

## North York Moors National Park Authority

<b>Scarborough Borough</b> <b>Parish: Cloughton</b>	<b>App Num. NYM/2010/0295/FL</b>
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**Proposal:** Construction of a garage and stable building

**Location:** Rockhaven, Newlands Road, Cloughton

**Applicant:** Mr & Mrs M Armstrong, Rockhaven, Newlands Road, Cloughton, Scarborough, North Yorkshire, YO13 0AR

**Agent:** BHD Partnership, Airy Hill Manor, Waterstead Lane, Whitby, North Yorkshire, YO21 1QB

**Date for Decision:** 11 June 2010

**Grid Ref:** NZ 501128 495320

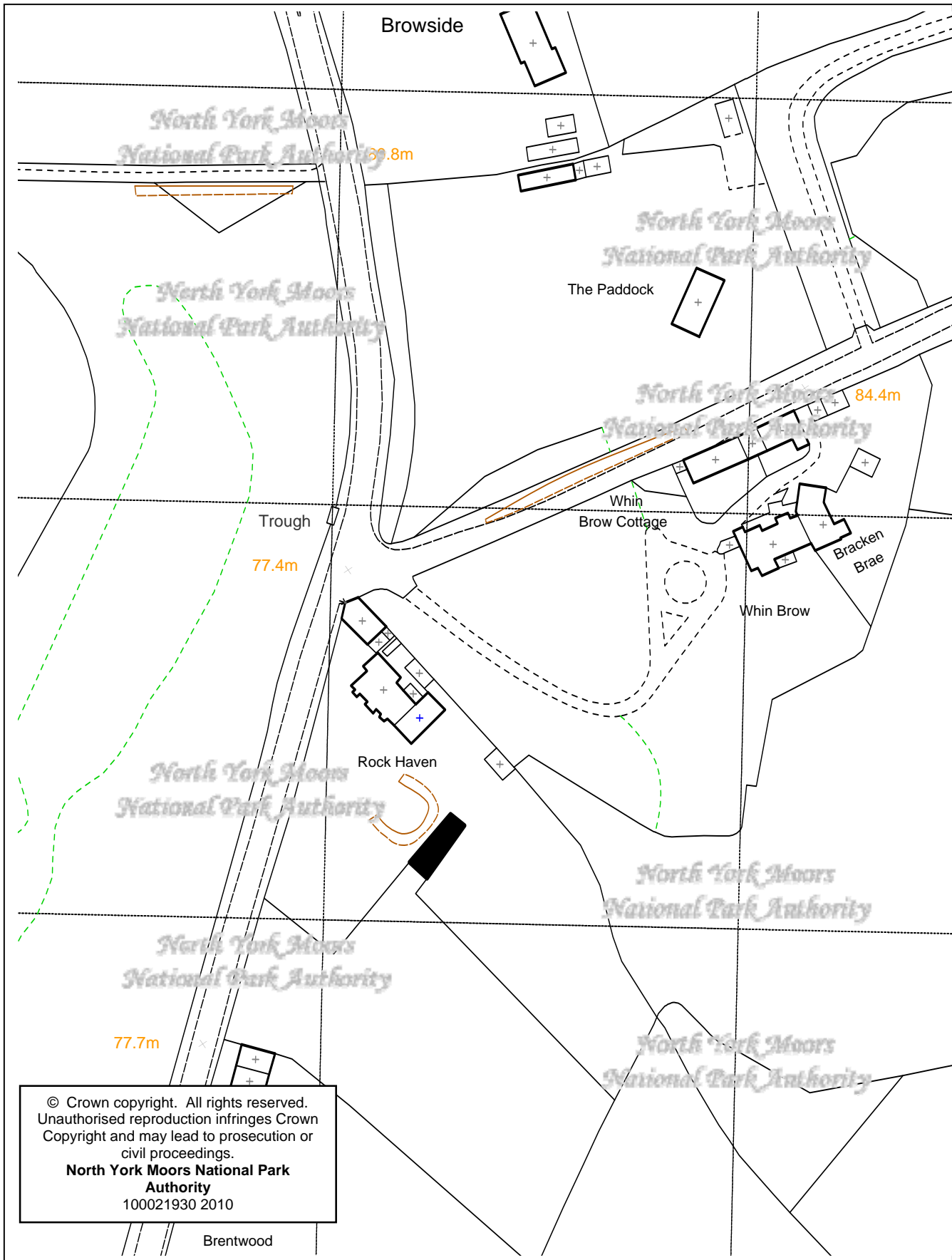
### Director of Planning's Recommendation

