

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/0410/FL

Development description: construction of detached double garage

Site address: 2 Railway Cottages, Sneaton Lane, Ruswarp

Parish: Sneaton

Case officer: Mrs Helen Stephenson

Applicant: Mr & Mrs C & S Draper, 2 Railway Cottages, Sneaton Lane, Ruswarp, Whitby, YO22 5HL

Agent: BHD Partnership, fao: Mr Neil Duffield, Airy Hill Manor, Waterstead Lane, Whitby, YO21 1QB,

Director of Planning's Recommendation

Approval subject to the following: / Refusal for the following reason(s)

Condition(s)

Condition number	Condition code	Condition text
1.	TIME01	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.	PLAN01	<p>Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified</p> <p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table border="1" data-bbox="564 472 1522 786"> <thead> <tr> <th>Document Description</th> <th>Document No.</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Location & Block Plan</td> <td>D12102-01 Rev C</td> <td>15 September 2021</td> </tr> <tr> <td>Proposed Block Plan and Elevations</td> <td>D12102-03 Rev C</td> <td>29 July 2021</td> </tr> <tr> <td>Flood Water Mitigation Measures</td> <td></td> <td>29 July 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	Location & Block Plan	D12102-01 Rev C	15 September 2021	Proposed Block Plan and Elevations	D12102-03 Rev C	29 July 2021	Flood Water Mitigation Measures		29 July 2021
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3.	RSU004	<p>Domestic Outbuildings - No Conversion to Accommodation</p> <p>The development hereby permitted shall be used for 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 building 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.</p>												
4.	MATS10	<p>Brickwork and Roofing Tiles to Match</p> <p>The brickwork and roofing tiles of the development hereby permitted shall match those of the existing building unless otherwise agreed in writing with the Local Planning Authority.</p>												
5.	MATS00	<p>The roller shutter garage door in the development hereby permitted shall be coloured black and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.</p>												
6.	GACS07	<p>External Lighting - Submit Details</p> <p>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.</p>												

7.	MISC00	No work shall commence on the construction of the development hereby approved until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The management plan shall set out the measures to be employed during the construction phase to ensure the aquatic environment is not deleteriously affected. This should include details such as how and where materials and sediment will be stored and moved, details of machinery and plant storage, refuelling arrangements and disposal of waste materials. The works shall then be carried out in accordance with the details approved.
8.	LNDS03	Trees/Hedging to be Retained (insert) No trees, shrubs or hedges south of the site shall be felled, uprooted, wilfully damaged or destroyed, cut back or removed without the prior written consent of the Local Planning Authority. Any work approved shall be carried out in accordance with British Standard 3998:2010 Tree Work - Recommendations. If any retained tree/hedge is removed, uprooted, destroyed or dies within five years of the completion of the development, it shall be replaced with trees, shrubs or hedge plants of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reasons for conditions

Reason number	Reason code	Reason text
1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	PLAN00	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.	RSU000	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 be likely to adversely affect the amenities of existing and future occupiers of the site and to accord with the provisions of Policy CO17 of the North York Moors Local Plan.

4 & 5.	MATS00	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.
6.	GACS00	In order to comply with the provisions of NYM Strategic Policy A which seeks to ensure that new development does not detract from the quality of life of local residents and in accordance with Local Plan Policy ENV4 which seeks to protect dark night skies.
7.	MISC00	To avoid pollution of watercourses and to comply with the provisions of Policy ENV7 of the North York Moors Local Plan, which seeks to ensure that new development does not risk harm to water quality.
8.	LNDS00	In order to comply with the provisions of Policy ENV1 of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.

Consultation responses

Parish

No objection.

Third party responses

Name

None received.

Publicity expiry

Site notice expiry date – 08 September 2021.



Proposed development site showing host property on the left of the picture with vehicular access immediately to the side with garden beyond. The garden boundary is a mature hedge, well-kept and approximately 1.8m high, completely screening the garden.

Background

This application relates to No. 2 Railway Cottages which forms the easternmost property of a pair of brick built cottages. The properties front Sneaton Lane, the main road through the village) and benefit from generous gardens with space to both the rear (north of the houses) and a substantial amount to the side (east). The properties are located adjacent to McNeil's Country Store in Ruswarp and sandwiched between the Railway and River Esk to the rear and Sneaton Lane at the front. The garden area to the east is well screened from the road by a mature and well-maintained hedge. There are currently one or two small-scale ancillary garden buildings within the site.

Planning permission for the siting of a holiday cabin to be sited in the garden was refused in 2009. At that time the properties were in a single ownership but have since been sold and occupied separately.

This application seeks full planning permission for the erection of a detached garage to serve No.2. It is proposed to be sited to the side (east) of the dwelling within the garden area but within close proximity to the existing area of concrete hardstanding/access. The proposed garage is of simple ridge and gable design, measures approximately 6 metres by 6 metres, single storey height and is proposed to be constructed of reclaimed brick and tiles to match the main house. The ridge is proposed to run parallel with the road (east/west) and the elevations facing the road and garden would be blank. The gable elevation facing the cottage is proposed to be fitted with a wide roller shutter door, painted black and the side elevation facing the garden is proposed to be fitted with a solid personnel door.

The application plans also provide detail of an increased turning and parking area to the side and rear of the property which is proposed to be surfaced with gravel.

Main issues

The relevant policy contained within the NYM Local Plan to consider with this application is Policy CO17 (Householder Development). Policy CO17 requires new development to be of an appropriate and subservient nature to the host property and respectful to neighbouring amenity. Having regard to new outbuildings; proposals must be for purposes incidental to the main house; subservient in size; and located in close proximity to existing buildings.

The proposed garage is of a domestic scale and a design which reflects the host property and wider National Park vernacular. It is proposed to be in close proximity to the main building, to the side and set back from the front elevation of the cottage. The size, scale and position of the proposal are therefore considered to achieve a subservient building and by virtue of the existing hedge, the proposal is not considered likely to result in unacceptable harm to the wider area. The Railway Cottages are set within a mixed use area with a number of commercial buildings and activities in close proximity.

During the course of the application, the site plan has been amended (reduced) to reflect the extent of land ownership and the applicant has confirmed the use of black paint for the garage door so as to appear recessive.

The applicant's agent has submitted Flood Water Mitigation Measures as part of the application due to the proximity of the development to high and low risk flood zones. In summary, to allow the land to continue as flood plain, the garage is to be built on masonry piers off 'pad' foundations, with the resulting gaps giving access to water. Services will be fixed to walls at a minimum of 900mm above floor level.

The Authority's ecologist has no objection in principle but has requested a condition is added to ensure satisfactory protection of the watercourse during the construction phase.

The Parish Council has no objection to the proposal and no other representations have been received. In view of the above and subject to the recommended conditions, approval is recommended.

Pre-commencement conditions

Condition 7 is a pre-commencement condition and has been agreed in writing with the agent by e-mail dated 22 September 2021.

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 areas of the application which required further information/clarification with the applicant's agent and requesting the submission of additional information 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.