

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/1027

Development description: construction of detached garage

Site address: Heather Cottage, Bentrigg Lane, Ravenscar

Parish: Staintondale

Case officer: Mrs Helen Stephenson

Applicant: Mr George Forder

Heather Cottage, Bentrigg Lane, Ravenscar, Scarborough, YO13 ONG

Agent:

Director of Planning's Recommendation

Approval subject to the following:

Conditions

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.	PLAN01	<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>Location plan</td><td>DRG 01</td><td>23 Dec 2021</td></tr><tr><td>Site layout plan</td><td>DRG 02</td><td>23 Dec 2021</td></tr><tr><td>Side elevation & plan</td><td>DRG 03</td><td>23 Dec 2021</td></tr><tr><td>View A & View B</td><td>DRG 04</td><td>23 Dec 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 plan	DRG 01	23 Dec 2021	Site layout plan	DRG 02	23 Dec 2021	Side elevation & plan	DRG 03	23 Dec 2021	View A & View B	DRG 04	23 Dec 2021
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3.	RSU003	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.
4.	GACS00	No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be Dark Night Skies compliant, fitted with a warm white bulb of 3000k or less and no more than 500 lumens. All lighting fixtures should be shielded/fully cut off to prevent upward and minimise horizontal light spill and all lighting shall be installed to minimise its impact on neighbouring amenity. The lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.
5.	MATS11	No work shall commence on the construction of the walls of the development hereby permitted until details of the texture and paint colour of the render, 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. The rendering and painting shall be completed no later than one month after the development hereby permitted being first brought into use.
6.	MATS15	The roof of the development hereby permitted shall be clad with traditional, non interlocking, non pre-coloured natural red clay pantiles and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
7.	MATS72	The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8.	LNDS03	No trees, shrubs or hedges within the site or forming any boundaries 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 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.	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.
5 to 7.	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.
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.

Informatives

Informative number	Informative code	Informative text
1.	INFO0	With reference to condition no. 4 above, further advice and guidance in relation to suitable external lighting fixtures is available on the Authority's website: https://www.northyorkmoors.org.uk/discover/dark-skies/dark-skies-friendly-lighting or by contacting the Authority at planning@northyorkmoors.org.uk

Consultation responses

Parish

No objection.

Highways

No objection.

Third party responses

Name

Mr Peter Maynard, Raven Hill House, Bent Rigg Lane, Ravenscar - The applicant states in his application form that no trees will need to be removed. The Authority should be aware that before the applicant submitted his planning application, he had approximately 30 mature Scots Pine trees felled by contractors called Advanced Trees to make room for his proposed garage. This has significantly diminished our shelter, privacy and amenity living immediately next door. The said contractors informed me that they believed that the applicant had obtained a licence for the felling of the trees, although they admitted that they had not been shown the licence. The Authority should also be aware that the applicant already has a garage which is attached to his property on the side facing the road.

Publicity expiry

Site notice expiry date - 02 February 2022.

Proposed garage just to left of driveway in clearing



In wider context – view into site from access



Background

Heather Cottage is a detached one-and-a-half storey property located within a wooded plot on the southern side of Bent Rigg Lane which extends east of the main part of Ravenscar village. The lane also serves other residential dwellings and scattered farm steads in the open countryside.

The cottage is relatively modern, (early to mid-twentieth century) with a rendered finish under a clay pantile roof. Attached to the side is a lean-to garage/store. The property is set back from the road by approximately 65m and is further screened from view by a plantation of mature Scots pine. Beyond the property the woodland extends further and comprises a mix of species. Historical maps reveal that this woodland has existed for many years prior to the construction of the house.

This application seeks full planning permission for the construction of a detached garage located on the south-eastern boundary of the site, just forward of the dwelling and turning area. The garage measures approximately 6m by 5.5m, 2.2m to eaves and an overall ridge height of 3.8m. The garage is of simple ridge and gable design and proposed to be constructed with a rendered finish under a pantile roof. A double width garage door is proposed in the gable facing the access with a personnel door fitted to the other gable facing the house.