**Approval** subject to the following conditions:

1. TL03 Standard three year commencement date
2. AP04 Original plans amended by plans received on 27 May 2010 - drawing no.s specified
3. PD06 Withdrawal of PD Part 1 Class E - outbuildings only
4. RU03 Domestic outbuildings - no conversion to accommodation - outside villages
5. RU00 The garage, studio and stable building hereby permitted shall form and remain part of the curtilage of the existing dwelling known as Rockhaven and shall not be sold or leased off from the main dwelling without a further grant of planning permission from the Local Planning Authority.
6. RU16 Stables - No commercial use of stable - ancillary to dwelling.
7. MT31 Doors -stained dark brown
8. MT60 Windows and doors - timber
9. LS03 Trees/hedging to be retained - north-west
10. LS08 Arboricultural Method Statement

#### **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 Development Plan Policy 3.
3. 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 Core Policy A and NYM Development Policy 3.
4. 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 NYM Core Policy J and would be likely to adversely affect the amenities of existing and future occupiers of the site.
5. In order to enable the Local Planning Authority to control any future changes to the building which is in s location where the formation of an independent unit would not normally be permitted in line with NYM Core policy J and Development Policy 19 and would likely to adversely affect the amenities of existing and future occupiers of the site.



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**Reasons for conditions (continued)**

6. In order to comply with NYM Development Policy 19 which seeks to ensure that proposals for stables are well related to a domestic curtilage and to enable the Local Planning Authority to control any commercial use of the stables which could give rise to conditions detrimental to the special qualities of the National Park and the residential amenities of adjoining occupiers which would be contrary to NYM Core Policy A.
- 7 & 8. 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.
- 9 & 10. In order to comply with the provisions of NYM Core Policy C which seeks to ensure that trees, woodlands and hedgerows of landscape amenity, nature conservation or historical value are safeguarded.

**Consultation****Borough -**

**Parish -** Objects. It is not close to the main house and the garage/studio element is excessive. Council is concerned that (if approved) there will be a future application to convert this building into residential, office or holiday accommodation. Access to the highway is not good being within 10 yards of a junction and on a hill and bend. Additional traffic to the property such as horseboxes and trailers is undesirable. Council objects to the application as submitted on the grounds it does not accord with point one of Development Policy 19. Should Officers be minded to approve the application, Council requests conditions to prevent the property being used for residential, holiday or commercial purposes and to ensure the building cannot be sold off separately.

**Highways -** No objections.

**Environmental Health Officer -**

**Site Notice Expiry -** 25 May 2010.

**Background**

Rockhaven is a substantial and attractive Edwardian style property set in extensive grounds lying to the north of Cloughton on Newlands Road. The site is situated approximately one mile from the centre of the village and has no immediate neighbours. The grounds at Rockhaven have been, in part, heavily landscaped to create a formal garden but a good mix of woodland and pasture still exist at the site. A belt of mature and dense woodland splits the formal garden (in front of the house) from the informal garden and pasture to the east which enjoys its own (narrow) access leading from the main driveway and parking area. The properties to the north west of Rockhaven are separated by a relatively large area of mature woodland, which obstructs views into the proposed application site and neighbours to the south of Rockhaven enjoy large gardens, which again have mature trees which screen the site from view.

Existing buildings on the site include the main dwelling with associated brick outbuildings to the west and north (side and rear) of the property which provide storage space for gardening tools and general storage but provide insufficient space for vehicular garaging or stabling. There is an existing, dilapidated timber building currently standing on the proposed site but this has deteriorated beyond practical repair and is not considered worthy of retention.

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**Background (continued)**

This application seeks full planning permission for the erection of a double garage and stabling for two horses, together with associated tack and feed storage and first floor studio space for hobbies and crafts.

The applicant's agent sought pre-application advice and following Officer negotiations to reduce the overall size and various design points, including the removal of a balcony, an application was submitted which included a large dormer on the east elevation. Amended plans were received following further negotiations to remove the dormer and to position a small number of narrow slit style rooflights in the eastern roofslope. These plans showed 3no. rooflights which continued onto the façade of the building. The amended plans were not considered an improvement and the plans were revised again to include further amendments to the proposed dormer.

The revised proposal provides for a double garage measuring approximately 8.3 metres wide by approximately 6.1 metres deep with two stables and store room attached. The stable element measures approximately 10.9 metres by 4 metres with a covered walkway. The overall length of the building is approximately 18.3 metres. The stable element is single storey whereas a studio is proposed over the garage. However, due to differences in ground levels at the site, the eaves level of the two elements appear equal and the garage and studio measures 6 metres to ridge, whereas the stables measure 4.5 metres to ridge. The dormer serving the studio has been dropped from the ridge by approximately 40cm and the south facing gable is almost fully glazed to provide good levels of natural daylight. The proposed materials are vertical timber boarding under a shingle roof with timber windows and doors.

