



PROPOSED DEVELOPMENT

4/34

Parish: Eskdaleside cum Ugglebarnby

Applicant: Mrs. BELINDA LITTLE

Development: CONSTRUCTION OF 1 NO. OPEN MARKET DWELLING WITH EXISTING ACCESS.

At: LAND ADJACENT TO ECHO HILL, SLEIGHTS.

Grid Ref: NZ 487147, 508052

Road class: Unclassified

DEVELOPMENT PLAN POLICIES / SCREENING OPINION

Relevant RSS/EU-Directives/HRA: N/A

Core/Development Policies: DP3

NMD/Bat/Structural/Tree Survey/FRA/Ag-Workers Report

N/A

Departure: N/A

EIA Schedule 1/Schedule 2: N/A

Brownfield/Greenfield/Ag conversion/Non-Agr conversion:

More than 5 houses or 200 sqm? N/A

SITE NOTICE / ADVERTISEMENT

Site Notice Required: [checked]

Date Posted: 7 June 2017 Expiry Date: 28 June 2017

Advertisement Required: N/A

Date Posted: Expiry Date:

PROCEDURE

Date of Receipt: 5 APRIL 2017

Date of Validation: 8 May 2017

DATE FOR DECISION: 3 JULY 2017

DoE Code: 13

Major Application: N/A (13 wks)

EIA: N/A (16 wks)

CONSTRAINTS

Flood plain: Zone 1

PROW: Yes (adjacent)

Conservation Area: -

Listed Building: - Grade: -

TPO/Hedgerow: -

Monuments, PSR, CSAC, Section 3 Coast, SAC, SSSI Ant Mons, Nat Trust, Article 4, RAF (10.5), SPA, Section 3 Woodland, Section 3 Moorland, Historic P&G, Registered Common Land, Mining Hazards, Heritage Coast, Ancient Woodland, Dev't low risk - 250m (coal referral), Dev't high risk (coal consultation)

County Matter: N/A

If Schedule 2, is statement required Yes/No N/A

Net change to no. of dwellings: +1

10% Renewables: N/A

CONSULTATIONS

- District
Ward Member
Parish
Highways
EHO
EA
Water
H/S Echo Hill
Little Acre
Ashness
Cons.co

Table with columns: Date consulted, Reply by, Re-consulted, Reply by

In the Authority's opinion would the development - affect the setting or appearance of a Conservation Area?

YES NO N/A

If 'NO' give a reason why

- affect the setting of a Listed Building?

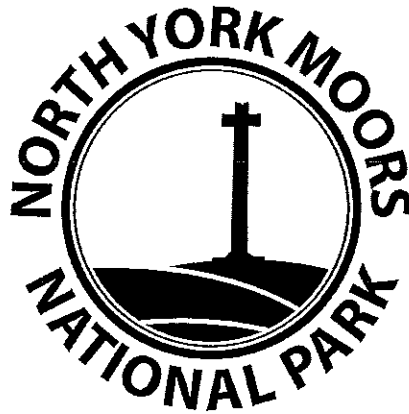
YES NO N/A

If 'NO' why

- affect a Public Right of Way?

YES NO N/A

If 'NO' why



Planning Notice

Notice under Article 15 of the Town and Country Planning (Development Management Procedure) Order 2015

Application Number NYM/2017/0254/FL

Applicant Mrs Belinda Little

Site Address Land adjacent to 4 Echo Hill, Sleights,

Proposal construction of 1 no. open market dwelling with existing access

Members of the public may inspect the application(s), including plans at the National Park Offices during normal office hours by appointment or on the Authority's website www.northyorkmoors.org.uk. You are advised to inspect the plans carefully to assess any impact on you as the description can only cover the main parts of the development. Any comments on the application(s) should be sent to the address below within 21 days of the date of this advertisement, quoting the application reference number. Comments may also be submitted using the online form on the Authority's website. If you have any queries on the application(s) please contact the National Park Office.

Under the provisions of the Freedom of Information, Access to Information and Environmental Information Acts any comments received are available for public inspection. They will also be forwarded to the Secretary of State for Communities and Local Government in the event of an appeal. If you do not wish your views to be treated in this way please make this clear in your reply.

Mr C M France
Director of Planning
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York, YO62 5BP

website: www.northyorkmoors.org.uk
email: planning@northyorkmoors.org.uk
tel: 01439 772700

Date of Notice: 7 June 2017
This notice may be removed 21 days after the above date.