At the time of the Case Officer's site visit it was clear that extensive tree felling in the location of the proposed garage had taken place prior to the submission of the application. The Authority's Woodland Officer has taken further advice from the Forestry Commission to ascertain whether a felling licence was required, and the likelihood is that it was. However, it was suggested that a landscaping scheme was submitted to provide for replacement planting comprising a mix of species and the applicant has agreed to this confirming that some Scots pine have already been planted.

Main issues

The relevant policies contained within the NYM Local Plan to consider with this application are Strategic Policy C (Quality and Design of Development), ENV1 (Trees, Woodland's, Traditional Orchards and Hedgerows) and CO17 (Householder Development).

Strategic Policy C relates to the quality and design of development within the National Park. The policy seeks to ensure that proposed development maintains and enhances the distinctive character of the National Park through appropriate siting, orientation, layout and density together with carefully considered scale, height, massing and form. Proposals should incorporate good quality construction materials and design details

that reflect and complement the architectural character and form of the original building and/or that of the local vernacular.

ENV1 seeks to retain and enhance existing trees, woodland, orchards and hedgerows but where the development would result in the unavoidable loss of such features but the wider sustainability benefits of the development outweigh the loss, proposals will be expected to minimise harm and provide a net biodiversity and amenity gain. Development will not be permitted that would lead to loss of or damage to ancient woodland and aged or veteran trees unless there are wholly exceptional reasons.

Policy CO17 requires new development within the domestic curtilage to take full account of the character of the local area and special qualities of the National Park. Development will only be permitted where: the scale, form, position and design do not detract from the original dwelling or its setting; the development does not adversely affect residential amenity of neighbouring occupiers or that of the host property; the development reflects the principles set out in the Authority's Design Guide. 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 main issues are considered to be whether the proposal is in an acceptable position in relation to the host property and neighbouring property; whether it is of an acceptable size, scale and design and whether adequate measures for the protection, retention and replacement of trees at the site are proposed.

The Design Guide advises that garages should be subservient to the main dwelling and be located unobtrusively, attached or close to the side or rear of the main dwelling. On some occasions it may be more appropriate to construct a free standing garage elsewhere at the site so as not to prejudice the setting of the house.

The proposed garage is relatively substantial; however, its simple design and use of construction materials to match the host property ensure that it is subservient to the main house. Its position on the opposite side of the access track to the main dwelling reflects the advice set out in the Design Guide which recommends in some settings, a free-standing garage can help protect the setting of the main house. It is acknowledged that the position does bring the built development closer to the boundary with the neighbouring property, however in view of the position of the neighbouring house towards the front of the site and the presence of existing outbuildings serving the neighbour also positioned along the shared boundary, the position is considered acceptable in visual terms and unlikely to result in an unacceptable impact upon private amenities. It is therefore considered that the proposed position which is adjacent the access track and partially shielded by tree and vegetation cover, is appropriate for the site.

The comments submitted by the neighbour are noted and additional landscaping has been carried out. Having regard to the existing garage, although this fact does not

prevent the applicant from having further garages and/or outbuildings, the applicant has explained that there is a workshop attached to the side of the house but it is no longer accessible as a garage. The proposed garage is required for securing a car together with a mower and tools associated with the maintenance of approximately 1.5 acres of garden and woodland.

The Authority's Woodland Officer has provided advice in relation to the replacement of the trees that were felled prior to the submission of the application and has since confirmed that a landscaping scheme should be submitted.

The Parish Council and Local Highway Authority have each confirmed no objection to the scheme. In view of the above, it is considered that the proposed garage complies with the policy context outlined above and the submitted landscaping details address the concerns expressed by the neighbouring occupier and Authority's Woodland Officer. Approval is therefore 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 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.