

# North York Moors National Park Authority

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

Application No. NYM/2016/0062/FL

**Proposal: demolition of existing dwelling (No 171) and garage buildings and construction of 4 no. dwellings with associated access, parking and landscaping works**

**Location: Blue Bank Garage  
Coach Road  
Sleights**

**Decision Date: 11 April 2016**

## Consultations

**Parish** – No objections. The properties are well designed and made from natural stone and will fit in well with the village scene. They are located back from the road and the new access road will provide safe access and egress. However, the sewerage system in this area is already overloaded.


**Highways** – Formal pre-application comments - The agent has indicated that the proposed highway in the development would be offered up for adoption by the Highway Authority. The design standard for the site is the North Yorkshire County Council Residential Highway design guide. The required visibility splay for the proposed access off the A169 is 2.4 metres by 45 metres. This should be shown on the application plans. Both vehicular and pedestrian access to the front and rear of the properties uphill of the development site needs to be kept available. The plans need to demonstrate how this will be done safely. Consequently the Local Highway Authority recommends that Conditions are attached to any permission.

**On revised access plan** - The Highway authority is in agreement with the developer that the proposed road should be constructed to adoptable standards because the number of dwellings that will have vehicular access from the proposed road is above 5. The plans showing the design indicate that the required splay is achievable in both directions. The area on the outside of the bend of the proposed road shows that the levels of the adjacent field drop away to the north. If a retaining structure is required to support the highway, a Technical Approval Procedure (TAP) will need to be submitted to NYCC for approval and the redline area and the adopted highway extent plan need to be amended to include the structure and embankment. To be able to maintain the route for pedestrians from Coach Road to the properties uphill of the site, nrs. 177 to 183, a footway should be provided in front of the new properties. During construction, a footway link to properties nr. 177 to 183 should be maintained at all times to avoid residents walking in the carriageway of the A169.

**Yorkshire Water** -

**Environmental Health Officer** –

**Police Architectural Liaison Officer** – No objection but adequate security should be in place during the construction phase.



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**Others –**

**Mrs Sarah Pattinson, 169 Coach Rod, Sleights** – Concerned about the danger of slowing down on the main road to pull into the access as people don't expect this. There has been a lot of new development here and the extra manoeuvres could cause accidents.

**Mr & Mrs Newbold, Moorcroft, 177 Coach Road, Sleights** – Support the proposals as pleasing in design and quality. The creation of a new road, exiting lower down Coach Road is a safer option. Our main concern arises with Highways wishing people to cross the road lower down.

Also, there are Martins, swallows and swifts nesting in the eaves of the building and bats are seen and heard around the buildings.

**Dr Richard Newman, 190 Coach Road, Sleights** - Swifts have been recorded nesting in the garage building so future buildings should have access for future nesting Swifts. Ideally demolition and building work should be times to avoid the nesting season.

**Site Notice Expiry Date – 16 March 2016**

### 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>Site location</td> <td>D10541-01E</td> <td>20 September 2017</td> </tr> <tr> <td>Site block plan</td> <td>D10541-04H</td> <td>1 November 2017</td> </tr> <tr> <td>House Type A plans &amp; elevations</td> <td>D10541-15B</td> <td>26 January 2016</td> </tr> <tr> <td>House Type B plans &amp; elevations</td> <td>D10541-10B</td> <td>26 January 2016</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	Site location	D10541-01E	20 September 2017	Site block plan	D10541-04H	1 November 2017	House Type A plans & elevations	D10541-15B	26 January 2016	House Type B plans & elevations	D10541-10B	26 January 2016
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3.	WPDR01	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.	GACS00	During construction, no machinery shall be operated on the premises before 0700 hrs on weekdays and 0800 hrs on Saturdays nor after 1800 hrs on weekdays and 1300 hrs on Saturdays nor at any time on Sundays or Bank Holidays without the prior written agreement of the Local Planning Authority.															




