

The Planning Inspectorate

QUESTIONNAIRE (s78) HOUSEHOLDER APPEAL (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter.

Appeal Reference	APP/W9500/D/19/3243220
Appeal By	MR CHARLES DAVIES
Site Address	Little Shortwaite Lealholm WHITBY YO21 2AA

PART 1

1. Do you agree that the Householder Appeals Service (HAS) written representation procedure is appropriate for this appeal? Please note there must be exceptional reasons for us to agree to a procedure other than HAS.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2.a. Are there any appeals or matters relating to the same site still being considered by us or the Secretary of State?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
2.b. Are there any appeals or matters adjacent or close to the site still being considered by us or the Secretary of State?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
3. Can the Inspector see the relevant parts of the appeal site from public land?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4. Will the reasons for refusal/grounds of appeal require the Inspector to enter:				
4.a. the appeal site or property to judge the appeal proposal?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.b. a neighbour's land or property to judge the appeal proposal?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
5. Are you aware of any specific health and safety issues, from your Officer's visits to the site or otherwise, which would need to be taken into account when the inspector visits the site?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
6.a. Is the site within a Conservation area?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
6.b. Is the site adjacent to a Conservation Area?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
6.c. Is the site within a green belt?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
6.d. Is the site in an Area of Outstanding Natural Beauty?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
7.a. Does the proposed development involve the demolition, alteration or extension of a listed building?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
7.b. Would the proposed development affect the setting of a listed building?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
8. Did you give publicity, as required, for the site being within a Conservation Area or affecting a listed building?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
9. Is any part of the site subject to a Tree Preservation Order?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

PART 2

Environmental Impact Assessment - Schedule 2

10.a.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes No

Screening

10.c.i. Have you issued a Screening Opinion (SO)? Yes No

Environmental Statement (ES)

10.d. Has the appellant supplied an environmental statement? Yes No

Publicity

10.e. If applicable, please send a copy of the site notice and local advertisement published under Article 15 of the DMPO 2015, as required for EIA development with your case file. Applies N/A

11.a. the development hereby permitted shall begin not later than three years from the date of this decision. Yes No

11.b. the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building. Yes No

11.c. the development hereby permitted shall be carried out in accordance with the approved plans. Yes No

11.d. any other conditions you regard as necessary? Yes No

Details of the condition(s) and reasons you regard the condition(s) as necessary are:

the box below

All new windows in the development (other than the glazed gable) hereby permitted shall match those of the existing building in terms of appearance, materials, section, dimensions, glazing bar pattern, method of opening, external finish, reveals cills and lintels and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

The external face of the frame to the glazed gable windows in the front (south) elevation shall be set in a reveal of a minimum of 100mm from the front face of the adjacent walling and shall be fitted with non-reflective glass and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

The rooflights to be installed in the development hereby permitted shall be a conservation style rooflight unless otherwise agreed in writing with the Local Planning Authority.

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.

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.

Reason: 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.

PART 3

- 12.a.i. All the plans submitted with the application;
 see '[Questionnaire Documents](#)' section
- 12.a.ii. A list of the plans submitted with the application, stating each reference number and clearly indicating which of these plans was under consideration at the time the application was decided;
- 12.b.i. A copy of the letter/site notice with which you notified interested parties about the householder planning application and a list of the addresses to which it was sent if applicable;
 see '[Questionnaire Documents](#)' section
 see '[Questionnaire Documents](#)' section
- 12.b.ii. All representations received from interested parties about the application, including comments from internal and external consultees;
 see '[Questionnaire Documents](#)' section
- 12.c. A copy of the letter with which you notified people about the appeal and a list of the addresses to which it was sent;
 see '[Questionnaire Documents](#)' section
 see '[Questionnaire Documents](#)' section
- 12.d. The Planning Officer's report to committee or delegated report on the application and any other relevant documents/minutes;
 see '[Questionnaire Documents](#)' section
- 12.e. Design and Access Statement (if submitted);
- 12.f. Extracts from any statutory development plan policy (inc front page, title and date of approval/adoption and status);
 see '[Questionnaire Documents](#)' section
 see '[Questionnaire Documents](#)' section
- 12.g. Extracts from relevant policies which have been saved by way of a direction;
- 12.h. Extracts from any supplementary planning guidance that you consider necessary (and/or any supplementary planning guidance published under previous provisions still in place) together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when. In the case of emerging documents, please state what stage they have reached;
 see '[Questionnaire Documents](#)' section
- 12.i. Relevant planning history only (e.g. previous relevant permissions if appropriate), including a list of relevant documents taken into account when considering the application.
- 12.j. If any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded;
- 12.k. If any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination,

or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued;

12.l. Your Authority's CIL charging schedule is being/has been examined;

12.m. Your Authority's CIL charging schedule has been adopted.

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today.

LPA's reference

NYM/2019/0640/FL

Completed by

Mrs Dawn Paton

On behalf of

North York Moors National Park Authority

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

Mrs Megan O'Mara

Phone no (including dialling code)

01439 772700

Email

planning@northyorkmoors.org.uk

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

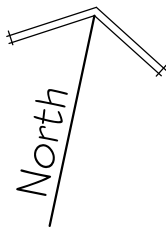
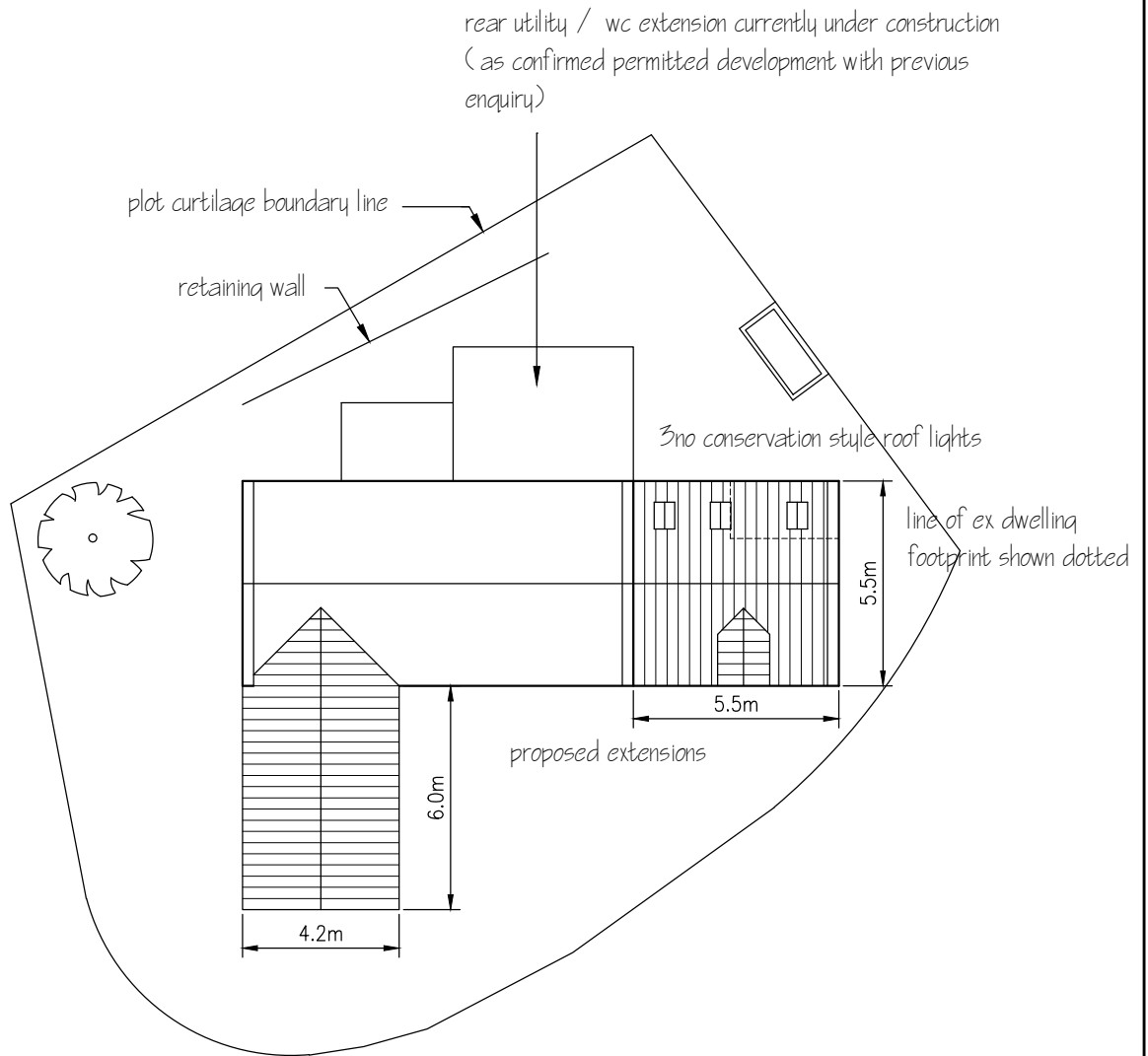
Appeal Reference	APP/W9500/D/19/3243220
Appeal By	MR CHARLES DAVIES
Site Address	Little Shortwaite Lealholm WHITBY YO21 2AA

The documents listed below were uploaded with this form:

- Relates to Section: PART 3
 Document Description: 12.a.i. All the plans submitted with the application
 File name: 2019-11-18 Public - Amended Design.pdf
 File name: 2019-10-01 Public - Amended layout.pdf
 File name: 2019-09-18 Public - Plans.pdf
- Relates to Section: PART 3
 Document Description: 12.b.i. A copy of the letter with which you notified interested parties about the householder planning application.
 File name: Copy of Site Notice.pdf
- Relates to Section: PART 3
 Document Description: 12.b.i. A list of the addresses of the people who were notified of the householder planning application.
 File name: List of those Notified.pdf
- Relates to Section: PART 3
 Document Description: 12.b.ii. All representations received from interested parties about the application.
 File name: 2019-10-04 - public consultation responses.pdf
- Relates to Section: PART 3
 Document Description: 12.c. A copy of the letter with which you notified people about the appeal.
 File name: Copy of Parish Letter.pdf
- Relates to Section: PART 3
 Document Description: 12.c. A list of the addresses of the people who were notified of the appeal.
 File name: List of those Notified.pdf
 File name: Front Sheet.pdf
- Relates to Section: PART 3
 Document Description: 12.d. The Planning Officer's report to committee or delegated report on the application and any other relevant documents/minutes.
 File name: 2019-11-29 Public - Officer Report.pdf
- Relates to Section: PART 3
 Document Description: 12.f. Extracts from any statutory development plan policy including the front page, title and date of approval/adoption and status.
 File name: Copy of Front Cover.tif
 File name: Title Page.pdf
- Relates to Section: PART 3

Document Description:	12.f. Extracts from any statutory development plan policy including the front page, title and date of approval/adoption and status.
File name:	Development Policy 03.doc
File name:	Development Policy 19.doc
Relates to Section:	PART 3
Document Description:	12.h. Extracts from any supplementary planning guidance that you consider necessary (and/or any supplementary planning guidance published under previous provisions still in place) together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when. In the case of emerging documents, please state what stage they have reached.
File name:	Design Guide Part 2 Front Cover.pdf
File name:	Page 10 and 11.pdf
File name:	Page 12.pdf
Completed by	Not Set
Date	07/01/2020 10:20:15
LPA	North York Moors National Park Authority

