

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0915

Development description: proposed dropped kerb and construction of garage

Site address: Land adjacent The Bungalow, Kingston Garth, Fylingthorpe

Parish: Fylingdales

Case officer: Mrs Hilary Saunders

Applicant: Mr Geoff Simms

Gordon House, Thorpe Green Bank , Fylingthorpe, Whitby, North Yorkshire, YO22 4TU

Agent:

Director of Planning's Recommendation

Refusal for the following reason(s)

Reason(s) for condition(s)

Reason number	Reason text
1	The proposed development by reason of its siting, design, materials and overall massing would be a dominant feature and have a detrimental impact upon the general character of the street scene and detracting from the character of the locality. As such the development would be contrary to Strategic Policy C of the North York Moors Local Plan which seeks to ensure that development maintains and enhances the distinctive character of the National Park.
2	Due to the layout of the proposal, the proposed garage would not be accessible by any car or van, and consequently, there is no justification to outweigh the harm that the proposal would have on the character of the locality and would not be in accordance with Policy CO3 which only permits new parking facilities where it is the only way to solve existing identified parking problems and will benefit the needs of both communities and visitors to the National Park.

Consultation responses

Parish

No comments received.

Highways

No objections to the area in front of the proposed garage being used as a parking area subject to a footway crossing being constructed. The proposed hard standing area is not sufficiently large enough to turn a vehicle into the garage unless the vehicle is travelling over the neighbouring land but this is not shown as being within the applicant's control. As the parking area is not providing a facility that is required for a development, the LHA do not object to the proposed building but would not expect it to be used for vehicular parking and does not meet the minimum internal dimensions to be considered as a parking area.

Third party responses

Name

Mr R. Storey , 2 Kingston Garth, Fylingthorpe - Whilst it is understood and appreciated that parking infrastructure is an issue for those on Thorpe green bank, I feel that further clarification in regard to the use and overall purpose of the proposed garage space is required.

As per the local highway's authority feedback, it is clear that the hard standing area is not large enough to enable a vehicle to access the garage. The application states that the use is for parking of said vehicles. Given that this is not possible it would suggest that there is the intention to use this facility for a differing purpose than those outlined. Without a clear understanding of the use of this space, there maybe possible concerns in regard to noise pollution and/or unsuitable uses if it was a lock up or workshop specifically in a quiet residential road.

Mrs Jacqueline Dobinson, The Bungalow, Thorpe Green Bank, Fylingthorpe - The planning application says it's for a domestic garage and proposed parking spot for 2 cars and a light commercial vehicle, the Local Highways Authority have pointed out that the hard standing is not large enough to access the garage and they don't expect it to be used for vehicular parking. So why build a garage? What is it to be used for if it is not able to park a vehicle?

This is a very quiet retirement area and I'm worried about noise and pollution if the building is used as a lock up or workshop so close to my back door and my shared boundary hedges. The garage on the plan encroaches on the shared hedge.

The garage roof (collecting 15 square metres of rain) slopes off the back of the garage to a small area which is marked soakaway. No soakaway details are provided. Because of the pavement and road on one side and the terrain, rainwater will soak into my garden and could lead to potential flooding issues for me and undermine the structure of my garden building.

Publicity expiry

Site notice expiry date – 17 February 2023

Proposed garage would be immediately to the right of the two parked cars with both hedges being

removed.



Location of proposed garage and hardstanding



View back to Thorpe Lane, demonstrating low height of adjacent bungalow.



View into Kingston Garth showing existing garage block which appears to have been built before the 1970s



Background

This application relates to a piece of land (currently lawned and hedged) that is located adjacent to “The Bungalow” which fronts onto Thorpe Green Bank and no. 13 Kingston Garth (another bungalow). However, the proposal does not relate to either of these properties and is not associated with them; the applicant lives approximately 50 metres to the northwest in a property known as Gordon House.

The proposal is to construct a garage that would measure 3m wide x 5m long with a monolith roof measuring between 2.3m and 2.5m high. The garage would have a roller shutter door and be clad in a stone effect finish. It is also proposed to lay a permeable hard surface for parking.

In support of the application, it is stated that: -

The applicant owns a family car and a large van in connection with their business, and also likely to be acquiring another vehicle shortly.

Thorpe Green Bank is the only practical access to Middlewood Lane camping and caravan site, and the road is narrow so on street parking is a problem, with people half-parking on the pavement. The proposed garage and parking would provide the applicant with much needed off road parking and would be in keeping with the garaging opposite.

Main issues

Local Plan

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.

Policy CO3 - Car Parks – states that new parking facilities will only be permitted where it is the only way to solve existing identified parking problems; it will benefit the needs of both communities and visitors to the National Park; it uses an existing or previously developed site unless it can be demonstrated that no such suitable sites are available; and the scale, design, siting, layout, and surfacing do not have an unacceptable impact on the natural beauty, wildlife or cultural heritage of the National Park.

Policy CO17 does not apply in this instance as the application site does not form part of an existing domestic curtilage, albeit it is to serve a nearby residential property.

Material Considerations

It is considered that the construction of a vehicle access, parking and garage on this plot of land would have a detrimental impact upon the general character of the street scene which has buildings set back into the domestic curtilage from the back edge of the footpath and modest drives wide enough to service the properties.

The location and topography of the land would mean that the garage and hard surfacing would be a dominant feature set against the backdrop of the dwellings and gardens to the east and the views over the Fylingdales Conservation Area towards the sea. It is considered that the development would constitute over development of this plot of land.

The design of the garage is of pre-fab style with a very shallow monopitch roof and stone effect cladding. Such design and materials are not considered appropriate, particularly in such a prominent location. It is acknowledged that the existing garage block on the opposite side of the road is of poor-quality design and appearance. However, they are not reflective of the local vernacular and detract from the character of the area. However, there is no planning history relating to these and it is likely they were built in the 1960s, and do not set a precedent for further harmful development.

The applicant has stated that the proposal complies with Policy CO3 as it's taking a car off the road. Policy CO3 relates to (large) car parks rather than domestic type parking - however applicant lives 50 yards away and it's not part of their curtilage so it does comprise a car park. However, Policy CO3 states that new parking facilities will only be permitted where it will benefit the needs of both communities and visitors to the National Park; and the scale, design, siting, layout do not have an unacceptable impact on the natural beauty, wildlife or cultural heritage of the National Park. This proposal is to meet a private domestic purpose and it's not considered to meet the requirements of this Policy.

However, whilst the case put forward is a need for domestic parking to serve a property on Thorpe Green Bank, the Highway Authority have advised that the garage would not be accessible by a car, so there is no overriding justification to approve a development that would be harmful to the character of the area.

Conclusion

In view of the above it is recommended that applicant be refused for the reasons set out above.

Pre-commencement conditions

N/A

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

Refusal (No Amendments Requested/Departure from Development Plan)

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and concluded that the scheme represents a form of development so far

removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.