

# North York Moors National Park Authority

**Borough:** Scarborough Borough Council  
**Parish:** Fylingdales

**Application No.** NYM/2016/0459/FL

**Proposal:** construction of workshop/studio building

**Location:** Brooklea, Fylingthorpe

**Decision Date:** 15 September 2016

## Consultations

**Parish - Objects.** The measurements are questionable, there are no plans for drainage, no insulation is mentioned, there are no internal measurements and the roof is concrete fibre instead of natural materials. There is not enough information or accurate information to support this application.

**Amended details -**

**Highways -** No objections.

**Fylingdales Village Trust -**

**Advertisement Expiry Date -** 14 September 2016.

## Director of Planning's Recommendation

**Approval subject to the following conditions:**

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>Location Plan</td> <td>N/A</td> <td>08 July 2016</td> </tr> <tr> <td>Block Plan (1:200)</td> <td>N/A</td> <td>20 June 2016</td> </tr> <tr> <td>Letter from D G Duncalfe</td> <td>N/A</td> <td>19 September 2016</td> </tr> <tr> <td>Amended Elevation &amp; Roof Detail</td> <td>N/A</td> <td>28 September 2016</td> </tr> <tr> <td>End Elevation – Blind end</td> <td>N/A</td> <td>08 July 2016</td> </tr> <tr> <td>Rear Elevation (part superseded)</td> <td>N/A</td> <td>08 July 2016</td> </tr> <tr> <td>Front Elevation (part superseded)</td> <td>N/A</td> <td>20 June 2016</td> </tr> <tr> <td>Written Statement (David G Duncalfe)</td> <td>N/A</td> <td>28 September 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	Location Plan	N/A	08 July 2016	Block Plan (1:200)	N/A	20 June 2016	Letter from D G Duncalfe	N/A	19 September 2016	Amended Elevation & Roof Detail	N/A	28 September 2016	End Elevation – Blind end	N/A	08 July 2016	Rear Elevation (part superseded)	N/A	08 July 2016	Front Elevation (part superseded)	N/A	20 June 2016	Written Statement (David G Duncalfe)	N/A	28 September 2016
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3.	RSUO02	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.																											
4.	RSUO00	The development hereby permitted shall be used for domestic storage and domestic hobby purposes incidental to the occupation of the main dwelling on the site and for no other purpose. There shall be no alteration or conversion of the building hereby permitted to permanent residential accommodation and any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.																											
5.	MATS00	The roof of the development hereby permitted shall be clad in natural slate and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.																											

*M. Duncalfe*  
5th Dec 2016



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6.	MATS26	The external elevations of the <b>workshop/studio building</b> hereby approved shall, within three months of first being brought into use, be clad in <b>natural coloured horizontal timber boarding</b> and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.
7.	MATS33	No work shall commence on the installation of any door in the development hereby approved until details of the finish of the external doors have been submitted to and approved in writing by the Local Planning Authority. The work shall accord with the details so approved, completed within six months of installation and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8.	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.
9.	LNDS03	No trees, shrubs or hedges <b>on the north</b> of the site shall be felled, uprooted, wilfully damaged or destroyed, cut back or removed without the prior written consent of the Local Planning Authority. Any work approved shall be carried out in accordance with British Standard 3998:2010 Tree Work – Recommendations. If any retained tree/hedge is removed, uprooted, destroyed or dies within five years of the completion of the development, it shall be replaced with trees, shrubs or hedge plants of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason for Conditions**

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.
3.	RSUO02	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.	RSUO04	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 be likely to adversely affect the amenities of existing and future occupiers of the site and to accord with the provisions of NYM Development Policy 19.
5 to 8.	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.
9.	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.

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**Background**

Brooklea is a traditional residential property in the centre of Fylingthorpe Conservation Area. The main dwelling fronts Middlewood Lane opposite the chapel and close to the crossroads. The rear garden extends to the north-east and is accessed off Thorpe Lane, close to the public house.

This application seeks full planning permission for the construction of a modest workshop/studio building for domestic hobby purposes. The building is proposed to be positioned adjacent to the southernmost boundary (shared with the public house) at the end of the existing concrete drive serving Brooklea. TO the north of the proposed site is the remainder of the applicant's garden which is a pleasant green space planted with trees. Views of the proposed development site are limited due to the existing garden planting and by reason of the evergreen hedge separating the neighbours garden.