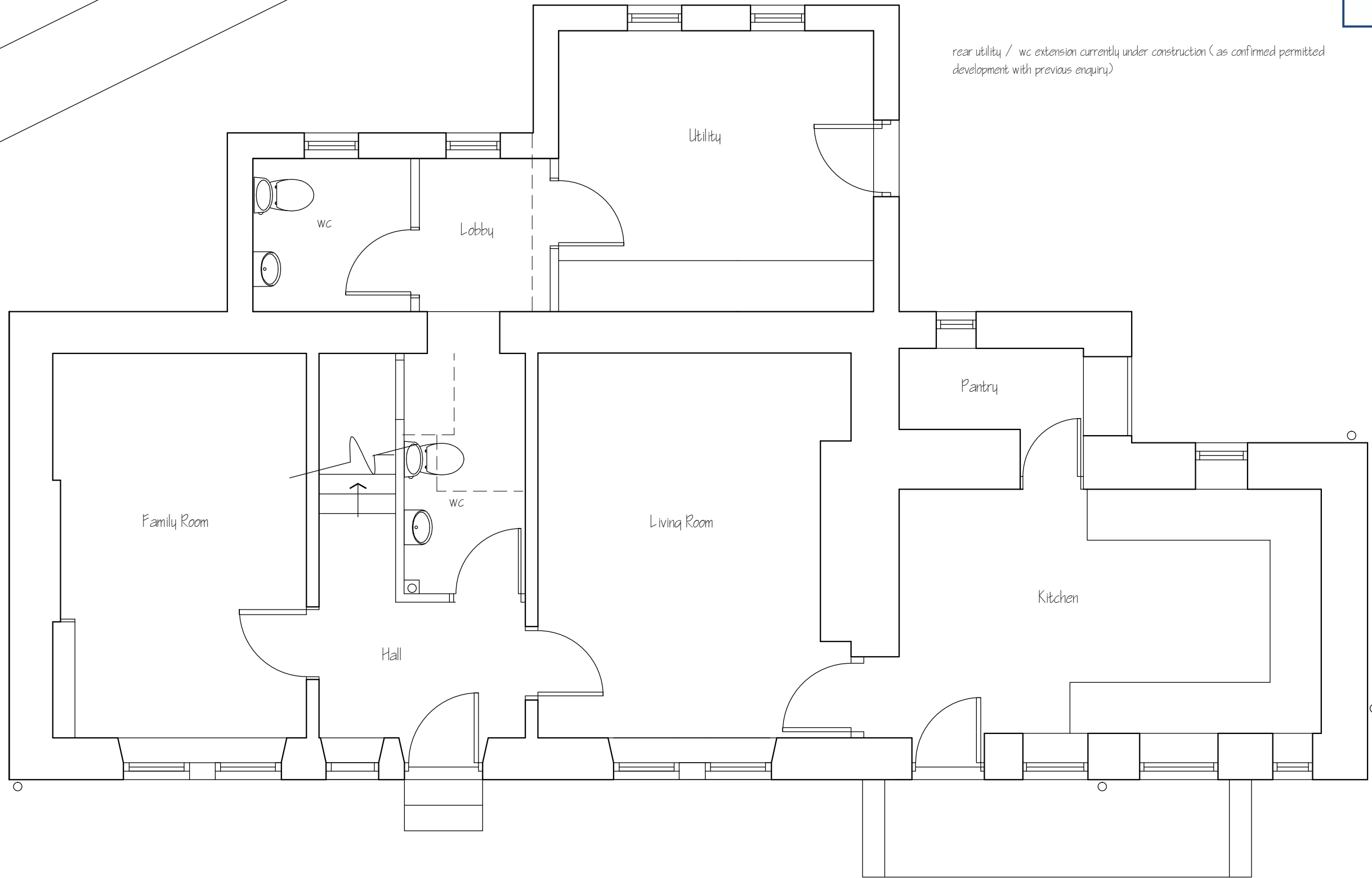




Spectrum Design Tel | Architectural Design, planning & Building Regulation Applications

Applicant	Mr C Davies, Little Shortwaite, Lealholm. YO21 2AA	Project	Extensions and internal alterations				
		Drawing	Site Plan				
		Job No	537	Sheet	1 of 1	Scale	1:200

rear utility / wc extension currently under construction (as confirmed permitted development with previous enquiry)



Metric scale bar 1:50 scale in metres



This drawing is for the purpose of obtaining Planning # or Building Regulation approval only

Read this drwg in conjunction with the construction specification # "Robust details"

NOTE Any work carried out prior to the granting of any required regulatory approvals, including the satisfying of any associated conditions is undertaken entirely @ the applicants own risk

Applicant	Mr C Davies, Little Shortwaite, Lealholm. YO21 2AA
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Project	Extensions and internal alterations
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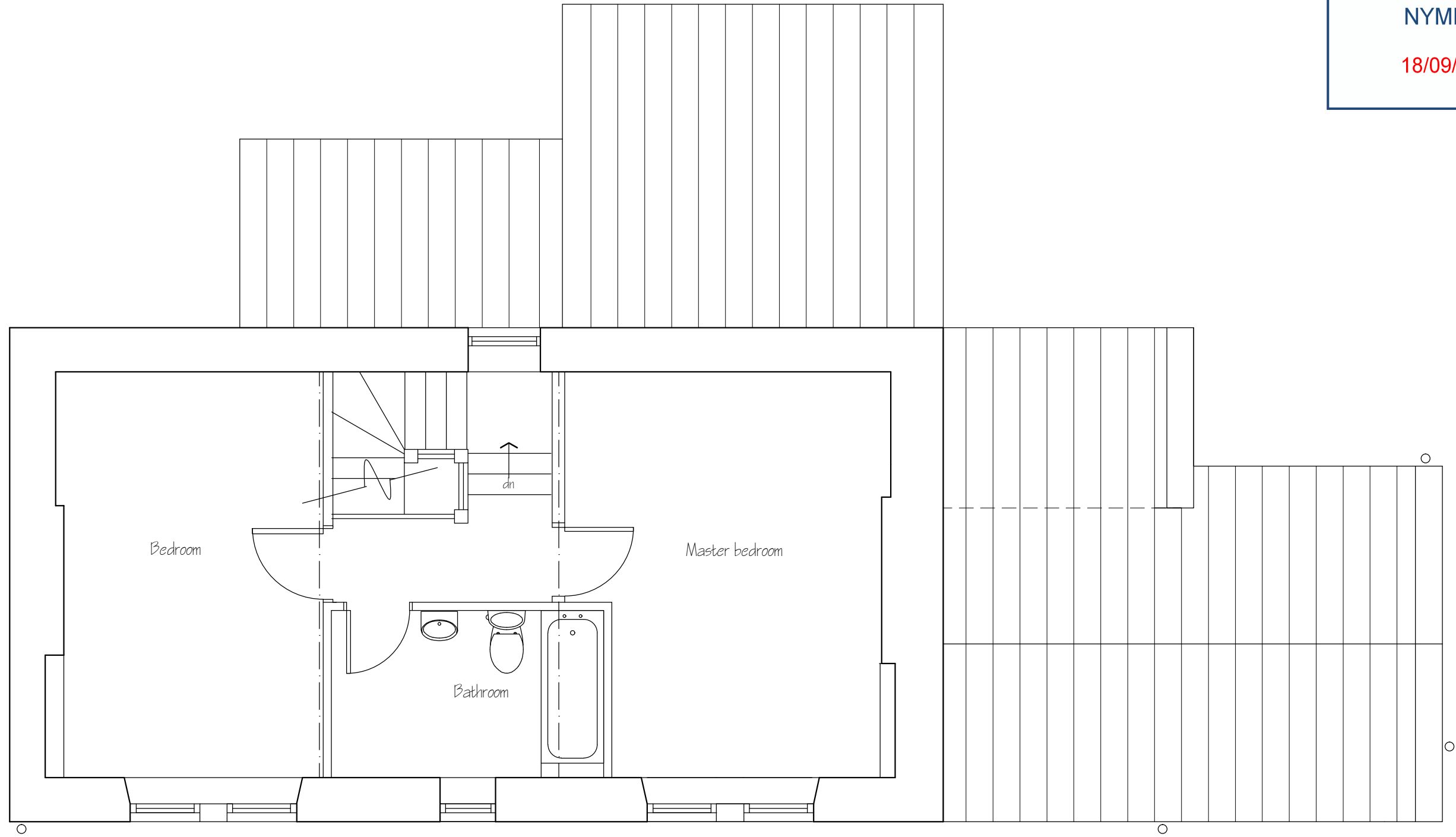
Architectural Design, Planning & Building Regulation Applications



Spectrum Design

Drawing	Existing ground floor plan		
Job No537	Sheet no 1	Scale 1:50	Aug 19 Rev

NYMNPA
18/09/2019



This drawing is for the purpose of obtaining Planning # or Building Regulation approval only. Read this drwg in conjunction with the construction specification # "Robust details"
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Applicant: Mr C Davies,
Little Shortwaite,
Lealholm.
YO21 2AA

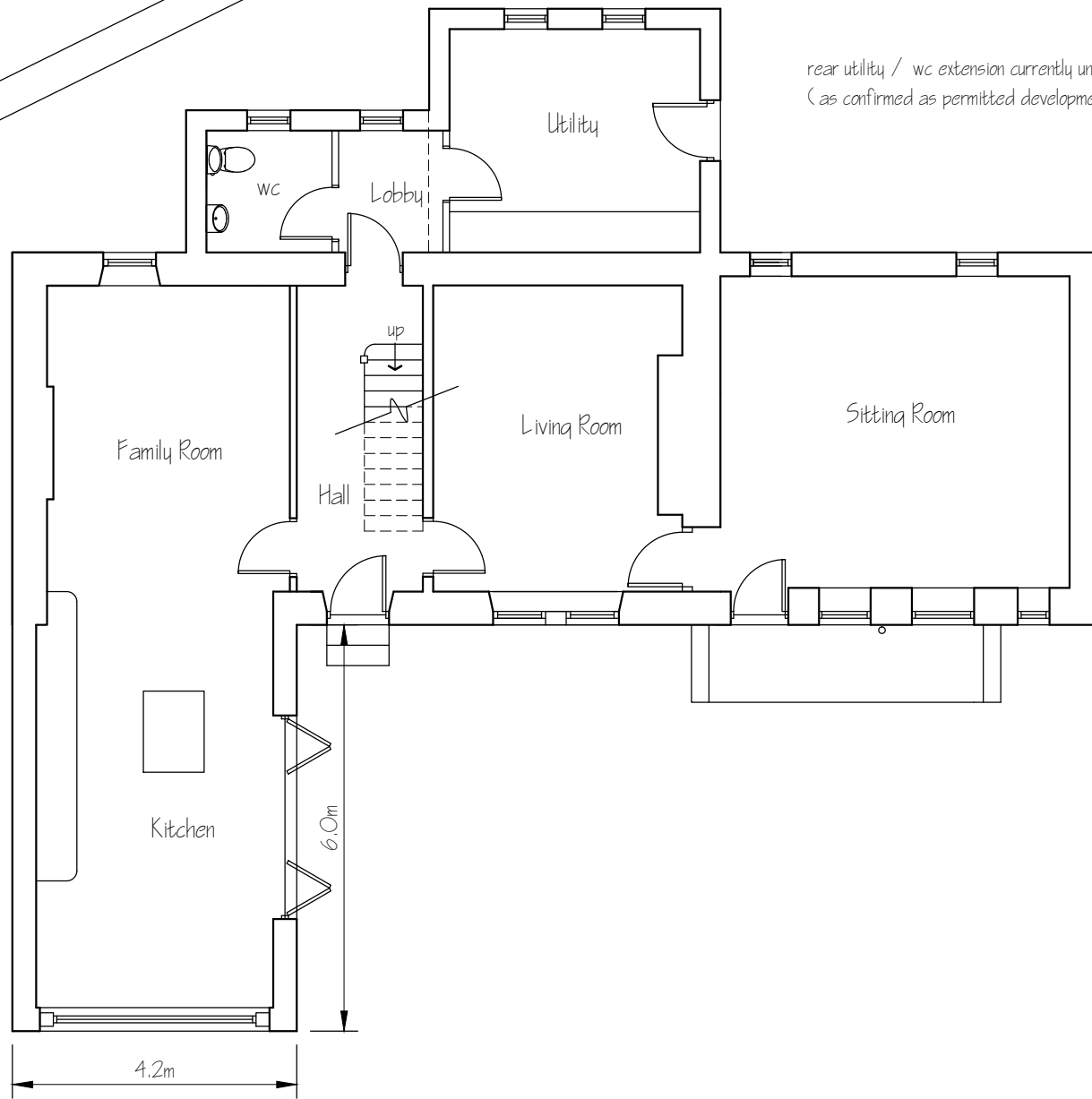
Project: Extensions and internal alterations