List of those notified

Environment Agency Via Email: sp-yorkshire@environment-agency.gov.uk

EHO - Scarborough 1- Commercial Regulation Manager - Via Email:
Julie.Peirson@Scarborough.gov.uk

Water - Yorkshire Water Services Ltd - Land Use Planning - Via Email:
planningconsultation@yorkshirewater.co.uk

Eskdaleside-cum-Ugglebarnby Parish Council
c/o Ms V Pitts
Davison Farm
Egton
Whitby YO21 1UA - Via Email: esk.ugg@googlemail.com

Area Traffic Manager - Scarborough
NYCC - Area 3 Whitby
Discovery Way
Whitby
North Yorkshire YO22 4PZ - Via Email: area3.whitby@northyorks.gov.uk

Internal - Conservation
The Old Vicarage
Bondgate
Helmsley
York YO62 5BP - Via Email: conservation@northyorkmoors.org.uk

EHO - Scarborough 2
Private Sector Housing Team
Via Email: PrivateSectorHousing@Scarborough.gov.uk

Owner/Occupier
Ashness
Echo Hill
Sleights
Whitby
YO22 5AE

Owner/Occupier
5 Echo Hill
Sleights
Whitby
YO22 5AE

Owner/Occupier
4 Echo Hill
Sleights
Whitby
YO22 5AE

Owner/Occupier
Little Acre
Echo Hill
Sleights
Whitby
YO22 5AE

Eskdaleside-cum-Ugglebarnby Parish Council
c/o Ms V Pitts
Davison Farm
Egton
Whitby
YO21 1UA
Via Email: esk.ugg@googlemail.com

Your ref:
Our ref: NYM/2017/0254/FL
Date: 27 November 2017

This matter is being dealt with by: Mrs J Bastow

Dear Sir/Madam

Town and Country Planning Act 1990

Land at: Land adjacent to 4 Echo Hill, Sleights

Proposed development: construction of 1 no. open market dwelling with existing access

Appeal reference: APP/W9500/W/17/3185209

Appeal starting date: 14 November 2017

Appellant(s) name: Mrs Belinda Little

I am writing to let you know that an appeal has been made to the Secretary of State in respect of the above site. The appeal follows the refusal of planning permission by this Planning Authority for the reasons given on the decision notice. A copy of the appeal documentation can be seen at, or obtained from, The Old Vicarage, Bondgate, Helmsley and is available to view on the Planning Explorer section of the Authority's website under the application reference number. The appeal is to be decided on the basis of an exchange of written statements by the parties and a site visit by an Inspector.

Any comments already made following the original application for planning permission (unless they are expressly confidential) will be forwarded to the Department and copied to the appellant and will be taken into account by the Inspector in deciding the appeal. Should you wish to withdraw or modify your earlier comments in any way, or request a copy of the appeal decision letter, you should write direct to the Planning Inspectorate, 3M Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN within five weeks of the appeal start date, quoting the appeal reference number.

Continued.....

Three copies of any comments need to be forwarded to the Inspectorate. If they receive representations after the deadline, they will not normally be seen by the Inspector and they will be returned.

The Planning Inspectorate will not acknowledge your letter however; they will ensure that it is passed on to the Inspector dealing with the appeal. Once decided a copy of the appeal decision will be published on the Planning Explorer section of the Authority's website under the application reference number and Planning Portal website www.planningportal.gov.uk/pes. Guidance on the appeal process can be found on the Planning Portal website using the link set out above.

Yours faithfully

Mark Hill

M Hill

Head of Development Management

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(North)
Parish: Eskdaleside-Cum-Ugglebarnby

Application No. NYM/2017/0254/FL

Proposal: Construction of 1 no. open market dwelling with existing access

Location: Land adjacent to 4 Echo Hill, Sleights

Decision Date: 03 July 2017

Consultations

Parish – No objections with the following observations:

- The mature trees along the southern boundary should be maintained;
- Details of the height needs careful consideration to ensure that the dwelling fits in with the adjacent properties.

Highways – No objection. Echo Hill serves as the vehicular access to approximately 11 dwellings and the cricket club. It is not a publicly maintainable highway but it is classed as a public right of way footpath. It is the policy of NYCC as Highway Authority that "any street which is being developed to provide principal means of access to six or more properties should be capable of being laid out to the minimum standards such that once constructed it can be adopted as a highway maintainable at the public expense". The design standard for the site is the NYCC Residential Highway Design Guide. The private road leading up Echo Hill is not laid out to this minimum standard and it would be difficult to bring it up to these standards due to its poor alignment, insufficient width, poor condition, unsuitable gradient and lack of footways, lighting and adequate turning area. The development is located far enough back from the boundary of the publicly maintainable highway that it is not expected to have any significant impact on the highway network. However, the residents of this area should be aware that they will not have a right to receive certain services compared with if the road was adopted as public highway.

Environment Agency –

Yorkshire Water – No objection.

Environmental Health Officer – No objection.

Site Notice/Advertisement Expiry Date – 28 June 2017

Others – Mr & Mrs A D Hodgson, Ashness, Echo Hill, Sleights – Wish to make the following comments:

- The road serving the properties is also access to our fields;
- The access road is not in a good condition and not suitable for more vehicles;
- Most properties at Echo Hill have hard surfaced the rear garden which has increased surface water run-off causing further erosion of the road.

