

North York Moors National Park Authority

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

Application No. NYM/2018/0441/FL

Proposal: construction of first floor extension to provide Bed & Breakfast rooms

Location: Hogarth Hall, Boggle Hole Road, Fylingdales

Decision Date: 10 September 2018

Extended to:

Consultations

Parish – No objections

Highways – No objections. In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters: The Local Highway Authority (LHA) have expressed concerns previously about the public highway junction that vehicles would use after leaving the application site to turn from Bridge Holm Lane onto the A171. The junction has below standard visibility for drivers to view oncoming traffic. The LHA would object to any development that would significantly increase the amount of traffic using this junction. However, there are no recorded collisions for the current 5 years data set that is available. The application would increase the B & B side of the holiday business by a further 2 bedrooms and although any increase in the amount of traffic is increasing the risk, the Local Highway Authority would not see this application as making a significant increase in the amount of traffic.

North Yorkshire Fire and Rescue – No comments/objections

Environmental Health Officer - Commercial Regulation - No comments other than:-

- 1) If approved the applicant would need to register under Food Safety legislation with us 28 days PRIOR to Opening via www.scarborough.gov.uk/foodregistration (Free)
- 2) The kitchen/ Food Prep/ Store area would need to meet the basic requirements of the Food Hygiene Regulations (We can do an onsite advice visit if necessary)
- 3) The Water Supply must be wholesome and fit for use: If it is a "Private Supply" eg Well/ Spring/ Borehole then it must be Chemically and Bacteriologically safe (If Yorkshire Water Mains then no issue). The Applicant would need to contact our Commercial Regulation Team Pollution Environmental Health officer to discuss site specific risk assessment and sampling under the Private Water Supply Regulations

(The Private Water Supplies (England) Regulations 2016) (This service is Chargeable)

Site Notice Expiry Date – 14 August 2018

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Director of Planning's Recommendation

Approval subject to the following condition(s):

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 style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Document Description</th> <th style="text-align: left;">Document No.</th> <th style="text-align: left;">Date Received</th> </tr> </thead> <tbody> <tr> <td>Location Plan</td> <td>D11336-01 Rev A</td> <td>13 July 2018</td> </tr> <tr> <td>Proposed block plan</td> <td>D11336-02 Rev A</td> <td>13 July 2018</td> </tr> <tr> <td>Proposed ground floor plan</td> <td>11336_07 Rev A</td> <td>03 July 2018</td> </tr> <tr> <td>Proposed first floor plan</td> <td>11336_08 Rev A</td> <td>03 July 2018</td> </tr> <tr> <td>Proposed west & south elevation</td> <td>11336_09 Rev A</td> <td>03 July 2018</td> </tr> <tr> <td>Proposed east and north elevation</td> <td>11336_10 Rev A</td> <td>03 July 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	Location Plan	D11336-01 Rev A	13 July 2018	Proposed block plan	D11336-02 Rev A	13 July 2018	Proposed ground floor plan	11336_07 Rev A	03 July 2018	Proposed first floor plan	11336_08 Rev A	03 July 2018	Proposed west & south elevation	11336_09 Rev A	03 July 2018	Proposed east and north elevation	11336_10 Rev A	03 July 2018
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3.	RSUO01	The premises shall not be used other than as a single dwelling with Bed and Breakfast accommodation and shall not be used for any other purpose (including any other purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 2010 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, or within Schedule 2, Part 3, Classes A-V of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order).																					
4.	RSUO05	The dining room used in association with the Bed and Breakfast/Guest House establishment hereby approved shall not be used as a restaurant other than for overnight guests staying at the premises.																					
5.	MATS04	All new stonework and roofing tiles used in the development hereby permitted shall match those of the existing building, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar mix unless otherwise agreed with the Local Planning Authority.																					
6.	MATS41	All new windows in the development hereby permitted shall match those of the existing building in terms of appearance, materials, section, dimensions, glazing bar pattern, method of opening, external finish, reveals cills and lintels and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.																					
7.	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.																					
8.	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.																					