Drawing: Existing first floor plan

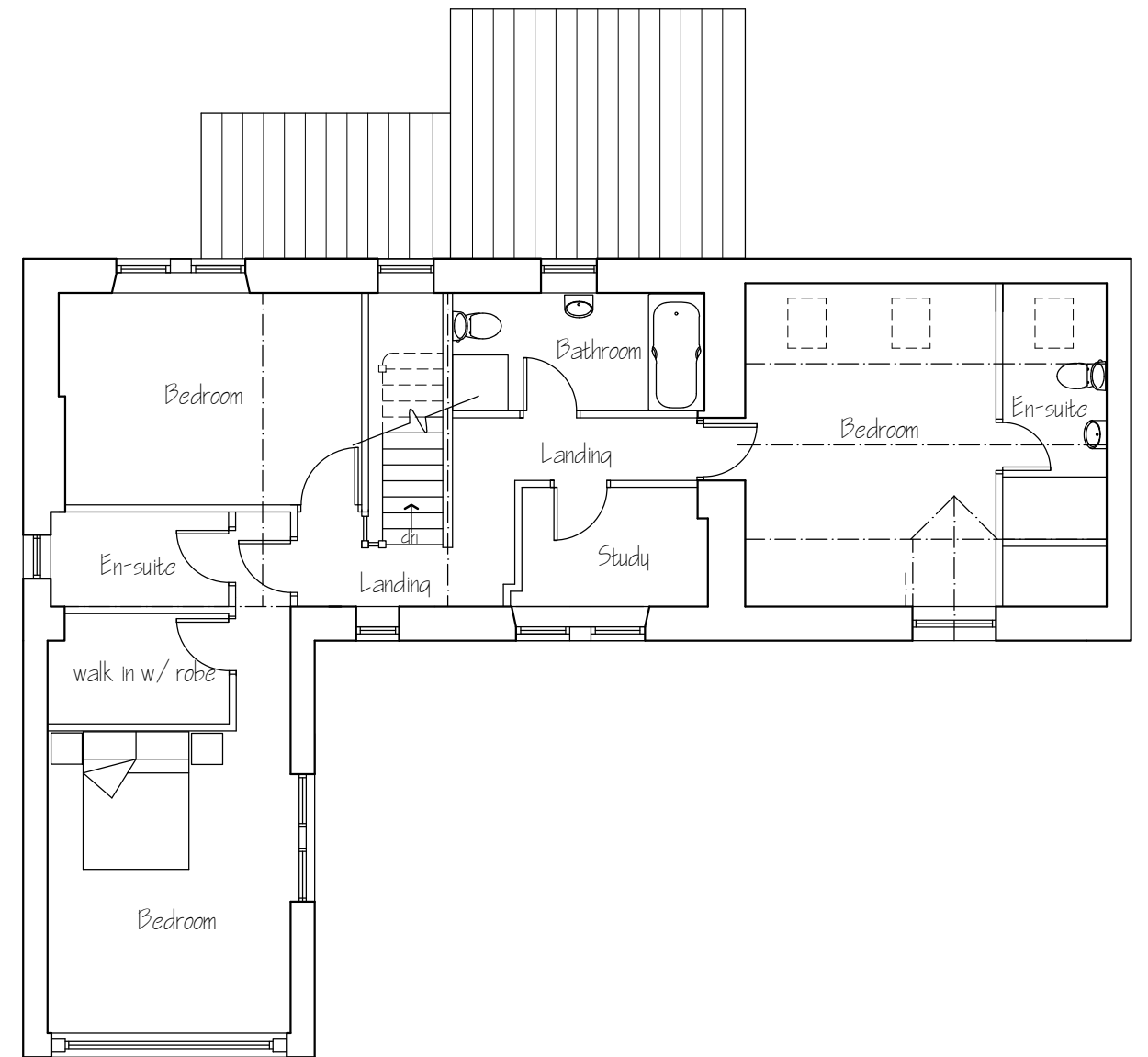
Job No 537 | Sheet no 2 | Scale 1:50 | Aug 19 | Rev



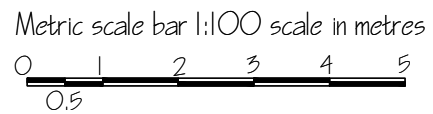
rear utility / wc extension currently under construction
(as confirmed as permitted development with previous planning enquiry)



Ground floor plan



First floor plan



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Applicant	Mr C Davies, Little Shortwaite, Lealholm. YO21 2AA
Project	Extensions and internal alterations
Drawing	Proposed plans
Job No537	Sheet no 4
Scale 1:100	Aug 19 Rev



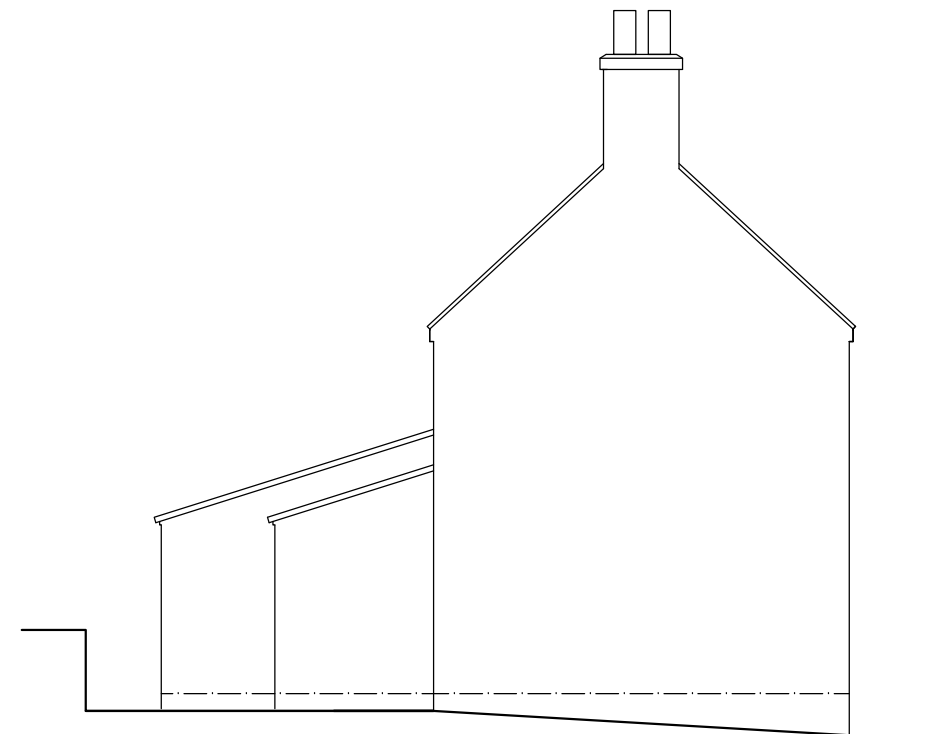
Front Elevation



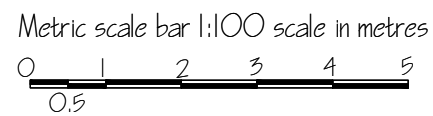
Right Hand Side Elevation



Rear Elevation



Left Hand Side Elevation



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Applicant	Mr C Davies, Little Shortwaite, Lealholm. YO21 2AA			
Project	Extensions and internal alterations			
Drawing	Existng elevations			
Job No537	Sheet no 3	Scale 1:100	Aug 19	Rev



Front Elevation

grey aluminium gable windows set within oak frame



Left Hand Side Elevation

grey aluminium sliding folding doors



Rear Elevation

rear utility / wc extension currently under construction
(as confirmed as permitted development with previous planning enquiry)

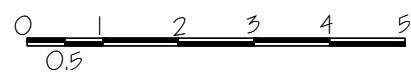


Right Hand Side Elevation

new gable window to en-suite

natural coursed stone

Metric scale bar 1:100 scale in metres



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Building Regulation Applications



Spectrum Design

Applicant	Mr C Davies, Little Shortwaite, Lealholm. YO21 2AA
Project	Extensions and internal alterations
Drawing	Proposed elevations
Job No537	Sheet no 5
Scale 1:100	Aug 19
Rev	

From:
To: [Planning](#)
Subject: Re: Little Shortwaite, Lealholm, - NYM/2019/0640/FL
Date: 30 September 2019 19:43:07
Attachments:

Hi Megan,

Please find attached the amended site location plan for the above as requested.

Regards

Bill Henderson

Spectrum Design

NYMNPA

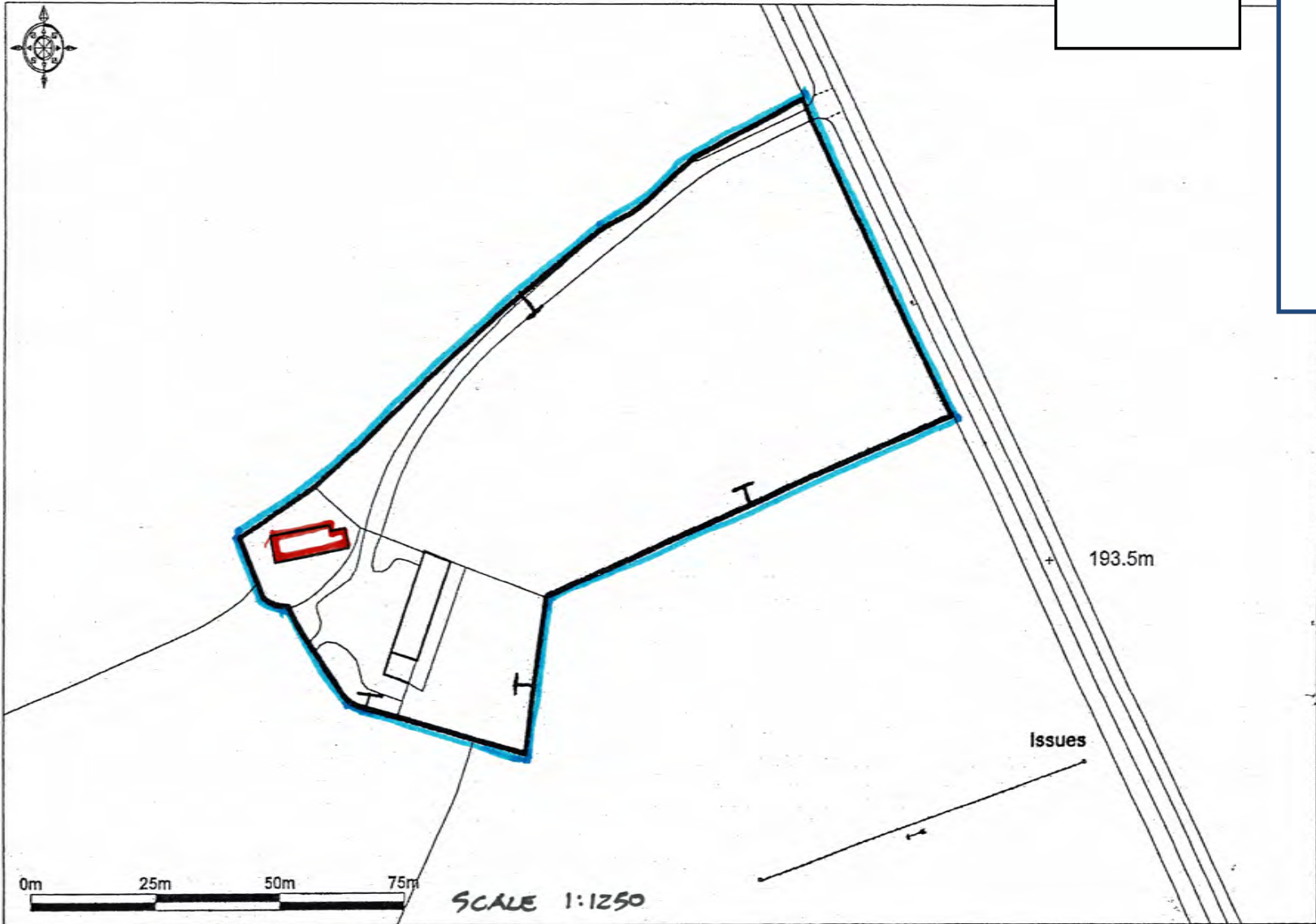
01/10/2019

Little Shortwaite

AMENDED

NYMNP

01/10/2019



Ordnance Survey © Crown Copyright 2019. All rights reserved. Licence number 100022432. Plotted Scale - 1:1250