Signature:



Date:

3/7/17

Application Number: NYM/2017/0254/FL

Director of Planning's Recommendation

Refuse for the following reason:

1.	The site is not considered to form a small infill gap within a continuously built up frontage in the main built up area of Sleights, and consequently constitutes housing development in the open countryside for which there is no proven essential need. If permitted the proposal would consolidate this pocket of sporadic development in the countryside and would give the locality a much more built up, urban appearance which would be harmful to the character and appearance of the landscape of this part of the National Park. As such the proposal is contrary to Core Policies A and J of the Core Strategy and Development Policies Document and the National Planning Policy Framework which seek to confine new housing development to the main built up areas of the settlements of the National Park and restrict new housing in the open countryside unless there are special circumstances. No such circumstances exist in this case.
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Signature:



Date:

11

Application Number: NYM/2017/0254/FL

Background

This application relates to the side garden to a semi-detached property located within a small group of houses occupying an elevated position to the east of the settlement of Sleights.

Planning permission is sought for the erection of a detached four-bedroomed dwelling to be constructed in local stone under a clay pantile roof. The dwelling would face south-west as with the adjacent properties although vehicular access would be provided from Echo Hill to the ear of the site where are present there is a garage.

Planning permission was refused in 2006 for the erection of a dwelling in the side garden of No. 4 Echo Hill. That application was considered under Policies H3, H4 and T7 of the previous Local Plan and was refused for the following reasons:


1. *The site lies outside the settlement of Sleights/lburndale and does not constitute an infill plot within the built up area of a settlement. If permitted this development would consolidate this pocket of sporadic development in the countryside to the detriment of the character of the environment and landscape of the North York Moors National Park. As such the proposal is contrary to Policy H3 of the North York Moors Local Plan which states that development will only be permitted on infill plots or larger sites within the existing built up areas of (inter alia) Sleights/lburndale.*
2. *The proposed development will generate additional traffic on the unadopted access road at Lowdale which is wholly inadequate in terms of construction, design and layout to cater for increased vehicular movements. The proposal is therefore contrary to Policy T7 of the North York Moors Local Plan which states that the proposed developments either individually or cumulatively must be of a scale which the adjacent road network has the capacity to serve without detriment to highway safety or to the environmental characteristics of the locality.*

Main Issues

The relevant policies of the Core Strategy and Development Policies Document are considered to be Core Policy A (Delivering National Park Purposes and Sustainable Development), B (Spatial Strategy) and J (Housing) along with Development Policy 3 (Design).

In addition National Parks have the highest status of protection in relation to landscape and scenic beauty and great weight is to be afforded to conserving their landscape and scenic beauty, as set out in paragraph 115 of the National Planning Policy Framework.

The main issues are considered to be whether the site fulfils the definition of an infill plot lying within the main built up area of Sleights and if not, whether there are any special circumstances which would justify development in the open countryside.

Signature: 	Date: 11
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Application Number: NYM/2017/0254/FL


Core Policy J states that a mix of housing types and tenures will be sought to maintain the vitality of local communities, consolidate support for services and facilities and support the delivery of more affordable housing. It goes on to state that this will be delivered by, inter alia, locating all open market housing in the main built up area of the Service Villages, of which Sleights is one. The policy is explicit as regards the location of new dwellings and states that they must be within the main built up area of Sleights. Echo Hill however has always been, and continues to be, regarded as lying out with the main built up confines of Sleights and therefore in open countryside where the policy with regard to new housing is much more restrictive.

It is recognised that whilst the site does form a gap within a row of six houses, this cluster of properties occupies an elevated position divorced from the main built up area of Sleights, with a large field and the cricket ground separating the group from the built up edge of Sleights village. Whilst there are properties to either side of the site, there is no development to the north-east or south-west. Consequently the site cannot be reasonably considered to be a small gap within a continuously built up frontage in the main built up area of the settlement. This approach has also been confirmed in a previous planning appeal decisions (although not directly in relation to this site) where the Planning Inspector stated that "there is no dispute that Echo Hill is outside the settlement of Sleights/Iburndale Lane. From the evidence and my site inspection, I am also satisfied that Echo Hill is not on the edge of the village."

In view of the above, the site is considered to be in the open countryside and in such cases, new build dwellings have to be justified to serve the essential long term needs of persons working in agriculture, forestry or other essential land management activities. It is both national and local planning policy to protect the landscape of the National Park for its own sake and for the enjoyment of future generations; the landscape includes its settlements and hamlets. As no justification has been submitted to demonstrate an essential need for the accommodation for agriculture, forestry or other essential land management activities, the proposal conflicts with Core Policy J and as a result would not be acceptable having regard to development plan policies in relation to the location of new housing.

