

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(North)
Parish: Sneaton

Application No. NYM/2018/0338/FL

**Proposal: variation of condition 2 (material amendment) of planning approval
NYM/2011/0398/FL to allow first floor over approved garage and detached
domestic store**

**Location: land adjacent Rivendale
Beacon Way
Sneaton**

**Decision Date: 29 August 2018
Extended to:**

Consultations

Parish -

Highways – No objections

Yorkshire Water – No comments

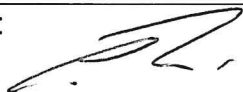
Site Notice Expiry Date – 30 July 2018

Director of Planning's Recommendation

Approval subject to the following condition(s):

| 1. | PLAN01 | <p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Site block plan</td><td>D9959-02 Rev E</td><td>22 May 2018</td></tr><tr><td>Proposed plans and elevations</td><td>D9959-04 Rev C</td><td>22 May 2018</td></tr><tr><td>Store elevations and plan</td><td>D9959-05 Rev A</td><td>22 May 2018</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 | Site block plan | D9959-02 Rev E | 22 May 2018 | Proposed plans and elevations | D9959-04 Rev C | 22 May 2018 | Store elevations and plan | D9959-05 Rev A | 22 May 2018 |
|-------------------------------|----------------|---|----------------------|--------------|---------------|-----------------|----------------|-------------|-------------------------------|----------------|-------------|---------------------------|----------------|-------------|
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| Site block plan | D9959-02 Rev E | 22 May 2018 | | | | | | | | | | | | |
| Proposed plans and elevations | D9959-04 Rev C | 22 May 2018 | | | | | | | | | | | | |
| Store elevations and plan | D9959-05 Rev A | 22 May 2018 | | | | | | | | | | | | |
| 2. | WPDR01 | <p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H Schedule 2, Part 2, Classes A to C and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.</p> | | | | | | | | | | | | |

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| 3. | RSU00 | <p>The occupation of the dwelling hereby permitted shall be limited to:</p> <p>(a) a qualifying person; and</p> <p>(b) a wife or husband (or person living as such), licensee, dependant or sub-tenant of a qualifying person.</p> <p>For the purpose of the above, a person is a qualifying person in relation to the dwelling if he/she has an interest in the dwelling (see Note A) and, immediately prior to occupying the dwelling, he/she satisfied the Local Planning Authority that he/she was in need of local needs housing in terms of the criteria set out in Core Policy J of the adopted North York Moors Local Development Framework, namely that he/she:</p> <p>(1) has been permanently resident within the National Park (see Note B) for at least five years; or</p> <p>(2) while not now resident within the parish, has either: a strong and long standing link with the local community which must include a previous period of residence of five years or more; or an essential need arising from age or infirmity to move to a village to be near relatives who have been permanently resident within the National Park for at least the previous five years; or require support for reasons of age or infirmity and need to live close to relations who are currently living and have resided in the Park for at least the previous five years or more; or</p> <p>(3) has a need to live in the National Park as a result of his/her current sole employment in this parish or adjoining parishes within the National Park.</p> <p>Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the local need criteria outlined in points 1 - 3 above.</p> <p>Note A: For the purposes of the above, a person has an interest in the dwelling if he/she has a freehold or leasehold interest in the whole or any part of it, or is a secure tenant or statutory tenant within the meaning of the Housing Act 1985 or the Rent Act 1977.</p> <p>Note B: For the purposes of the above, resident within the National Park will include the whole of parishes, split by the National Park boundary with the exception of the following 'urban' parishes where the main town or village is outside the National Park: Pickering, Kirkbymoorside, Great and Little Broughton, Great Ayton, Newby and Scalby.</p> |
| 4. | MATS06 | <p>No work shall commence on the excavation works for the development hereby permitted until a one metre square freestanding panel of stonework showing the type of stone and stonework to be used in the construction of the development hereby permitted has been constructed on site and approved in writing by the Local Planning Authority. All new stonework shall match that of the approved panel both in terms of the stone used and the coursing, jointing and mortar mix and finish exhibited in the panel unless otherwise agreed in writing by the Local Planning Authority. The stone panel constructed shall be retained on the development site until the development hereby approved has been completed.</p> |
| 5. | MATS15 | <p>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.</p> |

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| 6. | MATS42 | All new window frames and glazing bars shall be of timber construction and no other materials shall be used without the prior written consent of the Local Planning Authority. |
| 7. | MATS00 | All new window frames, glazing bars and external door frames shall be of timber construction, painted in a colour to be approved by the Local Planning Authority and thereafter the door/window frames and glazing bars shall be maintained in that condition in perpetuity, unless otherwise agreed in writing with the Local Planning Authority. |
| 8. | MATS70 | The guttering to the development hereby permitted shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilised in the development and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority. |
| 9. | 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. |
| 10. | DRGE01 | No work shall commence on excavation works to install drainage to serve the development hereby permitted until full details of the proposed means of disposal of foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the drainage works have been completed in accordance with the approved details. |
| 11 | HWAY06 | There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme. |
| 12. | HWAY07 | <p>Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:</p> <ul style="list-style-type: none"> (i) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6W. (ii) That part of the access(es) extending 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10. (iii) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details and maintained thereafter to prevent such discharges. (iv) The final surfacing of any private access within 6 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway. <p>All works shall accord with the approved details unless otherwise agrees in writing by the Local Planning Authority.</p> |