From:
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Subject: Re: Little Shortwaite, Lealholm, - NYM/2019/0640/FL
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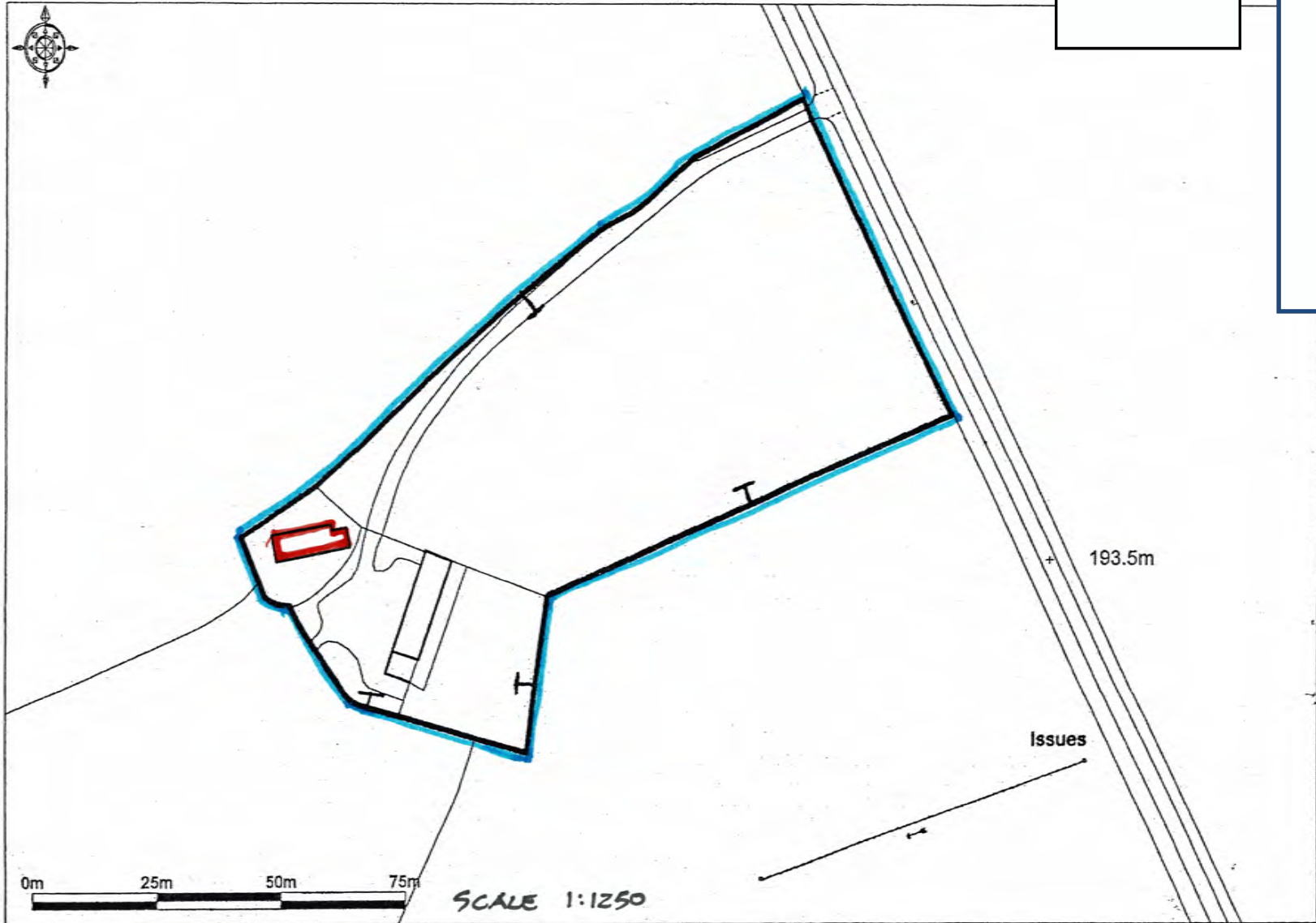
NYMNPA

01/10/2019

Little Shortwaite

AMENDED

NYMNP
01/10/2019



From: [Rachel Smith](#)
To: [Planning](#)
Subject: Informatives
Date: 04 October 2019 13:03:43

Hello

Please can you include **bat** informatives with the following applications if consent is given:

NYM/2019/0640/FL Little Shortwaite, Lealholm

Thanks

Rachel Smith
Conservation Administrator

North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Telephone: 01439 772700
Email: r.smith@northyorkmoors.org.uk
www.northyorkmoors.org.uk

NYMNP

18/11/2019

From: William Henderson []
Sent: 18 November 2019 14:33
To: Megan O'Mara
Subject: Re: NYM/2019/0640/FL Little Shortwaite

Hi Megan,

Thank you for the swift reply to the submission of the revised plans and elevations.

Following the applicants subsequent discussion with yourself regarding the comments in your e-mail please find attached as instructed by him further revised plans and elevations.

The front setback to the side extension has now been increased to lower the ridge height and a setback in the side extension has now been introduced as you suggested. The width of the front elevation sliding folding doors is to be unaltered but with only five door panels.

The applicant would therefore now like this application to be determined upon these amended drawings.

Regards

Bill Henderson

Spectrum Design
Tel

From: Megan O'Mara <m.omara@northyorkmoors.org.uk>
Sent: 14 November 2019 16:27
To: William Henderson >
Subject: RE: NYM/2019/0640/FL Little Shortwaite

Dear Mr Henderson

Thank you for your email and the revised plans for the above property.

During my discussion with the applicants I advised that the roof ridge of the extensions needed to be noticeably lower than that of the original dwellinghouse. I also advised that the gable of the rear extension should not be the full width of the side extension. These requirements ensure that the development meets the Authority's adopted policies and that the extensions are clearly ancillary to the main dwelling.

In response to the amended plans, I have detailed some proposed alterations on the attached document. In regard to the second floor windows on the side extension, I would advise that cat slide dormer windows might be appropriate here. I also recommend that the bi-fold doors are reduced from 6 to four units for a more balanced appearance.

If you have any queries regarding the drawings, please do not hesitate to contact me.

Kind regards

Megan

Megan O'Mara
Planning Officer, Development Management

North York Moors National Park Authority
The Old Vicarage, Bondgate, Helmsley, YORK, YO62 5BP
t: 01439 772700
e: planning@northyorkmoors.org.uk
w: www.northyorkmoors.org.uk

Normal Working Hours:
Mon to Fri - 9:00am to 5pm

From: William Henderson
Sent: 13 November 2019 11:56
To: Megan O'Mara
Subject: Re: NYM/2019/0640/FL Little Shortwaite

Hi Megan,

Further to your recent letter regarding the above and the subsequent meeting with the applicant please find attached revised proposals with the front extension now omitted as required but with the side extension amended with the footprint now increased as per the attached drawings.

Regards

Bill Henderson

Spectrum Design

From: Megan O'Mara <m.omara@northyorkmoors.org.uk>

Sent: 25 October 2019 15:47

To:

Subject: NYM/2019/0640/FL Little Shortwaite

Dear Mr Henderson

Please find attached a letter regarding the above matter.

Yours sincerely

Megan O'Mara

Planning Officer, Development Management

North York Moors National Park Authority

The Old Vicarage, Bondgate, Helmsley, YORK, YO62 5BP

t: 01439 772700

e: planning@northyorkmoors.org.uk

w: www.northyorkmoors.org.uk

Normal Working Hours:

Mon to Fri - 9:00am to 5pm



PRINCESS ROYAL
TRAINING AWARD
2018



gable water tabling to match existing

NYMNP
18/11/2019

AMENDED



pantile roof covering to match existing

natural coursed stone

Front Elevation

grey aluminium sliding folding doors

Right Hand Side Elevation



Rear Elevation

rear utility / wc extension currently under construction
(as confirmed as permitted development with previous planning enquiry)



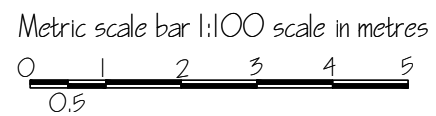
retaining wall

natural coursed stone

Left Hand Side Elevation

Rev B Elevations amended in line with revised plans Nov 19

Rev A Front extension omitted, with side extension amended Nov 19



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Spectrum Design Tel

Architectural Design, Planning &
Building Regulation Applications



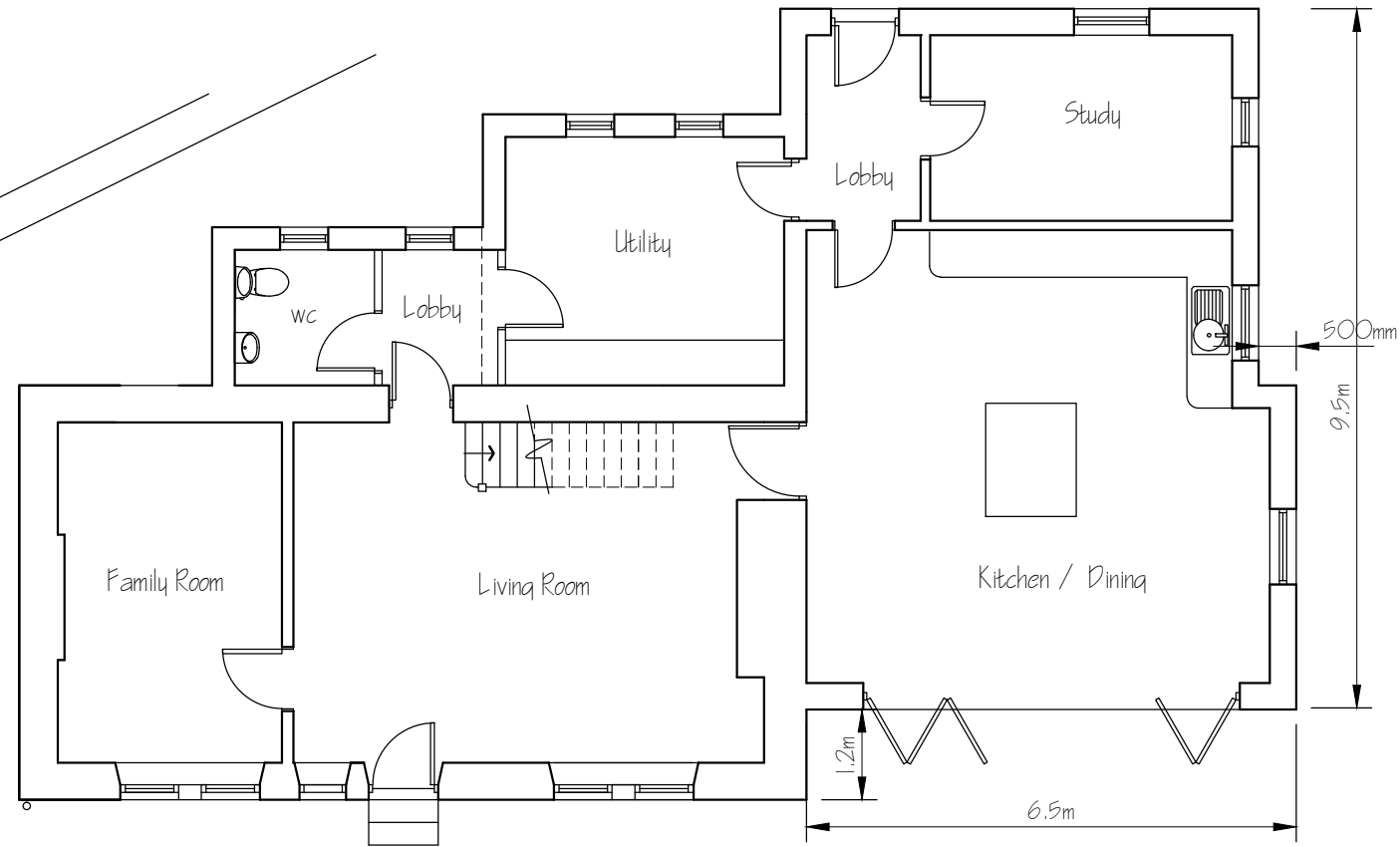
Spectrum Design Tel
E-Mail

Applicant	Mr C Davies, Little Shortwaite, Lealholm, YO21 2AA
Project	Extensions and internal alterations
Drawing	Proposed elevations
Job No537	Sheet no 5
Scale 1:100	Aug 19
Rev B	Rev B