Notwithstanding the fact that the site lies out with the main built up area of Sleights, it is also important to recognise the amenity value of open spaces or gaps between properties and Core Policy J advises that not every gap will be appropriate for development. The site forms an attractive side garden area which helps this pocket of sporadic development at Echo Hill to play a transitional role between the main built up area of Sleights and the surrounding countryside. If such gaps were consolidated it would give the locality a much more built up, urban appearance which would be harmful to the character and appearance of the landscape of this part of the National Park. To that end the site is considered to make a positive contribution to the special qualities of the National Park.

In view of the above it is considered that there has been no change in circumstances since the previous refusal of planning permission to warrant a different decision being reached and refusal of the application is recommended.

Signature: 	Date: 11
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Application Number: NYM/2017/0254/FL

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 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.

Signature: 	Date: 11
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JNB

Dawn Paton

From: Victoria Pitts
Sent: 07 June 2017 18:05
To: Planning
Subject: Planning Application Observation/Comments - Eskdaleside cum Ugglebarnby Parish Council

Dear Planning Team

Apologies, I am having issues with internet at the moment! Following the meeting of the 5 June 2017 here are the observations/comments for the relevant planning applications:

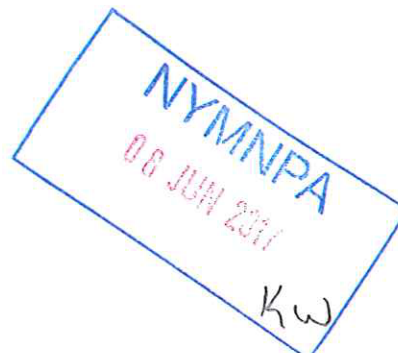
Land Adj 4 Echo Hill, Sleights **NYM/2017/0254/FL**: construction of 1 open market dwelling with existing access: RESOLVED No objections with the following observations

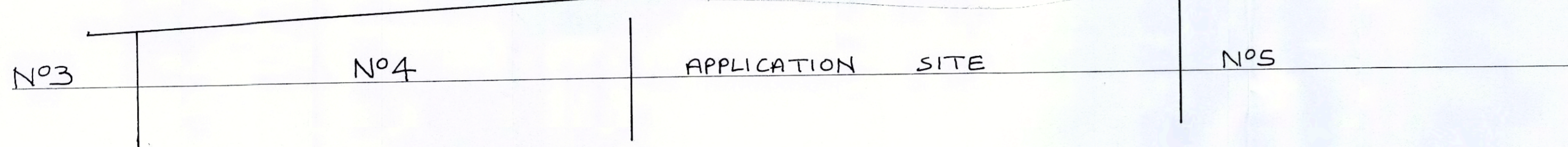
- There are some mature tree which should be maintained on the Southern boundary
- The overall height of the proposal is not detailed on the plans and is only shown on the sketch plan. Details of the height would need careful consideration to ensure the dwelling "fits in" with the adjacent properties