The proposed building is of simple mono-pitch design and would have a lime rendered dwarf wall with timber shiplap cladding above. The building is orientated with the lowest part of the roof along the boundary with the pub and a set of four bi-fold doors facing the vehicular access off Thorpe Lane. The proposed building measures 4.85 metres in length by 2.95 metres wide, 2.5 metres high at the front, reducing to 2 metres at the rear. As originally submitted, a fibre cement roof was proposed but following concerns raised by the Parish Council in relation to materials, the applicant has provided amended details to propose a natural slate roof with reclaimed cast iron rooflights.

The applicant has advised that he intends to use the building for a workshop and studio in order to enjoy his hobbies of pottery and stone sculpting.

**Main Issues**


The relevant policies of the NYM Core Strategy and Development Plan Document to consider with this application are Core Policy G (Landscape, Design and Historic Assets), Development Policy 4 (Conservation Areas) and Development Policy 19 (Householder Development).

GPG seeks to ensure that the landscape, historic assets and cultural heritage of the National Park are conserved and enhanced, with particular protection being given to those elements which contribute to the character and setting of Conservation Areas.

DP4 seeks to ensure that development within or immediately adjacent to a Conservation Area either preserves or enhances the character and appearance or setting of the area and that the scale, proportions, design and materials respect the existing architectural and historic context with particular reference to traditional buildings, street patterns, the relationship between buildings and spaces and views into and out of the area.

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.

Due to the potential for the proposed hobbies to result in noise and dust nuisance, together with the associated requirement for delivery of raw materials, Officers sought additional information in order to assess the potential impact on neighbouring occupiers.



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The applicant has advised that these hobbies are simply retirement hobbies and health and safety is important to him. The pottery activities are particularly benign using a small kiln and possibly a wheel, although the applicant's main interest is sculpting. There would be no dust and very little noise from this activity. Having regard to the stone sculptures, the applicant would use an air system to power a nine inch cutting wheel with water addition to eliminate dust. There would be no requirement for independent deliveries and any materials needed will be transported by the applicant.

Having regard to the objections and comments submitted by the Parish Council, Officers are understanding of the use of fibre cement roof material which was originally proposed. This type of material is most commonly used on agricultural buildings whereas domestic buildings may have a mineral felt or tiles to match the host property. In respect of the concerns surrounding internal measurements and insulation; these items are not planning matters and the applicant has since confirmed that no WC facilities are proposed and in terms of rain water, the building will be fitted with guttering to make use of the existing surface water drainage arrangement.

Since the applicant has confirmed the external measurements and amended the proposed roof material from fibre cement and Perspex to natural slate and cast iron roof lights, it is considered that the Parish Council concerns have been satisfactorily addressed. The amended details have been offered for further comment but a considerable time has now passed without the Parish Council making any further observations.

The Authority's Building Conservation Team has also identified concern and objected to the proposal, identifying that outbuildings within the conservation area are either small timber garden sheds which do not contribute to the character but result in minimal harm or vernacular masonry under pantile or slate structures. It is reported that the proposed structure is larger than a standard garden shed and whilst the proposed materials will give a temporary feel, the materials and roof pitch will be discordant with larger outbuildings. There is concern that the structure will be visually atypical of outbuildings but lack the quality to make it a positive anomaly. However, it is acknowledged that the mature garden planting will help screen the structure and if a condition could be attached to protect the screening, it would help.

The proposed building is considered to be in a position and of a size and scale compatible with the host property and wider conservation area. In terms of design and materials, the simple (almost contemporary) form and palette of materials are considered acceptable in this location which, although is in the centre of the conservation area, benefits from natural screening the applicant is keen to maintain but in contrast is immediately adjacent the public house car park/utilitarian yard. In that respect, the area already reads as having a functional use with much practical activity and as such, a low level hobby workshop is not considered to be unacceptable in this setting.

There has been no objections or other comments submitted by neighbouring occupiers and in light of the amended plans and further information submitted by the applicant, approval is recommended.



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**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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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