In comparison with the scheme submitted at pre-application stage there has been an overall reduction in height of 50cm and a reduction in length of 3 metres. The dormer has also been reduced in size and dropped from the ridge.

**Main Issues**

The main issues to consider with this application are whether the building is located in a position sensitive to the host dwelling and wider area, whether the proposed building would result in any adverse impact on the amenities of neighbouring properties and whether it is of a scale, height, mass and design which does not detract from the host dwelling or its setting.

**Policy context**

The relevant NYM Local Development Framework policies to consider with this application are Development Policy 3 (Design) and Development Policy 19 (Householder Development).

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.

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**Policy context (continued)**

Development Policy 19 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 and that annexe accommodation is ancillary to the main dwelling. Development Policy 19 also states that applications for buildings associated with the keeping of horses for recreational purposes will only be supported where they are closely associated to the domestic curtilage.

The proposed siting of the building utilises the footprint of an existing building and is located far enough away from the main house so as not to detract from the character or setting of this attractive dwelling. Although Officers requested for the proposed building not to exceed the footprint of the existing dilapidated building excessively, it is considered that the proposed garage and stable block is well positioned and screened by mature trees to accommodate the considerable increase in size. The building is not considered to be of a size which is disproportionate to its intended use or host property and grounds.

**Design and Materials**

The applicant's agent has considered Development Policy 3 (Design) throughout the evolution of this proposal and has stated in the Design and Access Statement that once the need has been confirmed, the design process seeks to ensure that its inclusion within the National Park is sympathetic. The applicant's agent has utilised the existing site levels, existing tree screening and orientation of the proposed building (on the footprint of an existing structure) to minimise its impact on both the host property and wider landscape. The advice contained within the Authority's adopted design guide suggests that garages are located in close proximity to the main house; however, there is insufficient space to accommodate a garage in this area without detracting from the main dwelling. Furthermore, Officers believe that it is more desirable to combine the garage and stables and concentrate development and activity in one area rather than to extend it across the whole site. Officers consider that there is satisfactory landscaping and access in the proposed location to preserve the existing views into the site to satisfy the requirements of Development Policy 3 and that the stables are located closely enough to the domestic curtilage to comply with Development Policy 19.

Officers do accept however, that the proposed building is a substantial structure with elements, such as the dormer and glazed gable, which have a domestic influence. However, alternative designs have been submitted which are less desirable and are not considered to achieve the standard of design required for new development. The building would have a primarily utilitarian function and the construction materials of timber and shingle roof tiles are considered to reflect this purpose. Existing outbuildings on the site are of modest brick construction which would be unsuitable in this location and would create a greater level of permanency and more flexibility for future alterations or proposed uses for the building. The host dwelling will remain as the dominant form on the site and the relatively simple design of the proposed garage and stable building is considered fit for purpose.

**Other considerations**

It is noted that the Parish Council objects to the application on the grounds that the proposal does not comply with the requirements of point one of Development Policy 19 where development within the domestic curtilage of dwellings will only be supported where: the scale, height, form, position and design of new development does not detract from the character and form of the original dwelling or its setting in the landscape. The Parish Council raise further concerns with the use of the proposed building and a concern that it may lead to future applications to either convert the building to residential or commercial premises.

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Other considerations (continued)

The applicant's agent has responded to these comments and has stated:

I feel that all issues raised by the Parish have been dealt with during this applications pre and formal planning submission. The following details should help:

- The site of the building has been agreed with and was suggested by Officers as it incorporates the existing stable. Also its position is preferred due to the proximity of the paddock. Its distance away from the main house also prevents visual competition between the structures, as highlighted by your Authority's comments re detailing.
- Its future use will and is expected to be enforced by robust conditions being placed on the approval, and is welcomed by our clients. The w.c. is to service the studio and stables and would normally be expected.
- No additional traffic will be created. The proposals would just enhance our clients existing use of their land.

The Parish at the end of their letter do sensibly request that the National Park control the development with conditions and that is accepted.

Officers consider that the Parish's concerns with regard to siting and design of the building have been adequately addressed and have recommended conditions to restrict the use of the building and tie its ownership to the main dwelling. The Highway Authority do not object to the accommodation and therefore, the Authority do not consider access to grounds for refusal in this instance. There have been no other comments received in connection with this application.

In view of the above, approval is recommended.

#### **Reason for Approval**

The proposed garage and stable building (incorporating studio space) is considered to be in a position which does not detract from the host dwelling or its setting, to be of a size, design and materials commensurate with its use and is in a well screened location minimising the impact on the wider landscape or the amenities currently enjoyed by the occupiers of the host and neighbouring properties. The proposal is therefore considered to comply with the requirements of Development Policies 3 and 19 of the NYM Local Development Framework.