Best wishes

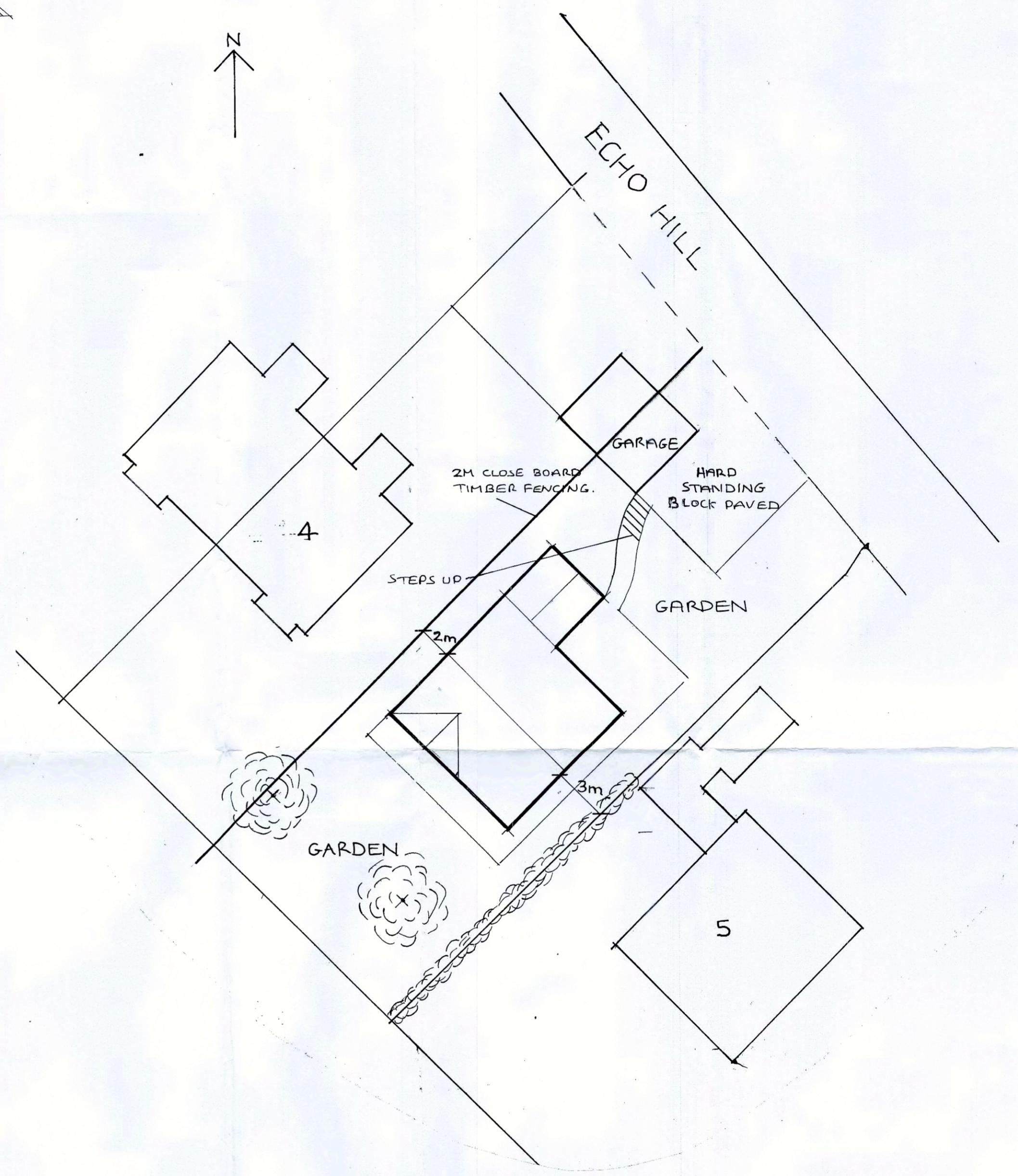
Victoria

Victoria Pitts
Clerk
Eskdaleside cum Ugglebarnby Parish Council
Davison Farm
Egton
North Yorkshire
YO21 1UA





NEIGHBOURING PROPERTIES COMPARISON



SITE PLAN

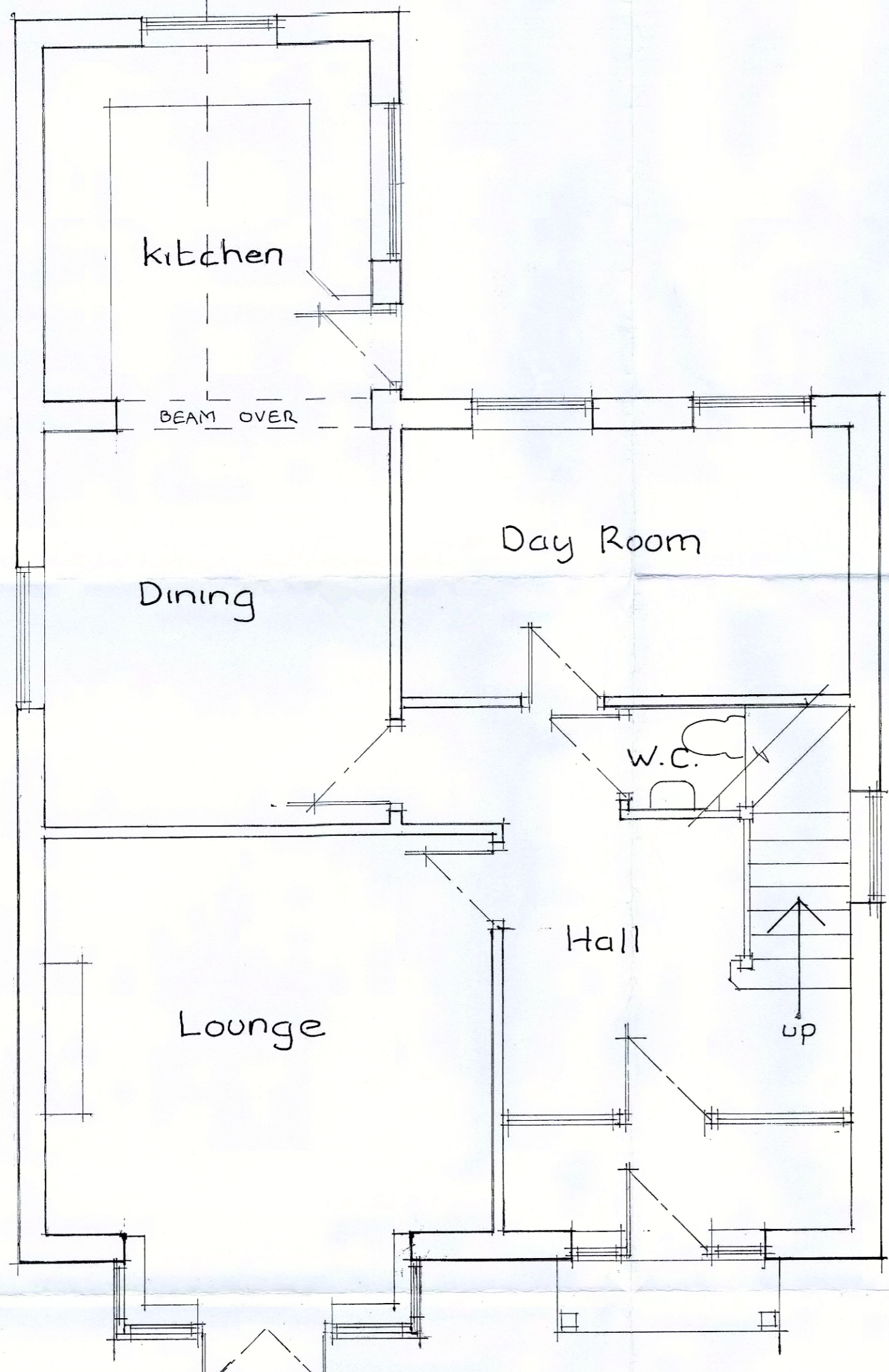
DESCRIPTION	CHK'D	APP'D	DATE
ALTERATIONS			

