

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0864

Development description: variation of condition 2 (material amendment) of planning approval NYM/2021/0497/FL to allow a reduction in size of garage and alterations to roof design

Site address: 113 Hackness Road, Scarborough,

Parish: Newby and Scalby

Case officer: Miss Emily Jackson

Applicant: Mr Andrew Walker
113 Hackness Road, Scarborough, YO12 5SG

Agent: Mick Paxton Architects Ltd
Studio 302, Woodend Creative Centre, The Crescent , Scarborough, YO11 2PW,

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text						
1	TM10	The development hereby permitted shall be commenced before the 31 August 2024.						
2	PL01	The development hereby permitted shall be carried out in accordance with the following approved plans: <table><thead><tr><th>Document Description</th><th>Document/Drawing No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Variation - proposed garages</td><td>----</td><td>29/11/2022</td></tr></tbody></table>	Document Description	Document/Drawing No.	Date Received	Variation - proposed garages	----	29/11/2022
Document Description	Document/Drawing No.	Date Received						
Variation - proposed garages	----	29/11/2022						
3	PDR02	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Class A (or any order revoking and re-						

Document title

		enacting that Order), no further extensions to the property known as 113 Hackness Road shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
4	UOR03	The detached double garage/carport and store 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. Any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.
5	AC20	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 Dark Skies compliant, and no other lighting shall be installed on the site. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
6	BCMT01	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.
7	GPMT06	The external elevations of the garage/carport and store hereby approved shall, within three months of first being brought into use, be clad in vertical timber boarding and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority
8	GPMT07	All new doors and garage doors hereby approved shall be of a vertical boarded, ledged, braced (and framed) timber design and side hung and finished to match the external cladding, and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9	GPMT26	All rainwater and foul water goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity.

Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	RSN TM01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2	RSN PL01	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	RSN PD01	In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with Strategic Policies A and C of the North York Moors Local Plan, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development and to maintain a suitable mix of housing types within the National Park.
4	RSN UOR03	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.
5	RSN AC01	In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with North York Moors Local Plan Strategic Policies A and C, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development that does not detract from the quality of life of local residents; in accordance with Policy ENV4 which seeks to protect dark night skies.
6-7	RSN BCMT01	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.

8-9	RSN GPMT02	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 code	Informative text
1	MC INF01	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.
2	MC INF 12	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 the Gov.UK web site (http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx). Further information on wildlife legislation relating to birds can be found on the Royal Society for the Protection of Bird's web site (https://www.rspb.org.uk/birds-and-wildlife/advice/wildlife-and-the-law/wildlife-and-countryside-act/#:~:text=All%20birds%2C%20their%20nests%20and,in%20ouse%20or%20being%20built.). If advice is needed, please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk .

Consultation responses

Parish

No Objectives

Highways

No Objections

Third party responses

None Received

Publicity expiry

Advertisement/site notice expiry date – 12th January 2023

Photograph showing front elevation of 113 Hackness Road



Photograph showing site upon which the replacement garage is proposed



Background

113 Hackness Road is a relatively modern, single storey detached bungalow located to the south of Scalby Village, set back from the main highway.

The property is constructed of red brick and pantile with a central oak framed porch. Attached to the side is a double garage with a slightly lower roof pitch to the main dwelling.

In August 2021, permission was granted for the conversion of the existing garage to create additional living accommodation together with the construction of a detached double garage with attached store on the land to the side of the property (NYM/2021/0497/FL).

This application seeks to vary condition 2 of the above planning approval NYM/2021/0497/FL to allow a reduction in the size of the detached garage/carport and alterations to the roof design.

The proposed alterations are as follows:

The amended garage/store has been reduced in width to measure 9.5m x 5.5m as opposed to the originally approved 9.5m x 6.7m. The maximum ridge height of the proposed garage would remain the same at 4.2m, however, now utilise one continuous ridge height as opposed to a stepped down ridge for the storage section of the garage as originally approved. Alterations to the design of the roof also show an asymmetric roof instead of the symmetrical apex roof as originally approved. Finally, the amended design is more traditional in appearance and utilises curved corner braces to support the roof as opposed to straight T joints as originally approved.

Main issues

Local Plan

The most relevant policy contained within the North York Moors National Park Authority Local Plan 2020 to consider with this application are Strategic Policy C (Design) and Policy CO17 (Householder Development).

Strategic Policy C seeks to maintain and enhance the distinctive character of the national park by considering appropriate siting, orientation, layout and density of proposals in addition to appropriate scale, height and massing and form. Proposals should utilise good quality materials and be of a high-quality, sustainable design that reflects and complements the architectural character and form of the original building and/or that of the local vernacular.

Policy CO17 seeks to ensure that development within the domestic curtilage of dwellings should take full account of the character of the local area and the special qualities of the National Park. Development will only be permitted where: the scale, height, form, position and design of new development do not detract from the character and form of the original dwelling and its setting; the development does not adversely affect the amenity for the existing and neighbouring occupiers; and that the development reflects the principles of the Authority's design guide.

Material Considerations

As the amended design shows a reduction in width by 1 metre, the proposed garage would be smaller in footprint than that originally approved, which would have a reduced visual impact within the wider landscape.

Whilst the height of the ridge over the storage element of the garage has been increased to create a continuous ridge height rather than step down as originally approved, it is not considered that this would have a detrimental impact as the property is well screened and set back from the main highway.

Given that the property itself is relatively modern, an asymmetric roof would look acceptable on the site and within the wider landscape. The use of curved corner braces

would be an enhancement over the originally approved straight T joints as they would be complementary to the oak framed porch at the front of the property whilst ensuring the garage remains somewhat traditional in appearance.

As the materials of the proposed garage remain the same as approved (pantile, vertical timber boarding), the amended garage is still deemed to be in keeping with the existing property and that of the local vernacular.

Conclusion

For the reasons outlined above, the proposal meets the aims of Strategic Policy C and Policy CO17 of the North York Moors Local Plan Local Plan 2020 and as such, approval is recommended.

Pre-commencement conditions

N/A

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

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.