

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/0645/CU

Development description: change of use of land from agricultural to domestic garden

Site address: Suffield Cottage, Suffield

Parish: Suffield-Cum-Everley

Case officer: Mrs Jill Bastow

Applicant: Ms Frances Lockey
Suffield Cottage, Suffield, Scarborough, North Yorkshire

Agent:

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text
1	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2	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.
3	WPDR06	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Classes E (or any order revoking and re-enacting that Order), no erection of domestic outbuildings shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
4	LNDS09	The development hereby approved shall not be brought into use until full details of the proposed boundary treatment to the site, including the size and species of any hedging, the materials to be utilised to any walls or fences and the timetable to implement the proposed works, have been submitted to and approved in writing by the Local Planning Authority. The site boundary works shall then be implemented in accordance with the approved details. The boundary treatment shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason(s) for condition(s)

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	WPDR00	In order to enable the Local Planning Authority to retain control over future buildings at the site in the interests of safeguarding the landscape character of the locality and in line with Strategic Policies A and C and Policy CO19 of the North York Moors Local

		Plan, which seek to enhance and conserve the special qualities of the National Park.
4	LNDS00	In order to comply with the provisions of Strategic Policy C of the North York Moors Local Plan which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.

Consultation responses

Parish

No objection

Environmental Health

No comments received

Third party responses

No comments received

Publicity expiry

Advertisement/site notice expiry date: 1 October 2021



View of proposed extension to domestic curtilage from the road



View of existing garden with proposed extension to domestic curtilage beyond

Background

Suffield Cottage is a semi-detached, stone built property which lies on the north side of the main road through the dispersed hamlet of Suffield. The property has been extended and altered in the past and is served by a private drive which sweeps round the side of the dwelling to a parking area and garage at the rear. The garden extends some 15 metres to the side of the property and 15 metres to the rear to give a sizeable curtilage. The applicant owns a strip of land immediately to the north of the existing curtilage which extend a further 50 metres.

Planning permission is sought for an extension of the domestic curtilage some 10 metres to the north across the full width of the existing garden thereby simply moving the northern boundary 10 metres.

Main issues

The most relevant policy of the Local Plan in the determination of this application is Policy CO19 which only supports proposals for the extension of existing domestic curtilages where the change to domestic use will not have an adverse impact on the local landscape character; the land to be incorporated into the domestic curtilage does not form part of a Community Space or a valuable local habitat or heritage asset; and the change to domestic use will not cause unacceptable harm to the amenities of neighbouring occupiers by reason of noise, disturbance or other adverse impact.

Suffield Cottage and its adjoining neighbour, Northfield Cottage, are located some distance from the nearest properties to the east and west along the road and project out into the farming landscape from the main road and to some extent appear as intrusions into the open countryside. Both the properties occupy sizeable curtilages although that to the neighbouring property, Northfield Cottage, extends significantly further back to the north than that to Suffield Cottage.

At present the applicant owns the strip of land extending some 50 metres to the north of the existing domestic curtilage with established boundaries to the neighbouring land to the east and west for at least 15 metres as well as to the south with the existing garden; it is only the boundary to the north that is presently unmarked.

The proposal to extend the domestic curtilage at Suffield Cottage a further 10 metres to the north would not encroach into arable land or pasture, and would not appear as a visual intrusion into the open countryside any more so than the property and its neighbour already do. Given the clearly defined boundaries presently in situ, it is considered that the modest proposed extension to the domestic curtilage will barely be noticeable in the wider landscape.

In view of the above is not considered that the proposed extension to the domestic curtilage would have an adverse impact on the character and appearance of the surrounding landscape, however in order to protect against future inappropriate development within the enlarged curtilage, a condition is recommended withdrawing permitted development rights for domestic outbuildings. In addition a condition requiring details of the proposed boundary

treatment is proposed to ensure the visual appearance of this site is maintained. The proposal is considered to comply with Policy CO19 and approval is recommended.

Explanation of how the Authority has worked positively with the applicant/agent

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.