

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2023/0643

Development description: variation of conditions 2, 5 and 6 (material amendments) of planning approval NYM/2021/0966 to allow the building of the approved garage in timber not stone, change in roof material to grey sheeting not pantile, alterations to fenestration and addition of doors to north elevation

Site address: No 2 Hayburn Beck Cottages, Staintondale Road, Cloughton

Parish: Cloughton

Case officer: Miss Emily Jackson

Applicant: Mr N Watson, No 2 Hayburn Beck Cottages, Staintondale Road, Cloughton, Scarborough, YO13 OAX

Agent: Not Applicable

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 23 February 2025.										
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>Date Received</th></tr></thead><tbody><tr><td>Location Plan</td><td>07 January 2023</td></tr><tr><td>Site Plan</td><td>17th October 2023</td></tr><tr><td>Potting Shed Elevations and Floor Plan</td><td>07 January 2023</td></tr><tr><td>Garage Elevations (Amended)</td><td>17th October 2023</td></tr></tbody></table>	Document Description	Date Received	Location Plan	07 January 2023	Site Plan	17th October 2023	Potting Shed Elevations and Floor Plan	07 January 2023	Garage Elevations (Amended)	17th October 2023
Document Description	Date Received											
Location Plan	07 January 2023											
Site Plan	17th October 2023											
Potting Shed Elevations and Floor Plan	07 January 2023											
Garage Elevations (Amended)	17th October 2023											
3	MC00	No up-lighting shall be installed on the development(s) hereby permitted. Any external lighting installed on the development(s) 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.										

4	MC00	<p>Domestic Outbuildings - No Conversion to Accommodation - Outside Villages</p> <p>The garage 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 garage 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>
5	MC00	<p>The external elevations of the garage hereby approved shall be clad in vertical timber boarding, painted or stained dark brown or allowed to weather naturally and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.</p>
6	MC00	<p>Notwithstanding the amended plans for the garage building received on 17th October 2023 hereby approved, the roof of the building shall be clad with grey corrugated sheeting and maintained in this condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.</p>
7	MC00	<p>The external elevations of the potting shed hereby approved shall be clad in vertical timber boarding, painted or stained dark brown or allowed to weather naturally and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority</p>
8	MC00	<p>All new doors and garage doors hereby approved shall be of a vertical boarded, ledged, braced (and framed) timber design and side hung and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority</p>
9	MC00	<p>Black Coloured Rainwater Goods. 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.</p>
10	MC00	<p>The development must not be brought into use until the access to the site at 2 Hayburn Beck Cottage, Staintondale Road, Cloughton has been set out and constructed in Street Works published by the local Highway Authority and the following requirements:</p> <p>The crossing of the highway verge must be constructed in accordance with the approved details and/or Standard Detail number E9A and the following requirements:</p>

		<p>a) Any gates or barriers must be erected a minimum distance of 6 metres back from the</p> <p>b) carriageway of the existing highway and must not be able to swing over the existing or proposed highway.</p> <p>c) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway must be constructed and maintained thereafter to prevent such discharges.</p> <p>d) The final surfacing of any private access within 1 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.</p> <p>e) Measures to enable vehicles to enter and leave the site in a forward gear.</p> <p>All works must accord with the approved details.</p>
--	--	--

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 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.

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.
5-9	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.
10	RSN MHC-03	In accordance with Policy CO2 of the North York Moors Local Plan and to ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

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 INF12	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

		<p>is available from the Gov.UK website. Further information on wildlife legislation relating to birds can be found on the Royal Society for the Protection of Bird's website.</p> <p>If advice is needed, please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</p>
3	MC INF13	<p>Swift populations are declining in the UK due to the loss of nest sites in roof spaces as old buildings are renovated or demolished. Swifts occupy nest sites between May and August, making little noise and causing no mess or smell. Swift populations can be supported by the inclusion of simple and affordable measures during building construction or renovation, such as purpose-made 'swift bricks' or the creation of small loft voids. Guidance can be found on the Swift Conservation website; with additional swift box ideas from Action for Swifts.</p>

Consultation responses

Parish

None Received

Highways

No Objection on the basis previously approved condition for the construction of the vehicle crossing within highway is maintained.

Third party responses

None Received

Publicity expiry

16 November 2023

Background

2 Hayburn Beck Cottage is the right-hand property of a pair of semi-detached cottages located in an open countryside location fronting the Cloughton to Staintondale Road. The original part of the cottages are believed to be Victorian and each has relatively recently (1990s) been extended to the side with smaller scale but similarly designed extensions of matching materials. Number 2 also has a further lean-to conservatory added. To the rear of the cottages are amenity areas each having various garages and ancillary domestic outbuildings.

In February 2021, planning permission was granted for the construction of a replacement stone and pantile garage sited adjacent the neighbours' garage, the construction of a timber clad greenhouse and potting shed together with the installation of a new domestic waste package treatment plant in the field to the rear of the property.

This application seeks to vary conditions 2, 6 and 7 of the above permission to allow the elevations of the approved garage building to be clad with timber vertical boarding as opposed to a stone finish as originally approved and to change the roof material of the garage building to grey corrugated sheeting as opposed to pantile as originally approved. It is also proposed for the timber doors of the garage building to be moved from the eastern elevation to the northern gable elevation.

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. In the case of the development of new outbuildings, the outbuilding should be required for purposes incidental to the residential use of the main dwelling, the building should be proportionate in size and clearly subservient to the main dwelling and should be located in close proximity to existing buildings.

Material Considerations

Planning permission has already been granted for the construction of the proposed garage, potting shed and waste treatment plant; however, this application seeks approval for various material amendments to the design including changes to the roof material and walls of the garage building.

The proposed change to timber cladding for the sides of the garage building as opposed to stone as originally approved is considered to be acceptable as the garage building would still maintain a simple and utilitarian design in line with the principles as set out in Part 2 of the Authority's Design Guide: Extensions and Alterations to dwellings.

In terms of the roof material, whilst the amended plans as submitted do list pantile as the proposed roof material, following negotiations with officers the applicant has since been agreed to utilise grey corrugated sheeting instead to better complement the timber cladding and avoid the garage building appearing overly 'top heavy'. This change in roof material has been reflected through an amendment to Condition 6.

The proposed alterations to the fenestration are minor, with the doors remaining timber vertical boarded, ledged, braced, and are unlikely to have an adverse impact upon the appearance of the garage building.

No alterations to the height or scale of the garage building are proposed, and therefore, it is not considered the proposed amendments would have an increased impact upon neighbouring amenity to that already approved. No objections to the proposal have been received. As such, the proposed amendments to the garage building are considered to be acceptable.

Conclusion

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

Public Sector Equality Duty imposed by section 149 of the Equality Act 2010

The proposal is not considered to unduly affect any people with protected characteristics.

Pre-commencement conditions

Not Applicable.

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.