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5.	GACS00	No work shall commence to clear the site in preparation for the development hereby permitted until scaled plans showing the eaves and ridge height of the dwellings hereby permitted in relation to the ridge height of the adjacent dwelling at 173 Coach Road have been submitted to and approved in writing by the Local Planning Authority. The plan shall also include details of a fixed off-site datum point in the immediate locality. The work shall not be carried out otherwise than in accordance with the details so approved.
6.	MATS00	No work shall commence on the construction of the external walls of the development hereby permitted until a one metre square freestanding panel of stonework showing the type of stone and stonework to be used in the construction of the development hereby permitted has been constructed on site and approved in writing by the Local Planning Authority. All new stonework shall match that of the approved panel both in terms of the stone used and the coursing, jointing and mortar mix and finish exhibited in the panel unless otherwise agreed in writing by the Local Planning Authority. The stone panel constructed shall be retained until the development hereby approved has been completed.
7.	MATS00	The roof of the development hereby permitted shall be clad with either traditional, non pre-coloured natural red clay tiles or natural slate and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8.	MATS22	All pointing in the development hereby permitted shall accord with the following specification – a lime mortar mix of 1:2 <sup>1</sup> / <sub>2</sub> (lime; sand (sand mix of 50% sieved sharp sand and 50% builders sand)) with a slightly recessed bagged finish.
9.	MATS00	No work shall commence on the installation of any new or replacement windows in the development hereby approved until detailed plans or brochure details showing the details of all window frames to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The window frames shall be installed in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10.	MATS47	The external face of the frame to all new windows shall be set in a reveal of a minimum of 75mm from the front face of the adjacent walling and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
11.	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.
12.	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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<p>13.</p>	<p>HWAY00</p>	<p>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 following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:</p> <p>a. Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:</p> <ul style="list-style-type: none"> <li>• the proposed highway layout including the highway boundary</li> <li>• dimensions of any carriageway, cycleway, footway, and verges</li> <li>• visibility splays</li> <li>• the proposed buildings and site layout, including levels</li> <li>• accesses and driveways</li> <li>• drainage and sewerage system</li> <li>• lining and signing</li> <li>• traffic calming measures</li> <li>• all types of surfacing (including tactiles), kerbing and edging.</li> </ul> <p>b. Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:</p> <ul style="list-style-type: none"> <li>• the existing ground level</li> <li>• the proposed road channel and centre line levels</li> <li>• full details of surface water drainage proposals.</li> </ul> <p>c. Full highway construction details including:</p> <ul style="list-style-type: none"> <li>• typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths</li> <li>• when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels</li> <li>• kerb and edging construction details</li> <li>• typical drainage construction details.</li> </ul> <p>d. Details of the method and means of surface water disposal.</p> <p>e. Details of all proposed street lighting.</p> <p>f. Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.</p> <p>g. Full working drawings for any structures which affect or form part of the highway network.</p> <p>h. A programme for completing the works. The development shall only be carried out in full compliance with the approved drawings and details unless agreed otherwise in writing by the Local Planning Authority with the Local Planning Authority in consultation with the Highway Authority.</p>
<p>14.</p>	<p>HWAY02</p>	<p>No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.</p> <p>The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.</p>

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15.	HWAY18a	There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.
16.	LNDS11	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.
17	MISC000	The development hereby permitted shall be carried out in accordance with the mitigation measures set out in paragraphs 4.3.2 and 7.1 of the submitted Protected species and Bat Survey dated 14 August 2016. If works to building 3 are to take place in winter, a bat hibernation survey shall be undertaken and submitted to and approved in writing by the Local Planning Authority prior to any such works being undertaken.

**Informative**

1.	<b>HWAY-01 INFORMATIVE</b> In imposing condition number 13 above it is recommended that before a detailed planning submission is made a draft layout is produced for discussion between the applicant, the Local Planning Authority and the Highway Authority in order to avoid abortive work. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition.
2.	<b>HWAYINFO3: Private Access/Verge Crossings: Construction Requirements</b> In relation to condition 14 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.