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| 13. | HWAY17 | Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission. |
| 14. | LNDS00 | <p>No work shall commence to clear the site in preparation for the development hereby permitted until a scheme which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority (herein after called the 'Tree Protection Scheme'). The scheme shall provide for a protection zone around each tree, hedge or shrub equivalent to the canopy spread or half the height of the tree, hedge or shrub, whichever is the greater and shall provide for the erection of protective fencing to consist of a secure vertical and horizontal framework of scaffolding supporting chestnut paling or chain link fencing no less than 1.3 metres in height (or of a specification to be agreed) to delineate each protection zone.</p> <p>No work including tree felling or pruning, demolition work, soil moving, temporary access or construction and/or widening or any operations involving the use of motorised vehicles or construction machinery shall commence on site in connection with the development until the protection works required by the Tree Protection Scheme have been fully installed in accordance with the approved details.</p> <p>No excavations for services, storage of materials or machinery, parking of vehicles, depositing or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as a Tree Protection Zone or otherwise protected in the approved Tree Protection Scheme.</p> <p>The protective fencing around each Tree Protection Zone shall not be removed or repositioned for the full duration of the development hereby approved without the prior written consent of the Local Planning Authority.</p> |
| 15. | LNDS00 | <p>No work shall commence in preparation for the development hereby permitted (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include details of:</p> <ul style="list-style-type: none"> (i) Implementation, supervision and monitoring of the approved Tree Protection Scheme and/or Tree Pruning/Felling Specification. (ii) Implementation, supervision and monitoring of all approved construction works within any Tree Protection Zone or otherwise protected in the approved Tree Protection Scheme. (iii) Timing and Phasing of Arboricultural works in relation to the approved development and details of communication between the interested parties. |
| 16. | LNDS11 | No work shall commence to clear the site in preparation for the development hereby permitted until full details of the access surfacing have been submitted to and approved in writing by the Local Planning Authority. The driveway surfacing shall then be implemented in accordance with the approved details and shall be maintained in that condition in perpetuity |

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Informative(s)

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| 1. | In relation to condition 13 you are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition. |
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Reason for Condition(s)

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| 1. | PLAN01 | For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park. |
| 2. | WPDR01 | 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 NYM Development Policy 3 and NYM Core Policy A, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development. |
| 3. | RSUO13 | In order to comply with NYM Core Policy J which seeks to restrict the occupancy of new residential development to those with a local links and an essential need to live in the locality. |
| 4&5 | MATS01 | For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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. |
| 6-9 | MATS02 | For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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. | DRGE01 | To avoid pollution of watercourses and to comply with the provisions of NYM Development Policy 1, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water. |
| 11. | HWAY06 | In accordance with NYM Development Policy 23 and in the interests of highway safety. |
| 12. | HWAY07 | In accordance with NYM Development Policy 23 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience. |
| 13. | HWAY17 | In accordance with NYM Development Policy 23 and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity the development. |
| 14&15. | LNDS02 | In order to comply with the provisions of NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment. |
| 16. | LNDS03 | In the interests of the satisfactory appearance of the development and in order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that development proposals incorporate suitable hard landscaping details. |

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Background

This application relates to a piece of land which comprises a gap between two existing dwellings on a continuously built up road frontage in the village of Sneaton, near Whitby.

Planning permission was granted in 2011 planning permission for the construction of a detached local occupancy dwelling.

A start has been made on the development with foundations having been dug and laid. The approved dwelling would measure 10.3m wide x .9m deep with a gable frontage projecting 1m deep and a garage attached at the side measuring 4m wide x 8.6m deep. The dwelling would measure a maximum height of 5.1m to the eaves and 8.1m to the ridge. The dwelling would provide accommodation on two floors and would comprise 4 bedrooms, 2 bathrooms and a ground floor wc's, kitchen, utility, living room, dining room, and study.

Planning permission was refused prior to this for a 6 bed dwelling on this site with accommodation over three floors. The applicant's agent was requested to set the dwelling further back in order to ensure that the two frontage trees were not further damaged and also to submit a street scene plan to illustrate the height of the proposed dwelling in relation to the adjacent properties. These revisions were not submitted prior to the application being determined.

This revised application seeks consent to construct a first floor extension over the garage to provide a 4th bedroom with ensuite bathroom. This doesn't increase the footprint.

The proposed first floor addition would have eaves and ridge height lower than the main part of the dwelling and would have a modest dormer on both front and rear roof slopes.

Main Issues

The principle of the development has already been considered to be in accordance with Core Policy J of the NYM Local Development Plan.

Therefore the primary consideration is whether the proposal would be in accordance with Development Policy 3 of the NYM Local Development Plan which seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, layout and density of development preserves or enhances views into and out of the site; that the scale, height, massing and design are compatible with surrounding buildings; that the standards of design are high; that there is satisfactory landscaping and that the design takes into account the safety, security and access needs for all potential users of the development.

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The increase in size of the proposed dwelling would not significantly increase the scale and bulk of this proposed dwelling and its position in the plot is as previously approved, to avoid damage to the trees on the frontage of the site.


It is considered that the proposal would still be in keeping with the scale and siting of the adjacent dwellings, and therefore would not be out of character in the street scene.

In view of the above, it is considered that the previous refusal reasons have been overcome and approval is now recommended.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

Approval (No Amendments Required)

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.

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| Signature:  | Date: 31/07/18 |
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