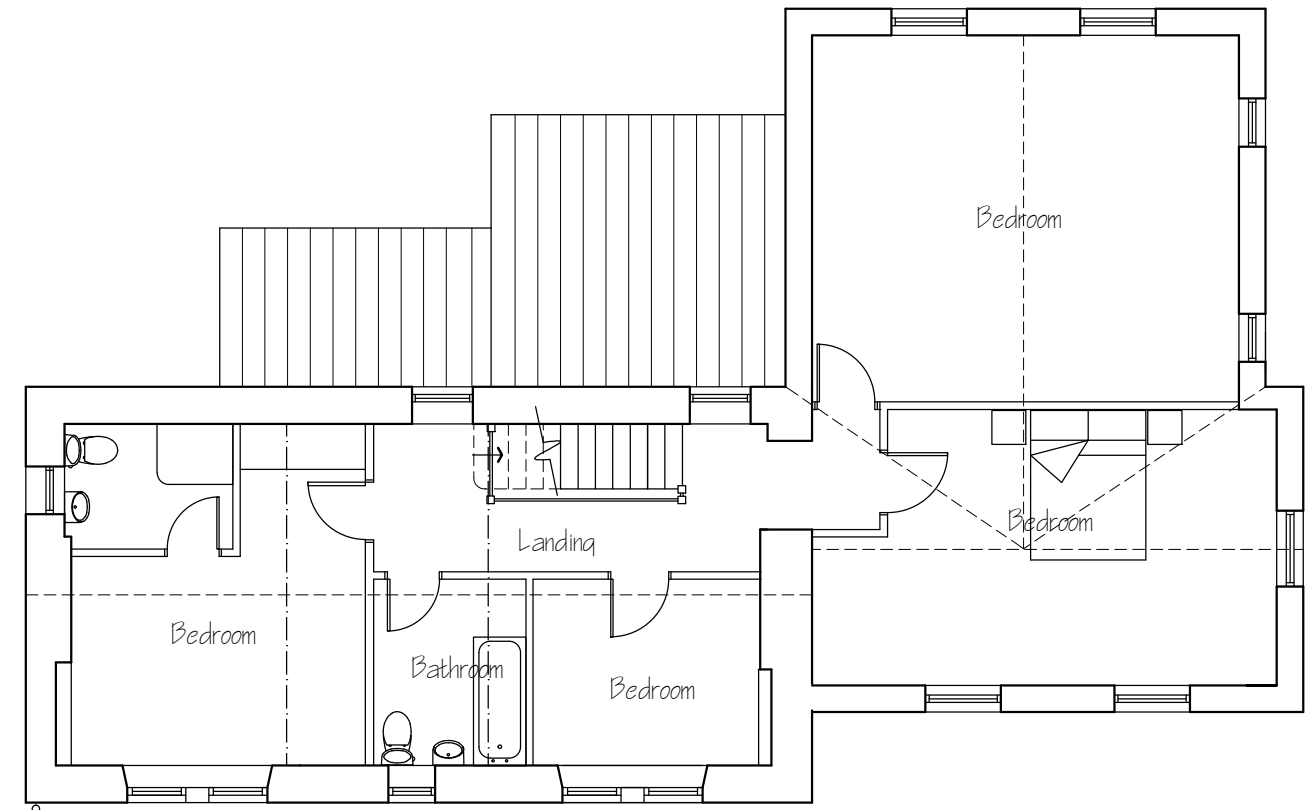
AMENDED

NYMNP
18/11/2019

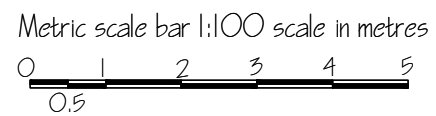
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Ground floor plan



First floor plan



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Rev B Side extension front setback increased to reduce ridge ht, with gable setback to rear part of extension added. Nov 19
Rev A Front extension omitted, with side extension amended Nov 19

Applicant	Mr C Davies, Little Shortwaite, Lealholm. YO21 2AA			
Project	Extensions and internal alterations			
Drawing	Proposed plans			
Job No537	Sheet no 4	Scale 1:100	Aug 19	Rev B

NYMNP

18/11/2019

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Spectrum Design
Tel

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PRINCESS ROYAL
TRAINING AWARD
2018



NYMNPA
18/11/2019

AMENDED



Front Elevation

grey aluminium sliding folding doors

Right Hand Side Elevation



Rear Elevation

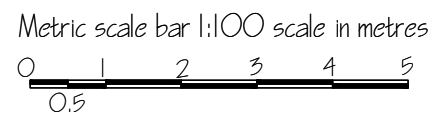
rear utility / wc extension currently under construction
(as confirmed as permitted development with previous planning enquiry)



Left Hand Side Elevation

Rev B Elevations amended in line with revised plans Nov 19

Rev A Front extension omitted, with side extension amended Nov 19



This drawing is for the purpose of obtaining Planning # or Building Regulation approval only

Read this drwg in conjunction with the construction specification # "Robust details"

NOTE Any work carried out prior to the granting of any required regulatory approvals, including the satisfying of any associated conditions is undertaken entirely @ the applicants own risk

Spectrum Design Tel

Architectural Design, Planning &
Building Regulation Applications



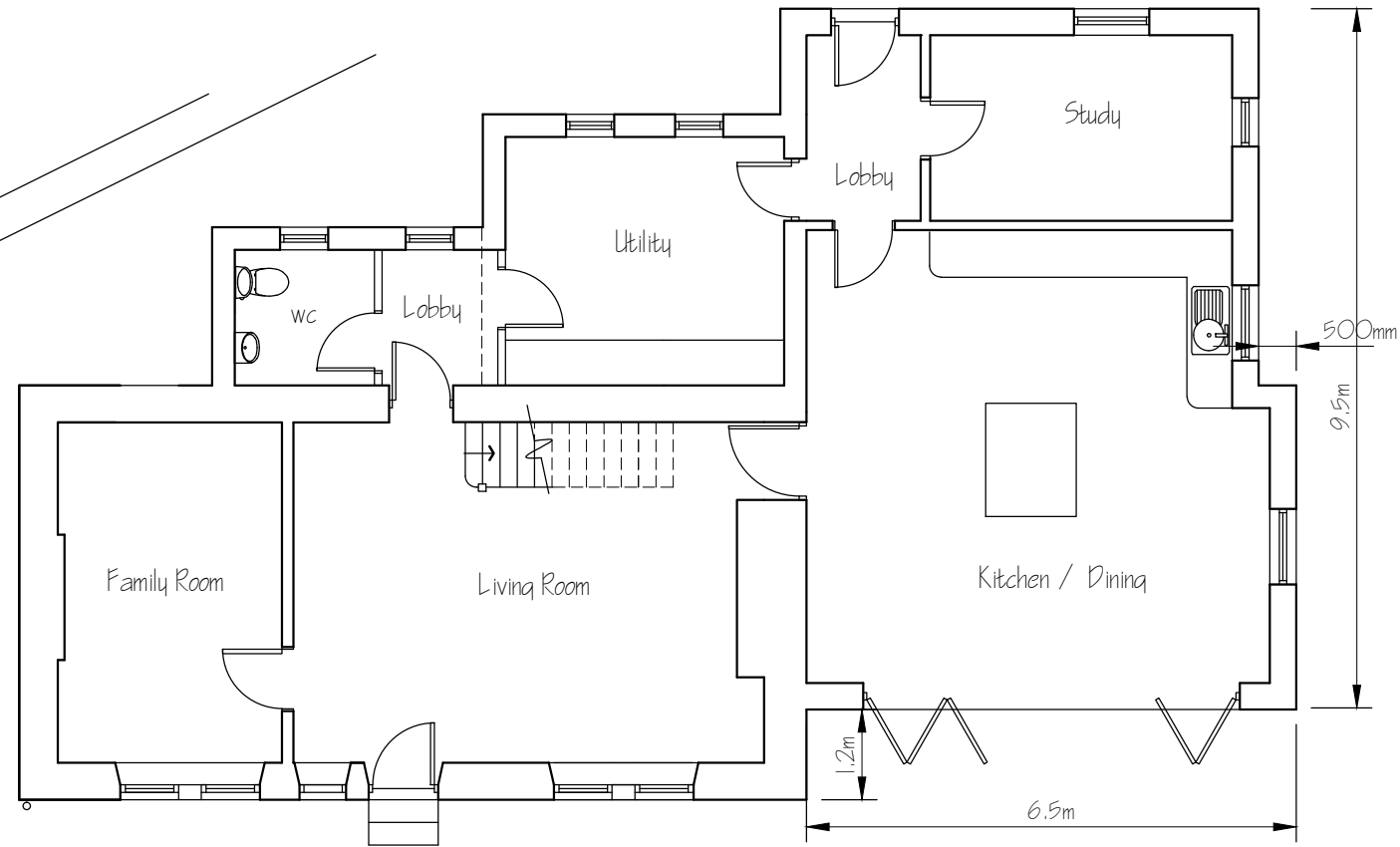
Spectrum Design Tel
E-Mail

Applicant	Mr C Davies, Little Shortwaite, Lealholm. YO21 2AA
Project	Extensions and internal alterations
Drawing	Proposed elevations
Job No537	Sheet no 5
Scale 1:100	Aug 19
Rev B	Rev B

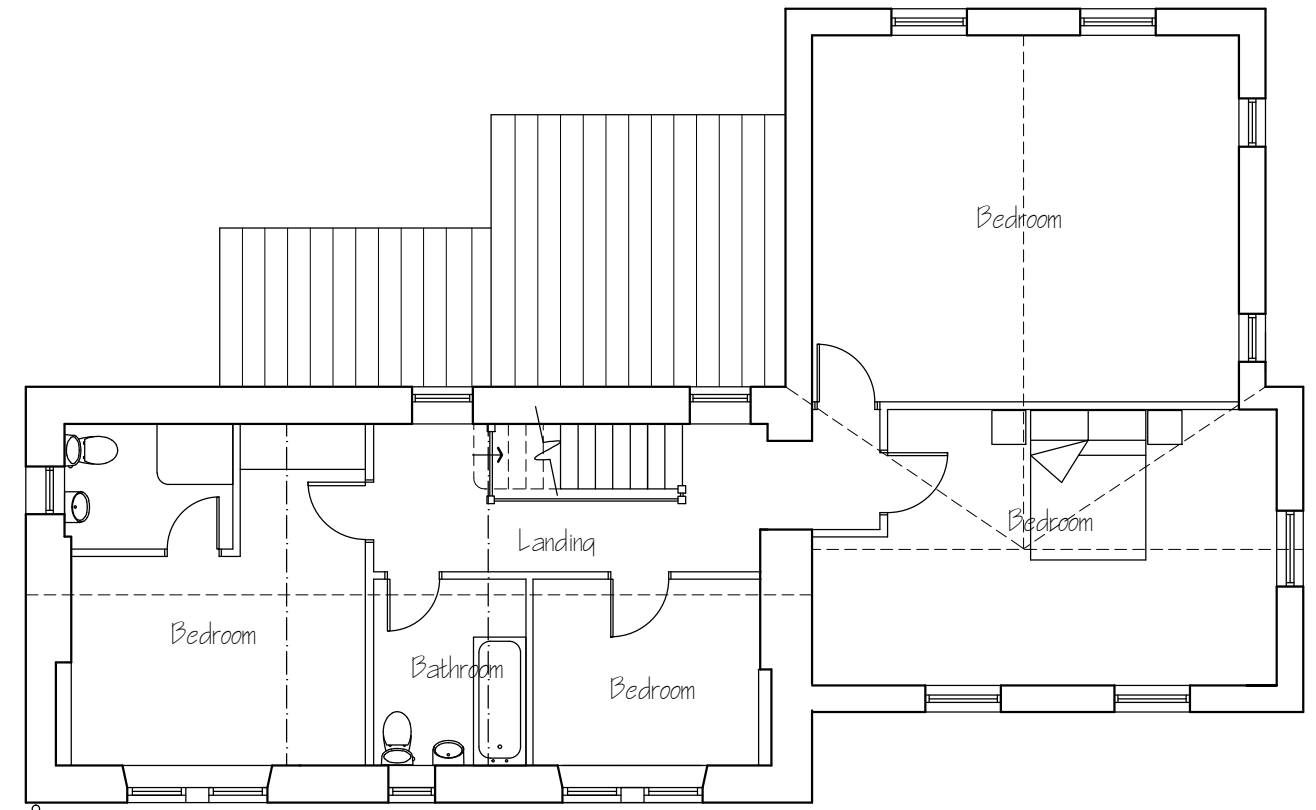
AMENDED

NYMNP
18/11/2019

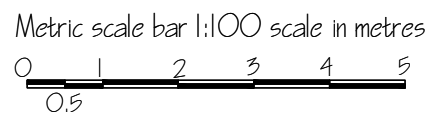
rear utility / wc extension currently under construction
(as confirmed as permitted development with previous planning enquiry)



