

## North York Moors National Park Authority

Borough: Scarborough Borough Council  
Parish: Aislaby

Application No. NYM/2017/0282/FL

**Proposal:** demolition of existing store/stable and replacement with artists studio, together with re-instatement of former access track

**Location:** Groves Hall, Woodlands, Sleights

**Decision Date:** 14 June 2017

### Consultations

**Parish -**

**Highways -** The site access from the A169 is a public right of way but is not part of the publicly maintainable highway. A number of dwellings appear to have vehicular access along the PRoW from the A169 but the gated access is not expected to cause any problems for other users of the PRoW so long as it does not open outwards. Recommend conditions.

**Environment Agency -**

**Site Notice Expiry Date -** 29 May 2017.

### Director of Planning's Recommendation

Approval subject to the following conditions:

- Standard Three Year Commencement Date**  
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
- Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified**  
The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Site Plan & Block Plan	D11042-01 Rev C	19 April 2017
Option 2 Proposed Plan & Elevation	D11042-04 Rev D	19 April 2017

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
- No Retail Sales From the Premises**  
There shall be no retail sales from the premises the subject of the permission hereby approved without the prior written agreement of the Local Planning Authority.
- The development hereby permitted shall be used for an artists studio incidental to the occupation of the main dwelling on the site known as Groves Hall and for no other purpose. There shall be no alteration or conversion of the building hereby permitted to permanent residential accommodation and the building shall form and shall remain as part of the curtilage of the main dwelling known as Groves Hall as a single planning unit.

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5. **External Lighting - Submit Details**  
No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
6. **Timber Cladding Samples**  
No work shall commence on the timber cladding of the development hereby permitted until details, including the design and fixing of the timber cladding including samples if so required have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
7. **Roof Colouring (dark grey)**  
The external surface of the roof of the building hereby permitted shall be coloured and thereafter maintained dark grey and shall be maintained in that condition in perpetuity unless otherwise be agreed in writing with the Local Planning Authority.
8. **Windows and Doors - Timber**  
All new window frames, glazing bars, external doors and door frames shall be of timber construction and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9. **Flues to be Coloured Matt Black**  
All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10. **Private Access/Verge Crossings: Construction Requirements**  
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 to the site has been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements  
e. Any gates or barriers shall not be able to swing over the existing Public right of Way.
11. There shall be no access or egress by any vehicles between the highway and the application site until full details of a safe and satisfactory access to the adopted highway have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The development shall not be brought into use until the approved access is available for use.
12. **Tree Protection Scheme - Details to be Submitted**  
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').

Condition 11 continued.../

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The scheme shall provide for a protection zone around each tree, hedge or shrub to be set out in accordance with guidance given in British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations 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.

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.

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.

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.

**13. Details of Access Surfacing to be Submitted**

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 access surfacing shall then be implemented in accordance with the approved details and shall be maintained in that condition in perpetuity.

**Informatives**

1.	<p><b>Bats</b></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>
2.	<p>The applicant's attention is drawn to the fact Public Bridleway Aislaby 2 runs along the access route and passes the development to the north. The Public Bridleway must be kept free from obstruction and safe for the public to use at all times during and after the development.</p>

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**Reasons for Conditions**

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. 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. 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. The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to NYM Core Policies B and J.
5. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
6. 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.
7. For the avoidance of doubt and in order to comply with the provisions of NYM Core to
9. 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. 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.
11. In accordance with NYM Development Policy 23 and in the interests of highway safety.
12. 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.
13. 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**

Groves Hall is a substantial grade II listed property located to the west of Sleights within an area known as Woodlands. This is a ribbon of development accessed off the main A169 opposite the junction to Ruswarp. Groves Hall sits in an attractive, generous garden which overlooks the river and rail line to the south. To the west of the domestic curtilage is a field with a simple agricultural pole barn and a dilapidated timber structure, previously in domestic (possibly equestrian) use. This building is partially collapsed and beyond repair.

This application proposes the removal of the domestic timber building and its replacement with a similar timber clad building for use by the applicant and their family as an artist's studio. The proposed building would occupy a similar footprint but it is proposed to set it slightly further back from the southern boundary and be slightly cut into the site. The building is a simple ridge and gable structure with the ridge running approximately east to west. It measures approximately 9.8 metres (plus 1m roof overhang over the east facing gable) by 5.9 metres, 2.5 metres to eaves and 4.7 metres to ridge. The north facing elevation will be visible from the Public Right of Way through Woodlands above but views into the site over the river and railway are extremely limited due to the substantial and mature tree cover.

The rear (north) elevation is to be blank with the exception of four no. rooflights, the gable elevation facing the field will have 3no. windows of irregular size and distribution, the front (south) elevation is proposed to have two pairs of French doors with a large fixed pane window of similar proportion in the centre. The remaining gable elevation facing the main house is proposed to be fully glazed with a generous roof overhang.

**Main Issues**

The relevant policies contained within the NYM Core Strategy and Development Document to consider with this application are Development Policy 3 (Design) and Development Policy 19 (Householder Development).

DP3 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, materials and design are compatible with surrounding buildings; that the standards of design details are high and complements that of the local vernacular; good quality sustainable design and construction techniques are incorporated; 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.

DP19 states that proposals for extensions or alterations to dwellings, or other development within the domestic curtilage will only be supported where the scale, height, form, position and design does not detract from the character of the original dwelling and its setting; the development does not adversely affect the amenities of neighbouring occupiers, or that of the existing dwelling.

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This application has followed pre-application discussions and incorporates the recommended revisions offered by Officers.

Whilst the site is somewhat detached from the main property and curtilage, there are existing structures on site and on the basis the host property is a listed building, care must be taken to ensure its setting is not compromised by new development. The proposed studio is of a simple design, constructed of similar materials to the partially collapsed building and will occupy the same footprint. The application site located in the lower part of a sloping field and is visible from the private road/Public Right of Way above. The proposal includes a small amount of cutting in which will help to reduce the impact and mass of the structure in views into the site from above. The materials have been selected to further reduce the prominence of the building and the use of a dark grey fibre cement sheet roof will ensure it has a utilitarian rather than domestic appearance.

There is an existing gateway to the field fitted with a traditional metal gate which matches the estate-style cast iron perimeter fence. The application includes a proposed track to the existing agricultural building and it was agreed at pre-application stage for this to be a low-key twin trod track, typical of an agricultural setting. This is reflected on the plans and a hardcore track with grassed centre and no kerbs is annotated but it is recommended that details of the surface material are submitted for final approval.

At a late stage in the determination process the Authority's Conservation Department raised concern that the site may be occupied by bats and it was likely that a survey would be required. The Applicant sent further details of the site and more details photographs of the interior of the building for further consideration. The Authority's Ecologist assessed the details and has provided confirmation that a bat survey would not be required but the standard informative relating to bats should be included if approval is granted.

The proposed building is considered to be of a size, scale and design commensurate with its proposed use. Whilst it is located beyond the domestic curtilage, Officers are satisfied that the site has little landscape impact and given the listed status of the main dwelling, accommodating this type of structure within the garden would harm the setting of the heritage asset. Subject to there being no retail sales from the building and it being tied in ownership to Groves Hall, the building and its associated activity is considered acceptable in this location and approval is recommended.

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

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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