PROPOSED NEW DWELLING AT 4 ECHO HILL, SLEIGHTS, WHITBY
 SITE DETAILS

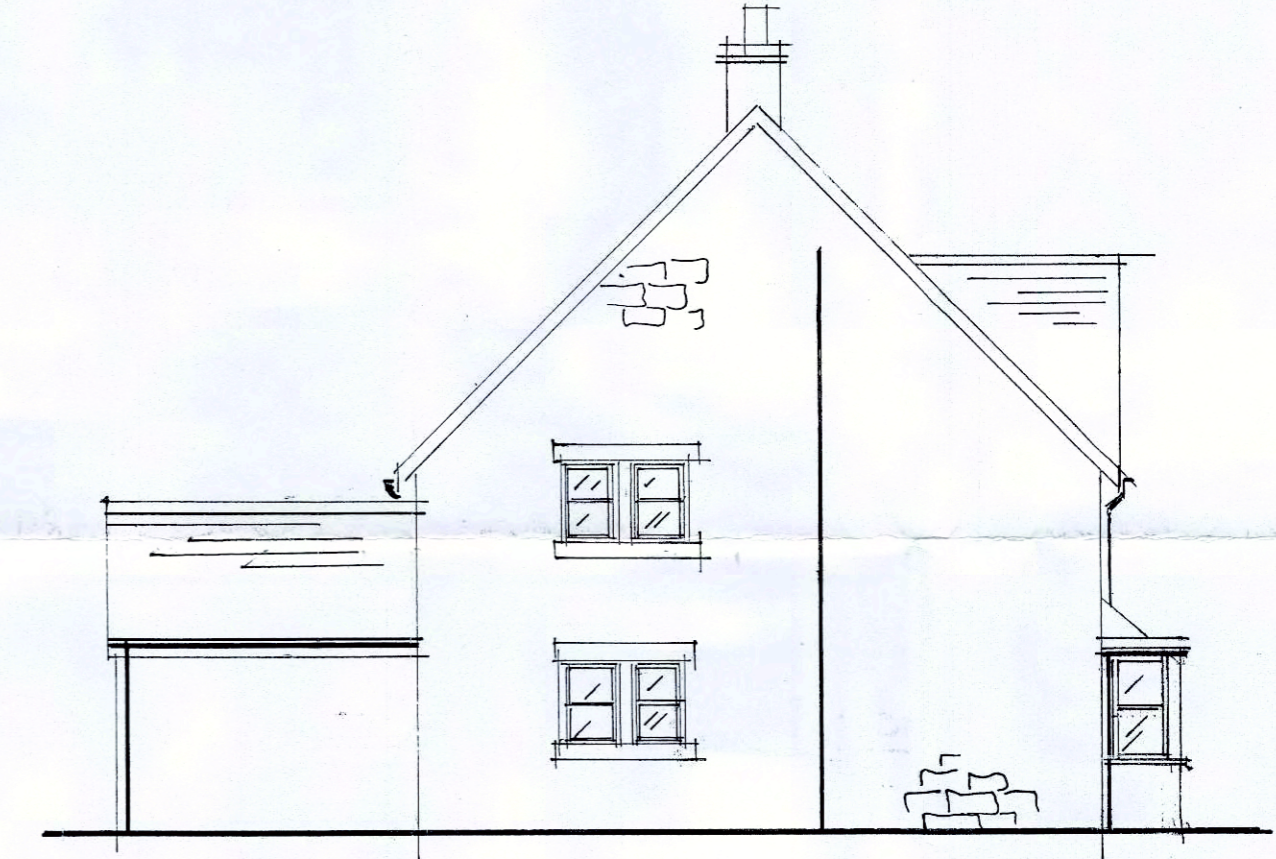
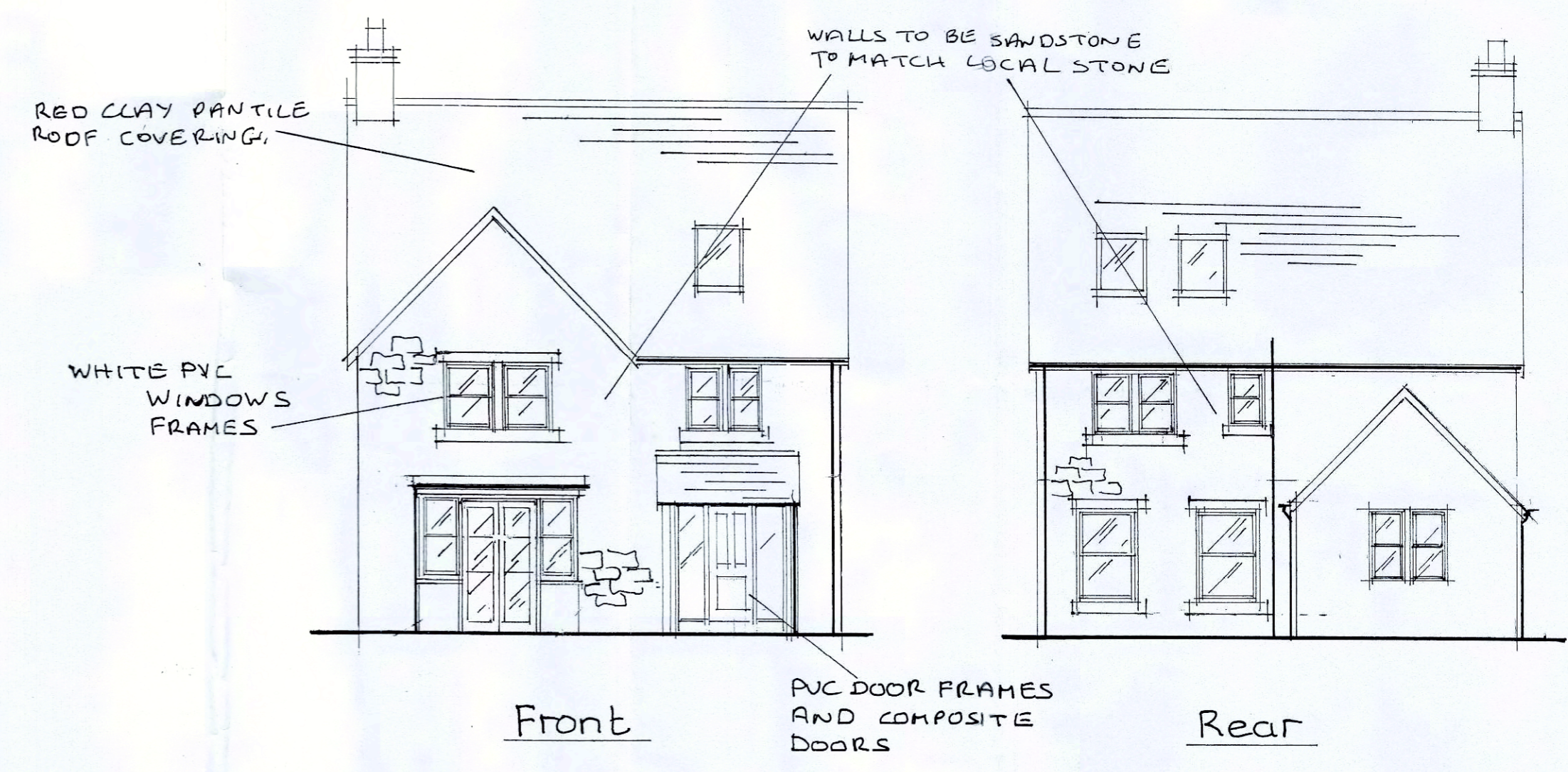