Ground floor plan



First floor plan



This drawing is for the purpose of obtaining Planning # or Building Regulation approval only. Read this drwg in conjunction with the construction specification # "Robust details"
NOTE Any work carried out prior to the granting of any required regulatory approvals, including the satisfying of any associated conditions is undertaken entirely @ the applicants own risk

Rev B Side extension front setback increased to reduce ridge ht, with gable setback to rear part of extension added. Nov 19
Rev A Front extension omitted, with side extension amended Nov 19

Applicant	Mr C Davies, Little Shortwaite, Lealholm. YO21 2AA
Project	Extensions and internal alterations
Drawing	Proposed plans
Job No537	Sheet no 4
Scale 1:100	Aug 19
Rev B	

**Town and Country Planning Act 1990
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

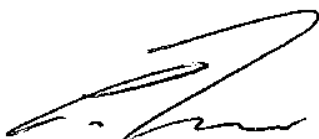
To Mr C Davies
c/o Spectrum Design
12 Willow Close
Saltburn-By-The-Sea
TS12 1PB

The above named Authority being the Planning Authority for the purposes of your application validated 18 September 2019, in respect of **alterations and construction of two storey extension at Little Shortwaite, Lealholm** has considered your said application and has **refused** permission for the proposed development for the following reason(s):

1. The proposed two storey side extension, by reason of its scale, form, mass, design and position is considered to be harmful to the modest, utilitarian and traditional character of the existing building. The proposed extension would appear as a dominant feature which would compete with the existing two storey part of the property. The proposal would significantly obscure the little-altered north and east elevations of the property and would fail to respect its existing architectural character contrary to the requirements of Development Policies 3 and 19 of the NYM Core Strategy and Development Policy Document together with the advice contained within Part 2 of the Authority's adopted Design Guide.

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

Negotiations have taken place with the aim of making changes to ensure the proposal complies with the relevant policies of the Development Plan/delivers a sustainable form of development as set out in the National Planning Policy Framework, though unfortunately such changes were not implemented.



Mr C M France
Director of Planning

Date 29 November 2019

Please Note your Rights of Appeal are attached to this Decision Notice

Householder Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for householder development, they may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990. As this is a decision to refuse planning permission for a householder application, if you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county/district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Note: If an aggrieved applicant wishes to exercise their right of appeal as above mentioned, they should do so using a form which you can get from the Secretary of State at:

Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN
(Tel: 0303 444 00 00) or online at www.planningportal.gov.uk/planning/appeals

Notes

1. Please note, only the applicant possesses the right of appeal.
2. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within 28 days of the date of this notice.
3. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

North York Moors National Park Authority

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

Application No. NYM/2019/0640/FL

Proposal: alterations and construction of two storey extension

Location: Little Shortwaite, Lealholm

Decision Date: 13 November 2019

Consultations

Parish – No response

Highways – No response

Site Notice/Advertisement Expiry Date – 4 November 2019

Others -

Director of Planning's Recommendation

Reason(s) for Refusal

- | | |
|----|---|
| 1. | The proposed two storey side extension, by reason of its scale, form, mass, design and position is considered to be harmful to the modest, utilitarian and traditional character of the existing building and detract from its setting in the landscape. The proposed extension would appear as a dominant feature which would compete with the existing two storey part of the property. The proposal would significantly obscure the little-altered north and east elevations of the property and would fail to respect its existing architectural character contrary to the requirements of Development Policies 3 and 19 of the NYM Core Strategy and Development Policy Document together with the advice contained within Part 2 of the Authority's adopted Design Guide. |
|----|---|

Application Number: NYM/2019/0640/FL



Application Number: NYM/2019/0640/FL



Application Number: NYM/2019/0640/FL

Background

Little Shortwaite is located roughly 2km north east of the main built up area of Lealholm. The two storey property is surrounded by numerous open fields and is therefore prominent from the road that runs between Back Lane and Southgate Farm.

The property is of traditional stone and pantile construction and sits facing in a south easterly direction away from the road. The site comprises the modest and largely unaltered farmhouse and a long range of outbuildings. The site is enclosed by a low stone wall. There is no planning history for the site and no pre-application advice was sought prior to the submission of the current application.

The principal elevation of the property, which faces away from the main driveway, is a fairly symmetrical double fronted design with traditional Victorian vertical sliding sashes and four panelled door. Meanwhile, the rear of the property remains unaltered with just one central window opening on the first floor which serves the internal staircase and two small windows on the ground floor.

There is a modest historic single storey extension on the east elevation of the property; also of traditional stone and pantile construction with no openings on the gable.

Currently, the homeowners are beginning the process of constructing two small extensions under permitted development on the rear of the property.

This application relates to a large two storey extension to provide two additional bedrooms, en-suites and an enlarged kitchen/dining area.

Main Issues**Relevant Policies**

The relevant policies contained within the NYM Core Strategy and Development Plan Policy Documents to consider with this application are Development Policies 3 and 19.

Development Policy 3 of the NYM Local Development Framework affirms that to maintain and enhance the distinctive character of the National Park, development will only be permitted where the siting, orientation, layout and density preserves or enhances views into and out of the site, spaces about and between buildings and other features that contribute to the character and quality of the environment. Furthermore, the Authority seeks a high standard of design detailing whether traditional or contemporary, which reflects or complements that of the local vernacular.

Development Policy 19 of the NYM Local Development Framework states that proposals for development within the domestic curtilage of a dwelling will need to take full account of the landscape character and architectural character of settlements and will only be supported where the scale, height, form, position and design of new development does not detract from the character and form of the original dwelling or its setting in the landscape.

Application Number: NYM/2019/0640/FL

Draft Local Plan Policies

Policy CO17 of the emerging Local Plan can be given weight as there have been few objections to this policy.

Policy CO17 states that development within the domestic curtilage of dwellings should only be permitted where the scale, height, form, position and design of the new development does not detract from the character and form of the original dwelling or its setting in the landscape. The policy also states that the development should reflect the principles outlined in the Authority's Design Guide.

Initial Scheme

The initial proposed scheme at Little Shortwaite comprised a large two storey glazed gable extension on the principal elevation of the property. The plans also included alterations to the side extension to go from single to two storeys with one small dormer window on the front and three conservation style rooflights on the rear.

The Authority's Design Guide 2 states that front extensions are not encouraged but where they can be accommodated extensions should be high quality design and small in scale; therefore front extensions are generally restricted to porches. The initial proposed front extension at Little Shortwaite contributed to an increase of almost half of the original habitable footprint, whilst significantly altering the character of the property.

The applicant was therefore advised that the application in its initial form would be recommended for refusal due to the impact that the design and scale of the proposal would have on the original dwellinghouse and as such was considered contrary to Development Policies 3 and 19.

Revised Scheme

The amended scheme comprises a two storey gable extension on the east elevation with a gabled projection that extends just less than 5m beyond the rear wall of the dwelling; also standing at two storeys high. This results in an increase in the total depth of the east elevation from just over 5m to 10.2m. In order to reduce the ridge height of the roof, the side gable has been set back from the front elevation by just over 1m which results in an off-centred gable extension. The extension therefore significantly obscures the modest, utilitarian and traditional character of the existing building that is currently visible from the road and as such fails to adhere to the requirement set out in Development Policies 3 and 19.

A large opening (4.8m wide) is proposed for the front elevation of the side extension to allow for the introduction of five paned aluminium bi-fold doors. It is considered that the extent of glazing on this elevation of the extension results in a stone to window ratio that has an unacceptable impact on the character of the original dwelling. The introduction of the large glazed opening is therefore considered to be contrary to Development Policies 3 and 19.

Application Number: NYM/2019/0640/FL

The original side extension is proposed to be widened and raised and therefore is considered as a full rebuild of this element. The roof height has been raised significantly to allow for the introduction of two additional bedrooms at first floor level. Whilst the ridge height of the extension has been dropped slightly lower than that of the main dwelling as suggested during the negotiation stage, the eaves height is identical to that of the main dwelling and as such the side extension does not appear subservient to the original dwellinghouse. The applicant was advised that the eaves height should not replicate the height of the eaves on the main dwelling to ensure a clear hierarchy between the main dwelling and the extension as per the guidance in the Authority's Design Guide 2 and in order to meet the requirements set out in the Authority's adopted policies.

The Authority's Design Guide 2 states that the gable on an extension should be narrower than that of the gable of the existing dwellinghouse. The projecting gable on the rear of the side extension has a gable that exceeds the width of the original dwellinghouse. The applicant was advised during the negotiation stage that the rear gable should be considerably narrower than initially proposed and whilst amended plans show a reduced width, it is not considered that the reduction is sufficient and as such detracts from the character and form of the original dwellinghouse.

Overall, the proposed extension and alterations to Little Shortwaite are considered to have a detrimental impact on the character and form of the original dwellinghouse. The scale, height, form, position and design of the development does not take into account the special qualities of the area or the architectural character of the modest utilitarian site or wider settlement in which the development is proposed and is therefore considered to significantly conflict with Development Policies 3 and 19.

As such, the application is recommended for refusal.

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

Negotiations have taken place with the aim of making changes to ensure the proposal complies with the relevant policies of the Development Plan/delivers a sustainable form of development as set out in the National Planning Policy Framework, though unfortunately such changes were not implemented.

North York Moors National Park Authority

The Old Vicarage, Bondgate, Helmsley, York YO62 5BP
Tel: 01439 772700
Email: general@northyorkmoors.org.uk
Planning enquiries: planning@northyorkmoors.org.uk
www.northyorkmoors.org.uk



Andy Wilson
Chief Executive

Egton Parish Council
c/o Mrs Christine Harrison
Rowena
Egton
Whitby
YO21 1TS

Your ref:
Our ref: NYM/2019/0640/FL
Date: 02 January 2020

This matter is being dealt with by: Miss Megan O'Mara

Dear Sir/Madam

Town and Country Planning Act 1990

Land at: Little Shortwaite, Lealholm

Proposed development: alterations and construction of two storey extension

Appeal reference: APP/W9500/D/19/ 3243220

Appeal starting date: 31 December 2019

Appellant(s) name: Mr C Davies

I am writing to let you know that an appeal has been made to the Secretary of State in respect of the above site. The appeal follows the refusal of planning permission by this Planning Authority for the reasons given on the attached sheet. A copy of the appeal documentation can be seen at, or obtained from, The Old Vicarage, Bondgate, Helmsley and is available to view on the Planning Explorer section of the Authority's website under the application reference number. This appeal is to be dealt with on the basis of the fast track householder procedure as set out in Part 1 of the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009. This procedure involves the submission of an appeal form by the appellant and the Director of Planning's Report on behalf of the Local Planning Authority. No further submissions are required. The Inspector will visit the site unaccompanied.

Any comments already made following the original application for planning permission (unless they are expressly confidential) will be forwarded to the Department and copied to the appellant and will be taken into account by the Inspector in deciding the appeal. There is no further opportunity for additional comments to be made by third parties, however, should you wish to withdraw any representations you have already made you should write direct to the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
Continued.....



Ref No

The Planning Inspectorate aims to deal with appeals which follow the procedure described above within eight weeks of the appeal starting date and once decided a copy of the appeal decision will be published on the Planning Explorer section of the Authority's website under the application reference number and Planning Portal website www.planningportal.gov.uk/pcs. Guidance on the appeal process can be found on the Planning Portal website using the link set out above.

Please do not hesitate to contact the Officer dealing with this matter if you require any additional information.

