

North York Moors National Park Authority

Scarborough Borough Council (South) Parish: Hackness	App Num. NYM/2015/0209/FL
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Proposal: conversion of barn to form 1 no. dwelling and new access (part revised scheme to NYM/2009/0887/FL)

Location: Sunny Bank Barn, Broxa Lane, Hackness

Applicant: Mrs Ivy Stuart, Sunny Bank Cottage, Broxa Lane, Hackness, Scarborough, North Yorkshire, YO13 0JW

Agent: Architectural Design fao: Mr Richard Winn, Old Barn Cottage, Middle Farm, Main Street, Allerston, Pickering, North Yorkshire, YO18 7PG

Date for Decision: 21 May 2015

Grid Ref: SE 496709 490011

Director of Planning's Recommendation

Approval subject to the following conditions:

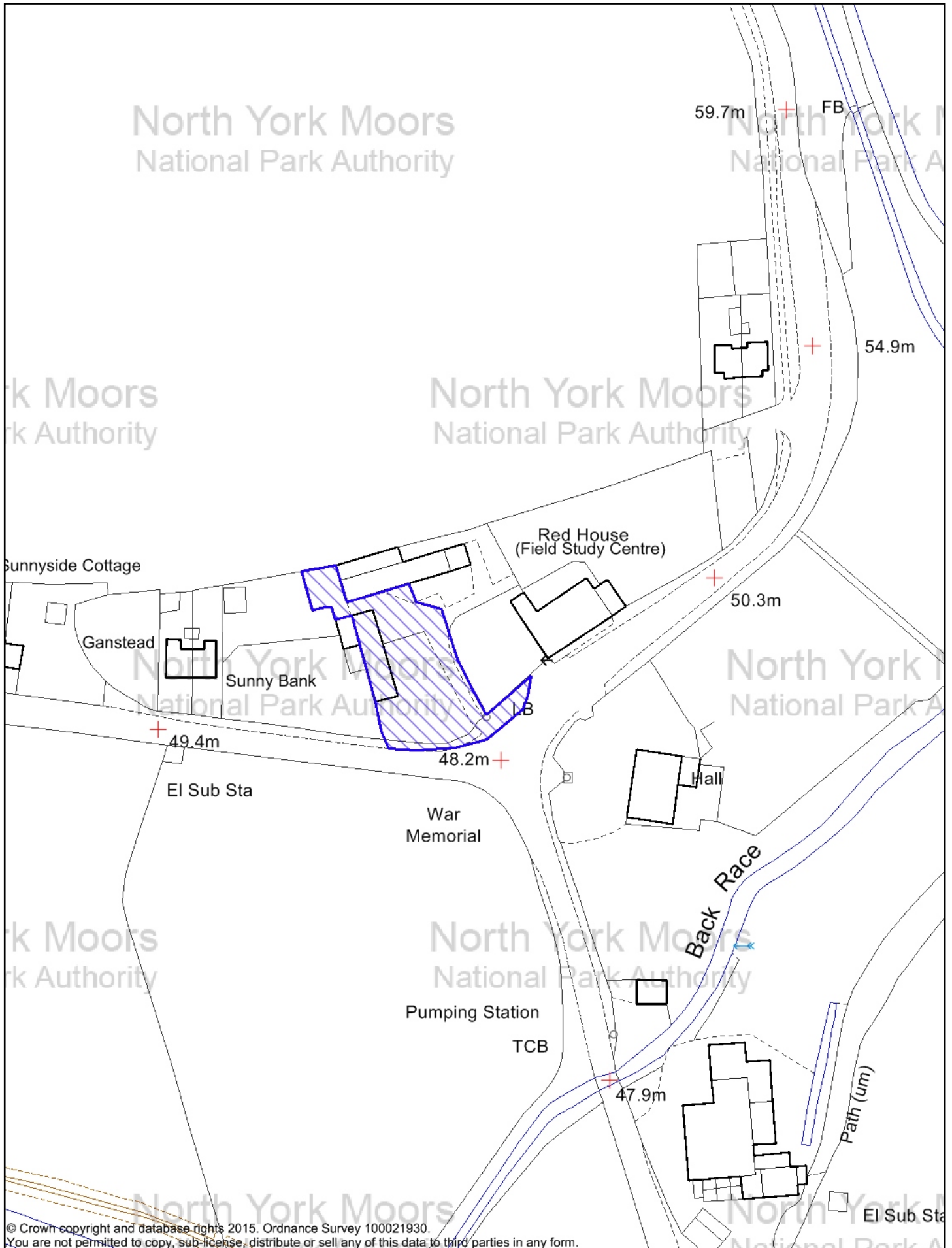
1. TIME01 Standard Three Year Commencement Date
2. PLAN01 Strict Accordance With the Documentation Submitted or Minor Variations - Document No's Specified
3. WPDR00 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting 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.
4. RSUO13 Occupancy in Accordance with NYM Core Policy J
5. MATS04 Stonework and Roofing Tiles to Match
6. MATS00 All new window frames, glazing bars, external doors and door frames shall be of timber construction, stained/painted a colour to be first agreed in writing with the Local Planning Authority within six months of the date of installation and shall be maintained in that condition in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.
7. MATS30 Doors - Details of Construction to be Submitted
8. MATS40 Detailed Plans of Window Frames Required
9. MATS56 Conservation Rooflights Only
10. MATS74 Flues to be Coloured Matt Black
11. MATS70 Guttering Fixed by Gutter Spikes
12. MATS73 External Fixtures
13. HWAY00 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 have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
 - a. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details (drawing no. 1300-5B) and Standard Detail number E9A for the crossing and E6W for the extended footway