**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.



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3.	WPD01	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 Development Policy 3 and NYM Core Policy A, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.
4.	GACS01	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.
5.	GACS05	In order to 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 National Park and ensure that new development is of a high quality and respects the character of the locality.
6-8	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.
9-12.	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.
13.	HWAY01	In accordance with NYM Development Policy 23 and to secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users.
14.	HWAY02	In accordance with NYM Development Policy 23 and to ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.
15.	HWAY14 B	In accordance with NYM Development Policy 23 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
16.	LNDS02	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.
17.	MISC04	To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.

## Background

This application relates to the site of Blue Bank Garage on the main A169 Coach Road, in Sleights. The site is bounded to the north and south by private dwellings and to the rear by fields. The frontage of the site onto Coach Road is also interrupted by a dwelling in separate ownership, 173 Coach Road.

It is on a sloping site heading down from Blue Bank into Sleights.

The garage buildings are of commercial appearance with pebble dashed, render, brick and profile sheet finishes and some stone and pantile.

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This application seeks full planning permission to demolish all four of the garage buildings on the site and the bungalow at 171 Coach Road and construct four traditionally detailed dwellings, two of which would be stone and rosemary tile and two stone and slate.

A new road access would be brought in at the northern end of the site and the dwellings would comprise a detached 4 bed house adjacent the new access on the site of no. 171 and then a pair of semi-detached 3 bed dwellings and a detached 4 bed dwellings immediately to the south of the dwelling at 173, on the site of the garage buildings. All 4 properties would be served by the new access which would run along the rear of the properties.

The applicant's agent has stated that the garage was initially available to rent as a business but there was no interest so the owner placed the business on the open market. No sale was forthcoming and the present owner (who unfortunately has passed away during the time period of this application) was retiring after running the business for 63 yrs and consequently has submitted this application.

## **Main Issues**

### **Policy Context**

Core Policy J of the NYM Local Development Plan seeks to ensure the provision of a mixture of housing types and tenure to maintain the vitality of local communities, consolidate support for services and facilities and support the delivery of more affordable housing. This is to be achieved through locating all open market housing, including new build and converted units to the Local Service Centre of Helmsley and the Service Villages, including Sleights.

Development Policy 3 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 11 of the Local Development Plan seeks to ensure the re-use of existing employment sites for economic purposes, unless the premises are not capable for economic re-use for reasons of viability and following an appropriate marketing exercise, or where the new use would result in a significant improvement to the environment or to access and highway arrangements which outweigh the loss of employment land.

### **Affordable Housing**

The 2016 written Ministerial Statement on affordable housing which is now formal government guidance states that affordable housing should **not** be sought on sites where less than five houses are involved. The applicants have been advised of this, earlier in the consideration of this application. The current situation is not clear as to whether or not Affordable Housing should be sought on sites of less than 5 houses. However, in this instance, on the basis that during the consideration of this application, the applicant has been advised that affordable housing won't be sought, it would seem unreasonable to change that position now.



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The applicant did submit financial information to demonstrate that the provision of affordable housing would not be viable. Whilst this was initially being assessed by Scarborough Borough Council, this assessment was stopped due to that ministerial statement.

**Loss of Business Use**

It is considered that whilst DP11 seeks to retain existing business premises, it does acknowledge that these uses can be detrimental to the character of an area and highway safety and in some cases the cessation of that use and replacement with an alternative land use can be beneficial to the character of the area and highway safety.

In this particular case it is considered that the loss of garage would result in a significant improvement, both visually and in term so highway safety, particularly due to the high quality design of the proposed development.

Furthermore, whilst no detailed evidence has been submitted with the application, the premises were marketed for both rent and sale for more than a 12 month period.

The proposal is therefore considered to be in accordance with DP11.

**Scale, Design ,Materials and amenities.**

It is considered that the scale, design and materials of the proposed new dwellings would be in keeping with the immediate locality and would not have a detrimental impact on the character of the area or the amenities of adjacent dwellings.

The proposal is therefore considered to be in accordance with Development Policy 3.

**Conclusion**

In view of the above considerations, the proposal is considered to be in accordance with Core Policy J and Development Policies 3 and 11 and consequently approval is recommended.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent Approval (Amendments Requested and Received)**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including access arrangements, so as to deliver sustainable development.

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