

**Parish: Shipton**  
Ward: Easingwold  
**6**

Committee Date : 5 January 2017  
Officer dealing : Mrs J Forrest  
Target Date: 2 January 2017  
Date of extension of time (if agreed): 6 January 2017

**16/02441/FUL**

**Construction of a replacement detached domestic garage.  
at Amblers Lodge Amblers Lane Shipton By Beningbrough North Yorkshire  
for Mr & Mrs B M Dean.**

**1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 The site level ground in a countryside location occupied by a red brick two storey detached dwelling, access, garden and outbuildings. To the north west of the house lies the a detached red brick domestic garage.
- 1.2 The application proposes the demolition of the existing garage and the construction of a replacement detached domestic garage to the south west of the existing dwelling. The proposed new building measures approximately 10m x 6.4m with an overall height of 4.8m.
- 1.3 The proposed replacement garage would be constructed of red brick (Cheshire Weathered) with clay pantiles (Sandtoft Old English in Flanders Red and timber windows/doors to match the existing dwelling).
- 1.4 The private rear garden is enclosed by a boundary fence/hedge approximately 1.8m high. There are neighbouring residential properties to the north and east with agricultural land to the west and south (in the ownership of the applicant).

**2.0 RELEVANT PLANNING HISTORY**

- 2.1 07/00626/FUL - Application for extensions to existing dwellinghouse, granted on appeal in 24 July 2008
- 2.2 12/01046/FUL - Construction of a block of dog kennels and run, approved in 2012
- 2.3 13/01285/APN - Construction of steel portal framed general purpose agricultural building, approved in 2013
- 2.4 15/01729/FUL - Construction of a new office building, including retrospective permission for change of use of an agricultural building to workshop and store and associated land to commercial storage and car parking, refused in 2016
- 2.5 16/01688/FUL - Single storey rear extension to existing dwelling and retrospective application for a change of use of agricultural land to domestic, approved in 2016.

**3.0 RELEVANT PLANNING POLICIES:**

- 3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Development Policies DP9 - Development outside Development Limits  
Development Policies DP1 - Protecting amenity  
Core Strategy Policy CP1 - Sustainable development  
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets  
Core Strategy Policy CP17 - Promoting high quality design  
National Planning Policy Framework

**4.0 CONSULTATIONS**

- 4.1 Parish Council - No responses received, expired 7 December.

- 4.2 Neighbours and Site Notice (put on telegraph pole on main road near access) - No responses received, expired 13 December 2016.

## 5.0 OBSERVATIONS

- 5.1 The main issues to be considered in this case relate to the impact of the proposal on the character and appearance of the dwellinghouse, any impact on the streetscene and the amenities of the nearby neighbours, and the impact upon the York Green Belt.
- 5.2 The proposed replacement detached garage is subservient to the main dwelling, is of acceptable design and will be constructed of appropriately matching materials. Therefore it is felt that the proposed garage will not have a harmful impact upon the character and appearance of the dwelling or the streetscene.
- 5.3 In relation to the size of the existing property, the proposed garage is considered to be in proportion to the size of the existing property and garden space. The location of the proposed garage is away from any neighbouring dwelling and the development will have no significant impact upon neighbouring properties.
- 5.4 Paragraph 89 of the NPPF states that local planning authorities should regard the construction of new buildings in the Green Belt as inappropriate. Exceptions are allowed and paragraph 89, 4<sup>th</sup> bullet point, states that an exception would be a "replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces" The existing garage is a single garage and it is proposed to replace it with a triple car port style garage. The proposed building is in the same use but is materially larger than the one it replaces. However the site is not in an isolated location, the site is on the very edge of the greenbelt and the garage is snuggled up to the existing dwelling, which is close to existing domestic neighbouring properties, commercial buildings and agricultural buildings. On this occasion it is considered that the replacement building will not encroach on the countryside and it will not have a harmful impact upon any of the purposes of Green Belt as defined in paragraph 80 of the NPPF.
- 5.5 Taking all of the above into account it is considered that the proposal will not cause significant harm to the amenities of the neighbours, the appearance of the dwelling, Green Belt and surroundings. The application is therefore recommended for approval.

## 6.0 RECOMMENDATION:

- 6.1 That subject to any outstanding consultations the application be **GRANTED**

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawings numbered 03A received by Hambleton District Council on 9 November 2016 unless otherwise approved in writing by the Local Planning Authority.

The reasons are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policies DP1, DP9, CP1, CP16, CP17 and National Planning Policy Framework.