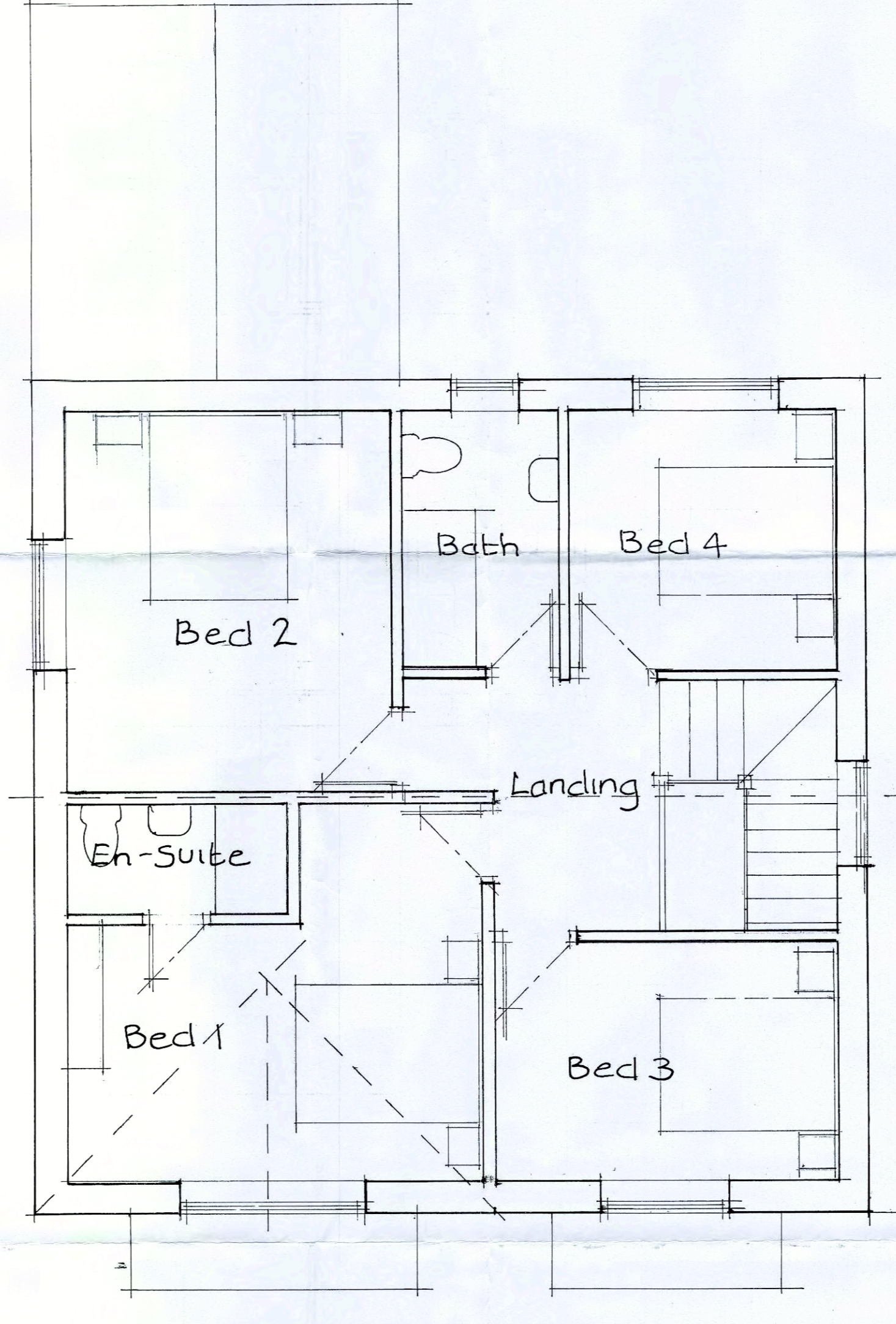
CLOSE, GRANGER, GRAY & WILKIN
 BUILDING AND ENGINEERING CONSULTANTS
 28 MARKET PLACE, GUISBOROUGH, CLEVELAND. TS14 6HF