Yours faithfully

Mark Hill

Mr M Hill
Head of Development Management



Planning Notice

Notice under Article 15 of the Town and Country Planning (Development Management Procedure) Order 2015

Application Number	NYM/2019/0640/FL
Applicant	Mr C Davies
Site Address	Little Shortwaite, Lealholm
Proposal	Alterations, construction of two storey front extension, two storey side extension together with raising of roof height and construction of dormer

Members of the public may inspect the electronic application(s), including plans at the National Park Offices during normal office hours by appointment or on the Authority's website www.northyorkmoors.org.uk. You are advised to inspect the plans carefully to assess any impact on you as the description can only cover the main parts of the development. Any comments on the application(s) should be sent to the address below within 21 days of the date of this advertisement, quoting the application reference number. Comments may also be submitted using the online form on the Authority's website. If you have any queries on the application(s) please contact the National Park Office.

Under the provisions of the Freedom of Information, Access to Information and Environmental Information Acts any comments received are available for public inspection. They will also be forwarded to the Secretary of State for Communities and Local Government in the event of an appeal. If you do not wish your views to be treated in this way please make this clear in your reply.

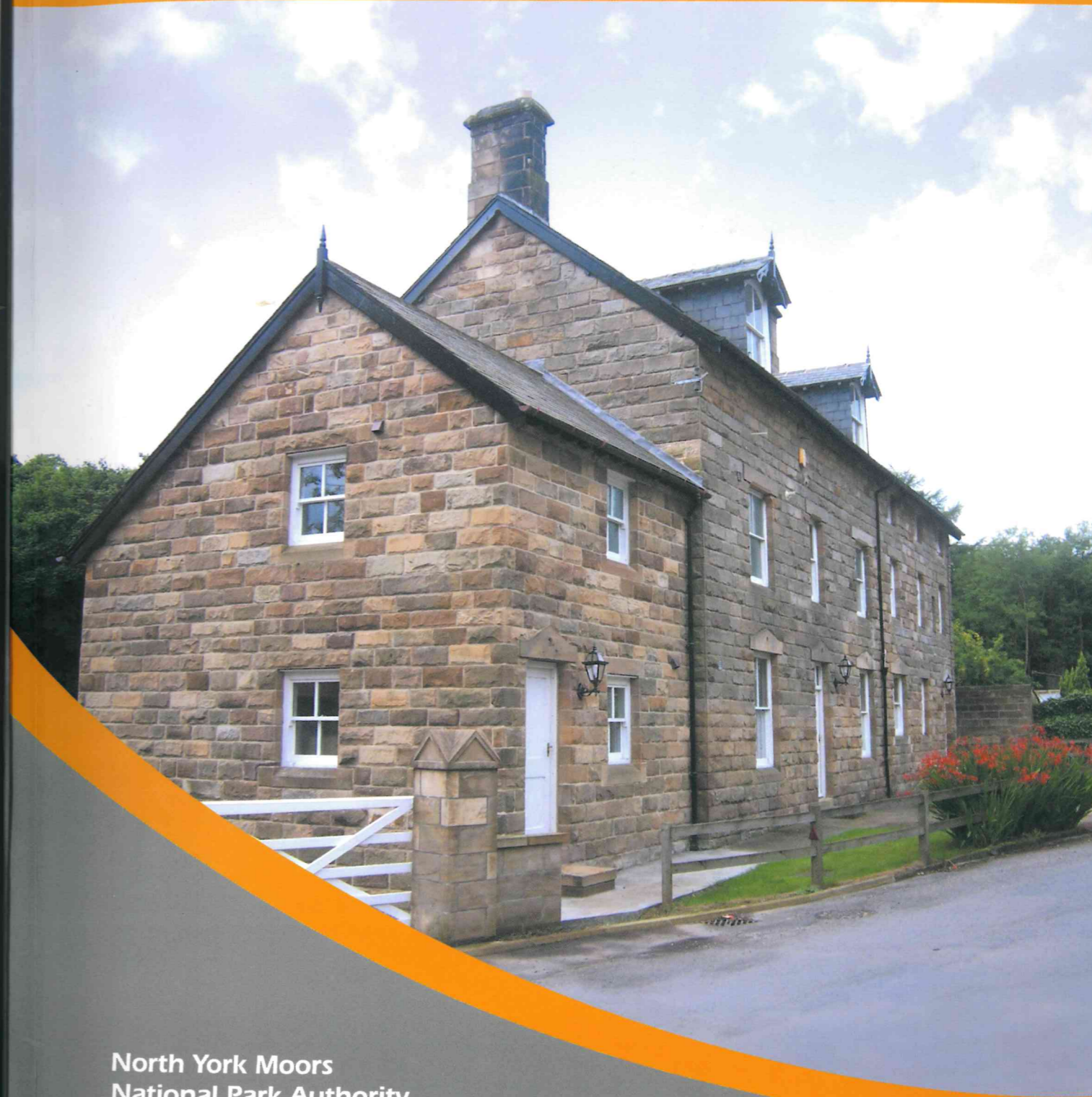
Please note that where the consultation period extends over a Bank Holiday an additional day is given for each Bank Holiday that falls within this period.

Mr C M France
Director of Planning
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York, YO62 5BP

website: www.northyorkmoors.org.uk
email: planning@northyorkmoors.org.uk
tel: 01439 772700

Date of Notice:

This notice may be removed 21 days after the above date.



North York Moors
National Park Authority
Local Development Framework

Design Guide
**Part 2: Extensions and
Alterations to Dwellings**
Supplementary Planning Document



North York Moors National Park Authority
The Old Vicarage, Bondgate, Helmsley, York YO62 5BP
Tel: 01439 770657 Fax: 01439 770691
email: general@northyorkmoors-mpa.gov.uk

www.moors.uk.net



Eng - 15271 HW
15871 MOM

DEP



**North York Moors
National Park Authority**

Case Officer: NAT - MOM

Application No: NYM/2019/0640/FL

PROPOSED DEVELOPMENT

Parish: EGTON.

Applicant: Mr C Davies

Development: alterations, construction of two storey extension:

At: Little shorewaite

Leatholm

Grid Ref: 478387 508551

Road class: U

PROCEDURE

Date of Receipt: 18 Sept 19

Date of Validation: 18 Sept 19

DATE FOR DECISION: 13 NOV 19

DoE Code: 21

Major Application: NA (13 wks)

EIA: NA (16 wks)

CONSTRAINTS

Flood plain: Zone 1

PROW: -

Conservation Area: -

Listed Building: - Grade: -

TPO/Hedgerow: -

Monuments, PSR, CSAC, Section 3 Coast, SAC, SSSI, Ant Mons, Nat Trust, Article 4, RAF (10.5), SPA, Section 3 Woodland, Section 3 Moorland, Historic P&G, Registered Common Land, Mining Hazards, Heritage Coast, Ancient Woodland, Dev't low risk (coal referral), Dev't high risk (coal consultation)

25 Estate landowners

DEVELOPMENT PLAN POLICIES / SCREENING OPINION

Relevant RSS/EU-Dirs/HRA: -

Core/Development Policies: OP3 OP19

-NMD/Bat/Structural/Tree Survey/FRA/Ag Workers Report-

Departure: NA

EIA Schedule 1/Schedule 2: NA

Brownfield/Greenfield/Ag conversion/Non-Agr conversion: -

More than 5 houses or 200 sqm? -

County Matter: NO

If Schedule 2, is statement required - Yes/No -

Net change to no. of dwellings: -

10% Renewables: -

SITE NOTICE / ADVERTISEMENT

Site Notice Required: ✓ Date Posted: 14/ October 19 Expiry Date: 4 Nov 19

Advertisement Required: NR Date Posted: - Expiry Date: -

CONSULTATIONS

- ~~District~~
- ~~Ward Member~~
- Parish
- ~~Highways~~
- ~~EHO~~
- ~~EA~~
- ~~Water~~
- Cons.

Date consulted	Reply by	Re-consulted	Reply by
<u>30.9.19</u>	<u>21.10.19</u>	<u>10.10.19</u>	<u>20.10.19</u>
<u>"</u>	<u>"</u>	<u>10.10.19</u>	<u>20.10.19</u>

In the Authority's opinion would the development - affect the setting or appearance of a Conservation Area?

YES NO NA
If 'NO' give a reason why.....

- affect the setting of a Listed Building?

YES NO NA
If 'NO' why.....

- affect a Public Right of Way?

YES NO NA
If 'NO' why.....

DECISION

Date of Decision: Date of Expiry:

Application Type:

List of those Notified

Egton Parish Council
c/o Mrs Christine Harrison
Rowena
Egton
Whitby
YO21 1TS
Via email

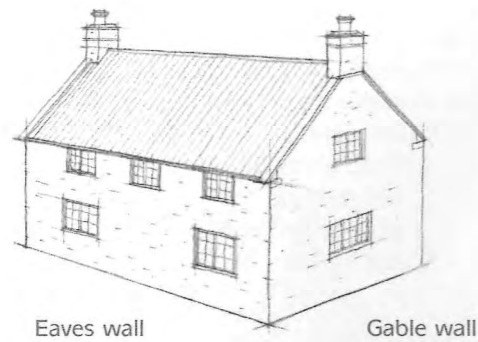
Internal - Conservation
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP
via email

The Authority can confirm that the Case Officer assigned to the application did complete a site visit on the 14 October 2019 at 14:00. The applicants were not present during this site visit.

3 Extensions to Dwellings

3.1 Side Extensions

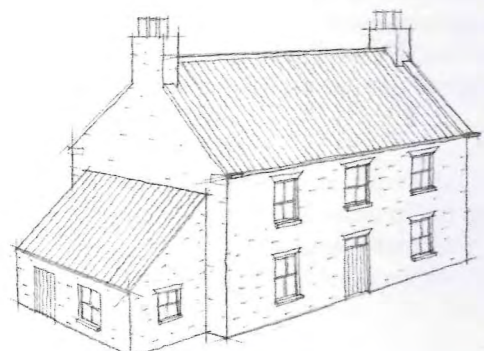
On dwellings of traditional proportions the eaves wall is typically longer than the gable wall and the frontage width is greater than the height. It is important therefore that side extensions are narrower in gable width than the main building enabling them to be set back from the front of the house with a lower roof height. This not only retains the architectural integrity of the original building but also ensures that the extension is subservient to the main house and can help to simplify construction. For similar reasons, side extensions should not be as wide as the main building frontage (which will also help to break-up what could otherwise be a long frontage). Side extensions which project forward of the main building are unlikely to be acceptable.



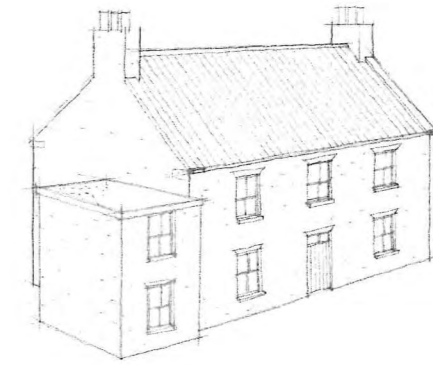
When assessing proposals for two-storey side extensions, the Authority will seek to safeguard the spacing between buildings, particularly where this is an important characteristic of the street scene.



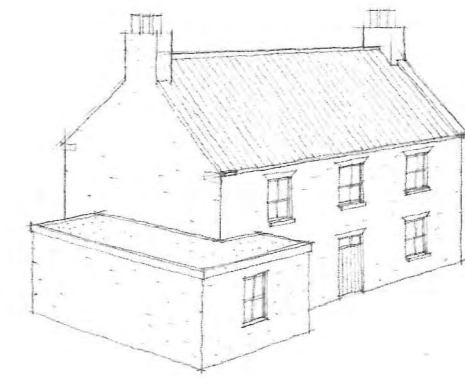
✓ A side extension with a narrower end gable than the existing dwelling enables it to be set back from the front of the house with a lower ridge height.



✓ Simple single-storey, lean-to extensions to the side of the main house are characteristic of the National Park and can produce a successful addition.



