York Moors Local Plan which seek to conserve and enhance the special qualities of the 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 not normally be permitted in line with Strategic Policies B and M of the North York Moors Local Plan and would be likely to adversely affect the amenities of existing and future occupiers of the site.
4	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
5	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
6	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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.
7	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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.

Informative(s)

Informative number	Informative text
1	<p>Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx. Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.</p> <p>If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</p>

Consultation responses

Parish

No objection

Highways

No objection

Environmental Health

No objection

Third party responses

None received

Publicity expiry

24 March 2021



Existing stable block to be replaced by home office/garden room building



Wider view of the site from the public highway

Background

Croftlands is a large red-brick detached property occupying an elevated position just to the north of Fylingthorpe on the west side of Church Lane. Originally a two bedroom property, it has already been substantially extended with a two-storey rear extension to provide a third bedroom above a kitchen and utility room along with a single storey front extension approved in 1993 and a two-storey side extension to provide a one bed roomed annexe in 1997.

Planning permission was granted earlier this year for alterations to the main dwelling comprising changing the front single storey extension from a tiled hipped roof structure to a flat roof structure with balcony along with alterations to the fenestration to give the property a more contemporary appearance and replacement of the rear porch on a similar footprint. In addition permission was granted for a single storey glazed link between the rear of the property and the double garage to provide a lobby/boot room.

This application seeks planning permission for the demolition of the existing stable block lying immediately to the west of the main dwelling and within the domestic curtilage with a timber clad home office/garden room building. The plans have been amended since originally submitted from a two storey to a single storey structure which will be clad in timber boarding under a standing seam steel roof.

Main issues

The most relevant policy of the Local Plan is considered to Policy CO17 (Householder Development) which supports proposals for new development within the domestic curtilage of dwellings only where the scale, height, form, position and design would not detract from the character and form of the original dwelling or its setting in the landscape and it would not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling. All proposals are expected to follow the principles outlined in the Authority's Design Guide.

It goes on to state that in the case of the development of new outbuildings, it should be required for purposes incidental to the residential use of the main dwelling; be proportionate in size and clearly subservient to the main dwelling; and be located in close proximity to existing buildings.

The proposed home office/garden building would replace the existing stable block within the curtilage as the applicants have stabling facilities elsewhere. The need for the home office has arisen due to the requirement for home working owing to the Covid pandemic which the applicant considers will continue in the future, and as such the proposal is considered to be incidental to the residential use of the main dwelling as required by Policy CO17.

The home office/garden building will also be well related to the main dwelling on the site, both physically and visually and as will not appear isolated in wider landscape views. It would be similar in size to a double garage and being single storey would therefore be subservient to the main dwelling. In terms of design detailing, the contemporary form of the building would not appear out of context nor detract, and the choice of materials would reflect those of a stable building and as such would be appropriate in this rural landscape.

There are no nearby neighbouring properties that would otherwise be affected by the proposal.

In view of the above it is considered that the proposal accords with Policy CO17 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 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.