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 Authority
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Condition 13 (continued)

- b. Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- c. Provision to prevent surface water from the site/plot discharging onto the existing highway shall be constructed in accordance with the approved details shown on drawing no. 1300-5A and maintained thereafter to prevent such discharges.
- d. The final surfacing of any private access within 4 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.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

- 14. HWAY10 Visibility Splays
- 15. HWAY00 No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition 13 have been laid out in accordance with the approved drawing no. 1300-3 and are available for use unless otherwise approved in writing by the Local Planning Authority. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 16. LNDS00 The development hereby permitted shall be carried out in accordance with the Tree Protection Plan and Arboricultural Method Statement set out in the Tree Report prepared by Lawson Harper dated 18 May 2015.
- 17. LNDS00 Notwithstanding the details shown on the approved drawing nos. 1300-4 & 1300-5B, no work shall commence on the erection of any boundary fencing until full details of the proposed boundary treatment to the site, including the size and species of any hedging, the materials to be utilised to any walls or fences and the timetable to implement the proposed works, have been submitted to and approved in writing by the Local Planning Authority. The site boundary works shall then be implemented in accordance with the approved details. The boundary treatment shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Informative

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.

Consultations

Parish – Objects to the application on the grounds that the existing access is not acceptable on the grounds of highway safety. There is no objection to the redevelopment itself however the same cannot be said of the access which is on a blind corner at a junction

Highways – Recommend conditional approval

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Consultations (continued)

Environmental Health Officer – Recommend conditional approval

Site Notice Expiry Date – 6 May 2015

Background

Sunny Bank Barn lies towards the eastern end of the row of houses forming the hamlet of Hackness, opposite the junction with the road through the Forge Valley to the south. It is an attractive building of coursed stone under a pantile roof, situated within a small paddock area associated with the applicant's property to the west, Sunny Bank Cottage. Access to the barn is shared with the neighbouring property to the east, Red House and also Sunny Bank Cottage.

Planning permission was originally granted in March 2010 for the conversion of the barn into a two bedroom dwelling and as works have materially commenced the permission is extant. The plans approved under that previous permission included a new vehicular access and parking area to be created in the paddock to the west of the barn, some 50 metres to the west of the existing access to serve both Sunny Bank Cottage and the proposed barn conversion. The existing access with its poor visibility was considered not suitable to serve another dwelling and a new access where visibility could be improved was therefore proposed.

This application seeks planning permission for a revised scheme. The details of the barn conversion remain as originally proposed and approved; it is the access and parking that have been amended. It is now proposed to utilise the existing access to serve the barn conversion but with improved visibility by the extension and widening of the footway to move the visibility point for vehicles existing the site further into Broxa Lane.

Main Issues

Policy

The relevant policies of the Core Strategy and Development Policies Document (CSDPD) are Core Policy A (Delivering National Park Purposes and Sustainable Development), Core Policy J (Housing) and Development Policy 3 (Design).

Core Policy A seeks to ensure that new development conserves and enhances the Park's special qualities with priority being given to maintaining and enhancing the natural environment, conserving the landscape, settlement, building features and historic assets of the Park and ensuring development does not detract from the quality of life of local residents.

Core Policy J (Housing) supports the development of local needs housing on infill sites or as a conversion of an existing building within the main built up area of the local service villages and other villages (of which Hackness is one).

Development Policy 3 (Design) states that in order to maintain and enhance the distinctive character of the National Park, development will only be permitted amongst other things where a high standard of design detailing is used whether traditional or contemporary, which reflects or complements that of the local vernacular.

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Main Issues (continued)

Development Policy 8 (Conversion of Traditional Unlisted Rural Buildings), whilst not directly applicable to this application as it relates to a barn conversion within one of the listed settlements, provides useful guidance in the determination of this application along with the Design Guide Part 4: the Re-use of traditional Rural Buildings.

Principle of Development/Design

The principle of the conversion and the design detailing has already been established by the granting and commencement of planning permission in March 2010.

The details of the proposed conversion have not changed and are considered to be of a high standard of design which preserve the functional form and traditional character of the building in accordance with Development Policies 3 and 8 and the advice contained in the Authority's Design Guide.

Furthermore the future occupier of the dwelling has provided evidence to the satisfaction of the Local Planning Authority that the requirements of Core Policy J have been complied with.

Trees

There are two Lime trees positioned close to the road and in front of the barn which are the subject of a Tree Preservation Order. The proposal does not seek to remove these trees and works within the Root Protection Area (RPA) have been kept to a minimum so as to ensure the longevity and health of the trees. Submitted with the application is a Tree Report which confirms that there will be no lowering of the soil level within the RPA and only rubble which has been more recently deposited in this area will be removed. The report includes a Tree Protection Plan and an Arboricultural Method Statement and any permission will be conditional on these being adhered to at all times during the development.

Highway Safety

The main difference between the previously approved application and this one currently under consideration relates to the means of access and parking. The approved scheme included a new access and parking area in the paddock some 50 metres to the west of the barn but this would have necessitated a significant amount of excavation to create a level site given the rising land, and potentially would have a detrimental impact on the visual amenity of the hamlet with the creation of a large opening in the stone boundary wall. The proposal is now to utilise the existing access but with the visibility improved by the extension and widening of the footway to move the visibility point for vehicles exiting the site further into Broxa Lane. This has the support of the Highway Authority, which has been involved in lengthy pre-application discussions regarding this proposal, and will have the added benefit of improving the existing access for the occupiers of Red House.

Therefore in view of the above, approval is recommended.

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

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.