

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(North)
Parish: Aislaby

Application No. NYM/2016/0647/FL

Proposal: change of use of agricultural land to form extension to domestic curtilage
with associated access steps (part retrospective)

Location: rear of 3 & 5 Egton Road, Aislaby

Decision Date: 28 October 2016

Consultations

Borough/District -

Parish – No objection

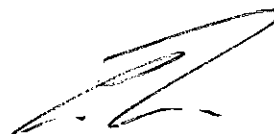
Natural England – No objection

Site Notice Expiry Date – 13 October 2016

Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	PLAN01	The development hereby permitted shall not be carried out other than in strict accordance with the following documents: <table border="0"><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Proposed Block Plan</td><td>D11047-03 Rev B</td><td>17 October 2016</td></tr></tbody></table> or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.	Document Description	Document No.	Date Received	Proposed Block Plan	D11047-03 Rev B	17 October 2016
Document Description	Document No.	Date Received						
Proposed Block Plan	D11047-03 Rev B	17 October 2016						
2.	WPDR06	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Classes E (or any order revoking and re-enacting that Order), no erection of domestic outbuildings shall take place without a further grant of planning permission being obtained from the Local Planning Authority.						
3.	WPDR09	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 2, Class A (or any order revoking and re-enacting that Order), no gates, walls fences or other means of enclosure shall be erected without a further grant of planning permission being obtained from the Local Planning Authority.						
4.	GACS07	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.						



27/10/16

Application Number: NYM/2016/0647/FL

Reason for Condition(s)

1.	RSN 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.
2 & 3.	RSN WPDR01	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.	RSN 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.

Background

3 & 5 Egton Road are neighbouring detached domestic properties, located in Aislaby. The dwellings in the area are built at a lower level than Egton Road with larger gardens to the north than the south, were they border onto the agricultural fields on the slope below. The farmer has sold a strip across the rear of 1-15 Egton Road to each of the properties and this is the third recent application for the extension of the domestic curtilage.

The application is retrospective as the land has already been fenced off from the field, steps down from the existing garden of 5 Egton Road have been proposed. No 3 Egton Road is level with the field at the rear already so no steps or alterations in levels are proposed.

The application was originally submitted to include the area behind No 1, Egton Road as part of the domestic curtilage of No 3 Egton Road who has bought the land. The applicant was advised that the Authority could not support the extension of the domestic curtilage of one property to wrap around another as it was considered to be unneighbourly and therefore this area has been removed from the application. That said, if No 1 owned this land and wished to apply then permission would be likely to be granted. Although removed from this application the land still belongs to the owners of No 3 Egton Road who has been advised that they can only use this area for activities which would be classed as agriculture.

No other alterations are proposed to the ground levels as was the case at a neighbouring property further down the road at No 15 Egton Road. The southern boundary has been extended by 3m into the field across the full width of each property..



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Main Issues

Development Policy 20 of the LDF seeks to permit the extension of existing domestic curtilages where the land does not form an important amenity or open space and where the change of use will not have an adverse impact on the character of the landscape

In this instance the additional land to be used as garden area is not prominent at close proximity; however the property boundary is visible across the valley in long distance views. The existing boundary wall is of a stone construction, however this is still be visible through the stock proof fencing that has been erected.

The only additional 'hard' feature proposed as part of this application are brick steps down from the existing garden of No 5 Egton Road. These will not be prominent across the valley and will not have any adverse landscape impact the proposed extension of the domestic curtilage is therefore considered to be acceptable in landscape terms to approve the works under Development Policy 20 of the NYM Local Development Framework.

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

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including a reduction in the extent of the area proposed, so as to deliver sustainable development.