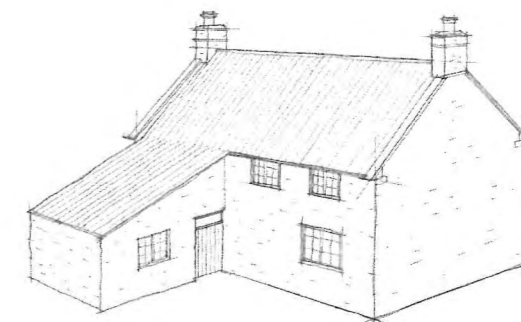
✗ A flat roofed extension is normally unsatisfactory and should be avoided, as should extensions which project forward of the house.



✗ A 'wrap-around' extension masks the form and character of the existing house.

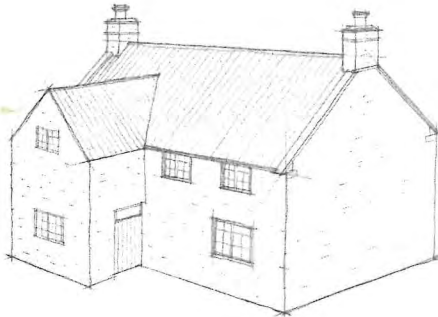
3.2 Rear Extensions

Although a rear extension may have less immediate impact on the street scene, the same subservient approach is required and care should be exercised to ensure that the mass of the extension does not adversely impact on the space about the dwelling or the neighbouring properties.

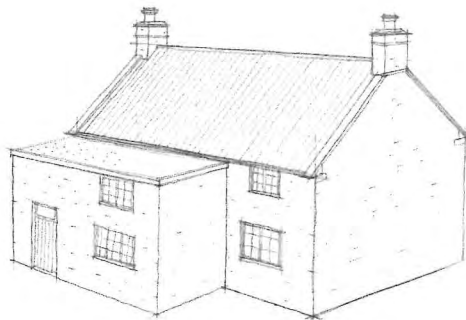


✓ A simple lean-to extension ensures the rear aspect of the building remains the dominant form and is a traditional way of extending.

As with side extensions, the gable width of a two-storey extension should be narrower than that of the main building enabling a lower roof height, and the side wall should be set in from the gable. For single storey lean-to extensions, the eaves wall should be greater than the depth of the extension to achieve the right proportions.

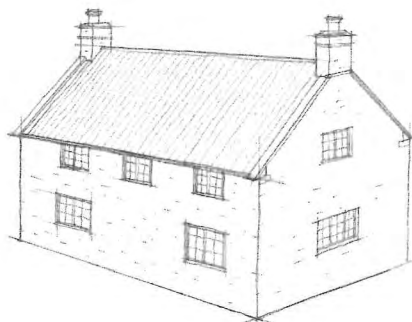


A two-storey extension maintains the eaves line of the original building but being narrower, its ridge is below the original roof ridge line.

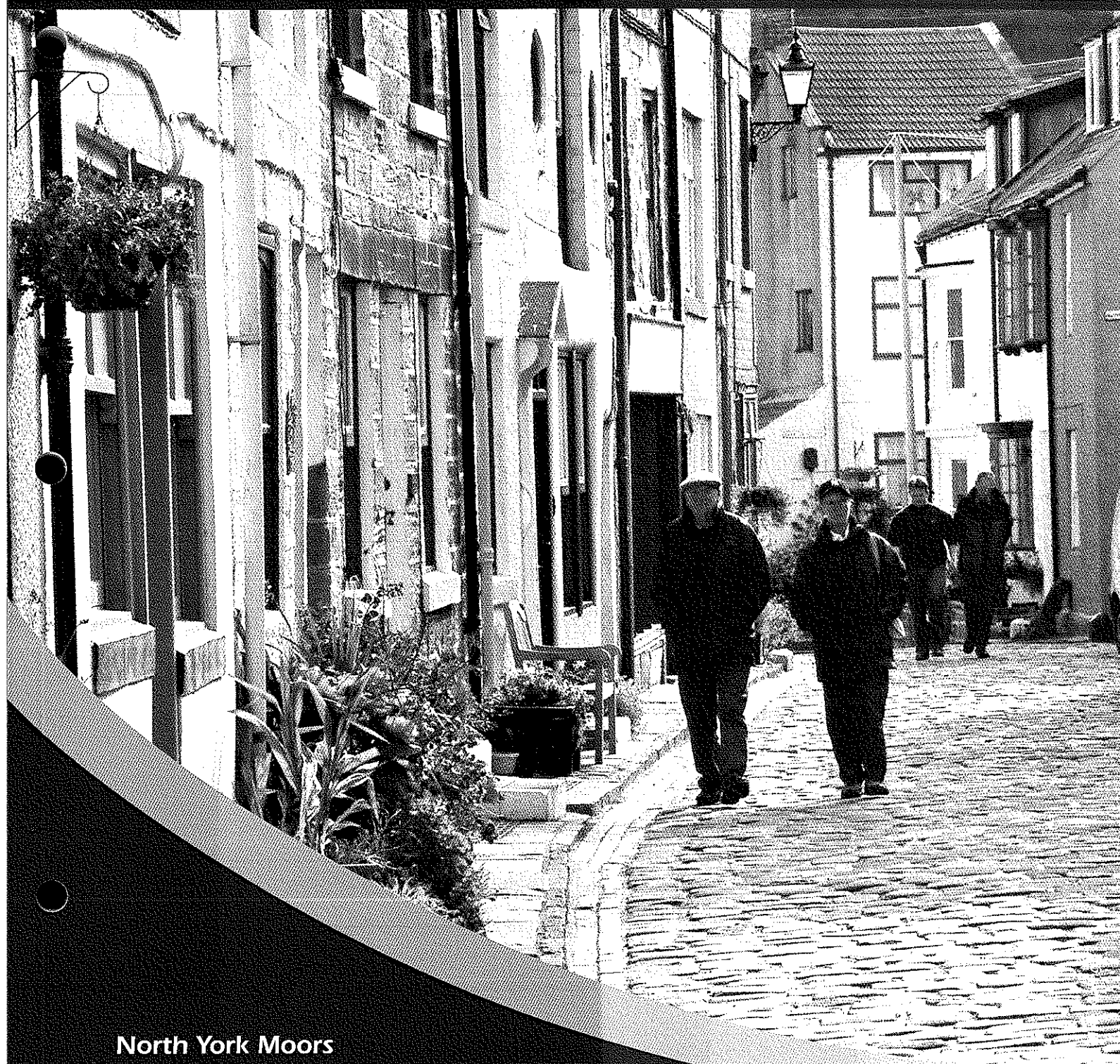


Large flat-roofed extensions can dominate the original building resulting in a loss to its form and character.

Careful consideration should be given to the impact on neighbouring properties in terms of overshadowing, loss of privacy and loss of outlook, particularly where the dwelling is semi-detached or forms part of a terrace. First floor windows and balconies should be sensitively sited so as to avoid overlooking of a neighbour's property and garden.



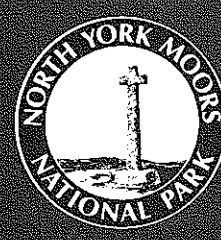
The positioning of first floor windows facing a common boundary can result in a loss of amenity – particularly a loss of privacy through overlooking.



North York Moors
National Park Authority
Local Development Framework

Core Strategy and Development Policies

November 2008



Development Policy 3 – Design

To maintain and enhance the distinctive character of the National Park, development will be permitted where:

1. The siting, orientation, layout and density preserves or enhances views into and out of the site, spaces about and between buildings and other features that contribute to the character and quality of the environment and will not result in the loss of an open space which contributes to the amenity, character and setting of a settlement.
2. The scale, height, massing, proportion, form, size, materials and design features of the proposal are compatible with surrounding buildings, and will not have an adverse effect upon the amenities of adjoining occupiers.
3. A high standard of design detailing is used whether traditional or contemporary, which reflects or complements that of the local vernacular.
4. Provision is made for adequate storage and waste management facilities.
5. Good quality sustainable design and construction techniques are incorporated in the development including measures to minimise energy use and where possible use energy from renewable sources.
6. A satisfactory landscaping scheme forms an integral part of the proposal.
7. The design takes account of the safety, security and access needs for all potential users of the development and provides car parking provision in line with the standards adopted by the Authority.

Applicants should refer to:

- Design Guide Supplementary Planning Document
- Secured by Design
- Safer Places: The Planning System and Crime Prevention
- Code for Sustainable Homes

- 7.5 New development should respect existing settlement character, patterns and layouts and the principles of traditional building design in order to ensure that the character and local distinctiveness of the built environment is maintained and the landscape of the Park conserved and enhanced. Most development in the smaller settlements has taken place on infill plots and whilst this will still be permitted under the housing policies, some 'gap' sites may not be suitable for development where they contribute to the amenity, form and character of the settlement.

- 7.6 It is important to recognise that new development today represents the cultural heritage of future generations. It should always be of the highest quality and should demonstrate the use of good quality and sustainable design and the Design Guide provides more guidance to help achieve this. The Authority does not wish to simply to replicate the past and stifle innovation or originality. Support will be given to proposals of a more contemporary, modern design where they promote and reinforce local distinctiveness and seek to add variety and interest to the Park's cultural heritage by enhancing and enriching it over time.
- 7.7 The safety and security of potential users of new development are an important consideration which should be taken into account at an early stage in the design process. Incorporating features that address this issue will help to contribute to a high quality and safe environment for all.
- 7.8 In order to encourage a choice in modes of travel within and around the Park alternative modes of transport to the private car should also be considered, particularly when assessing an appropriate location for a development proposal. The accessibility needs of all potential users including the elderly, wheelchair users and those with children should be carefully considered in any proposed design or layout.
- 7.9 It is important to recognise that new development today represents the cultural heritage of future generations. The principles of sustainable design should therefore be applied including measures to reduce energy use and use of resources, the use of sustainable drainage systems and the incorporation of facilities for the sustainable management of waste. Development should facilitate the efficient use of natural resources in construction and make use of recycled materials, land and buildings wherever possible.
- 7.10 The Authority is working with communities to produce Village Design Statements which will be adopted by the Authority as Supplementary Planning Documents and these are included in the Local Development Scheme (September 2007).
- 7.11 A Design and Access Statement must accompany most planning applications in the Park. This should demonstrate how the principles of good design including those set out in this policy have been incorporated into the development and how the development will be accessed by all users.

Development Policy 19 - Householder Development

Proposals for development within the domestic curtilage of dwellings will need to take full account of the special qualities of the Park's nine landscape character areas and architectural character of settlements and will only be supported where:

1. The scale, height, form, position and design of new development does not detract from the character and form of the original dwelling or its setting in the landscape.
2. The development does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling.
3. The development does not harm the amenities of adjoining occupiers by reason of noise and disturbance, smell or other adverse impact.
4. In the case of annexe accommodation, the development is ancillary to the main dwelling in terms of its scale and specification, in the case of new build it is physically attached to the main dwelling and in all cases the annexe will remain under the control of the occupier of the main dwelling.

Applicants should refer to:

- Design Guide Supplementary Planning Document

9.22 Extensions are often a convenient way of providing additional accommodation and new structures such as garages and sheds are often required for additional domestic storage. However, they should not adversely affect the character of the host building or wider landscape or the amenities of neighbouring residents. Proposals which incrementally extend small dwellings beyond their original size can have a detrimental impact on the character of the area and on the mix of dwelling types available in the Park. In designing an extension, applicants should consider the design, scale and materials of neighbouring buildings. Applicants are also encouraged to incorporate sustainable construction techniques where feasible. Where the building is Listed or located within a Conservation Area regard should also be had to Development Policies 4 and 5.

9.23 The extension of existing properties or conversion of adjacent outbuildings to form an annexe can often meet the changing accommodation needs of households. The design of the scheme should ensure that the accommodation is ancillary to the main building and commensurate with the accommodation needs of the household and retains sufficient amenity space. Any permissions will be subject to a condition preventing the annexe from being sold off separately from the main house.

9.24 There is increasing demand for buildings and facilities associated with the keeping of horses within domestic curtilages. Isolated stable buildings and associated fences and jumps in prominent locations can have an adverse impact on the special character and appearance of the Park. For this reason permission for new buildings associated with the keeping of horses for recreational purposes will only be supported where they are closely associated with the domestic curtilage.

North York Moors
National Park Authority
Local Development Framework

Core Strategy and
Development Policies

Adopted Copy 13th November 2008

For York
May 2008