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Informative(s)

1.	<p>1) The applicant is advised that it will be necessary to register under Food Safety legislation with us 28 days PRIOR to Opening via www.scarborough.gov.uk/foodregistration (Free)</p> <p>2) The kitchen/ Food Prep/ Store area would need to meet the basic requirements of the Food Hygiene Regulations (We can do an onsite advice visit if necessary)</p> <p>3) The Water Supply must be wholesome and fit for use: If it is a "Private Supply" eg Well/ Spring/ Borehole then it must be Chemically and Bacteriologically safe (If Yorkshire Water Mains then no issue). The Applicant would need to contact our Commercial Regulation Team Pollution Environmental Health officer to discuss site specific risk assessment and sampling under the Private Water Supply Regulations</p> <p>(The Private Water Supplies (England) Regulations 2016) (This service is Chargeable)</p>
2.	<p>MISC INF01 Bats</p> <p>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.</p>

Reason for Condition(s)

1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	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.
3.	RSUO02	In order to enable the Local Planning Authority to retain control over any retail activity at the premises and to ensure compliance with NYM Core Policy A and NYM Development Policy 18, which seek to protect the amenity of local residents and conserve and enhance the special qualities of the NYM National Park.
4.	RSUO05	In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with NYM Core Policy A which seek to conserve and enhance the special qualities of the NYM National Park.
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.
6-8.	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.

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Background

Hogarth Hill is situated in an isolated location accessed by a private track that leads from the road to Boggle Hole in Fylingdales. It comprises a small complex of buildings including the main house, modern agricultural buildings and the range of former hotel buildings approximately 70 metres to the south east of the house. The site has been in mixed agricultural and tourist accommodation since the 1960's.

The main house, to which this application relates has for many years been used to provide bed and breakfast facilities and then permission was granted for it to operate as a hotel. Subsequently the detached range of buildings was also extended, including a substantial flat roof stone built extension (approximately 30 years ago) to provide a large dedicated function room. However, in the early 90's the hotel business ceased and the detached range of buildings were converted into cottages which are still in the ownership of Hogarth Hill and let out on long term lets. The function room was converted into garages but has since been converted into 2 four bedroom dwellings for the applicants 2 children and their families.

This applicant seeks permission to construct a first floor extension over the existing substantial single storey flat roof extension to the main house. This flat roof extension was built in 2002 and granted a Certificate of Lawful Use in 2013, following evidence that the extension was built and subsequently occupied in excess of 4 years as an independent dwelling known as No. 1 Hogarth Hill.

The alterations proposed improved internal space, enabling all the existing and proposed bedrooms to have ensuite bathrooms and to increase the total number of bedrooms from 4 to 6. The ridge height of the first floor would be stepped down twice, in order to remain subservient in scale to the main house, and stone, tiles and windows would all match the host building.

In support of the application, the applicant has provided the following information:-

Since starting the B&B in 1969, many visitors have wanted to assist on the farm, lots staying up to 3 weeks, others were travelling representatives and workers to the area. Around 1985 twenty Frenchmen arrived in October requiring full board, they went home at Christmas that year and returned in the New Year staying until Easter. All employed by French Petroleum and surveying the cliffs at Boggle Hole. We have a steady trade in the three available rooms we let and can easily fill more. I'm confident our trade will continue with tourists, reps and general people needing accommodation for their stay in the area.

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Main Issues

Development Policy 3 of the NYM Local Development Framework 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.

Development Policy 14 seeks to ensure that new tourism development and the expansion or diversification of existing tourism businesses will be supported where the proposal will provide opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; where the development can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking, cycling or horse riding; where the development will not generate an increased level of activity; and where it will make use of existing buildings.

In terms of development Policy 3, the proposed extensions, whilst substantial, are well designed and would significantly improve the appearance of the host building.

In terms of DP14, the site is an existing B& B facility which has been operating for many years. The site is in a good location, in terms of tourist activity levels and the development would not be visually intrusive in the immediate or wider landscape.

It is considered that the development would result in an improved visitor accommodation facility, and significantly improve the appearance of this building, in accordance with DP3 and DP14.

In view of the above approval is 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.