DRAWN	TRACED	CHECKED	APPROVED	DATE	SCALE
gh				Nov 16	1:100 1:200

DRAWING No. 16/109/02



BAY WINDOW WITH OPENING FRENCH DOORS



ELEVATIONS

PROPOSED NEW DWELLING AT 4 ECHO HILL, SLEIGHTS, WHITBY

PROPOSED PLANS + ELEVATIONS

CLOSE, GRANGER, GRAY & WILKIN
 BUILDING AND ENGINEERING CONSULTANTS
 28 MARKET PLACE, GUISBOROUGH, CLEVELAND. TS14 6HF

DRAWN	TRACED	CHECKED	APPROVED	DATE	SCALE
gh				Nov 16	1:50 1:100

DRAWING No. 16/109/01

North York Moors
National Park Authority
Local Development Framework

Core Strategy and
Development Policies

Adopted Copy 13th November 2008

For York
May 2008

JNB

Kelsey Williamson

From:
Sent: 18 May 2017 15:59
To: Planning
Subject: Re: Land adjacent to 4 Echo Hill, Sleights, - NYM/2017/0254/FL
Attachments: StandardConsult_698282.PDF

Thank you for consulting Yorkshire Water. We will respond to your planning enquiry within 21 days.

If you do not receive a reply within 21 days of receipt then please assume that Yorkshire Water has no comments to make on the planning consultation.

In response to:

Land adjacent to 4 Echo Hill, Sleights, - NYM/2017/0254/FL

planning

to:
planningconsultation

18/05/2017
15:56
[Show Details](#)

