

North York Moors National Park Authority

Scarborough Borough Council (North) Parish: Grosmont	App No. NYM/2019/0391/FL
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Proposal: demolition works, alterations and construction of single and two storey extensions

Location: 2 Fairhead Cottages, Fairhead Lane, Grosmont

Applicant: Mr R Sherman, 2 Fairhead Cottages, Fairhead Lane, Grosmont, Whitby, YO22 5PN

Agent: CREATE Architecture Ltd, fao: Mr Craig Kipling, Fusion Hive, North Shore Road, Stockton on Tees, TS18 2NB

Date for Decision: 29 July 2019

Grid Ref: 483296 505166

Director of Planning's Recommendation

Approval subject to the following conditions:

1. TIME01 Standard Three Year Commencement Date
2. PLAN01 Strict Accordance With the Documentation Submitted or Minor Variations - Document No's Specified
3. MATS03 Stonework to Match
4. MATS17 Natural Slate
5. MATS00 The external timber cladding in the upper gable of the proposed entrance (west elevation) hereby approved shall either be allowed to weather naturally or be stained dark brown or grey and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
6. MATS47 Window Frames in Reveals - Specify Set Back **(70mm)**
7. MATS55 Rooflight Details to be Submitted
8. MATS70 Guttering Fixed by Gutter Spikes
9. MATS72 Black Coloured Rainwater Goods

Informatives

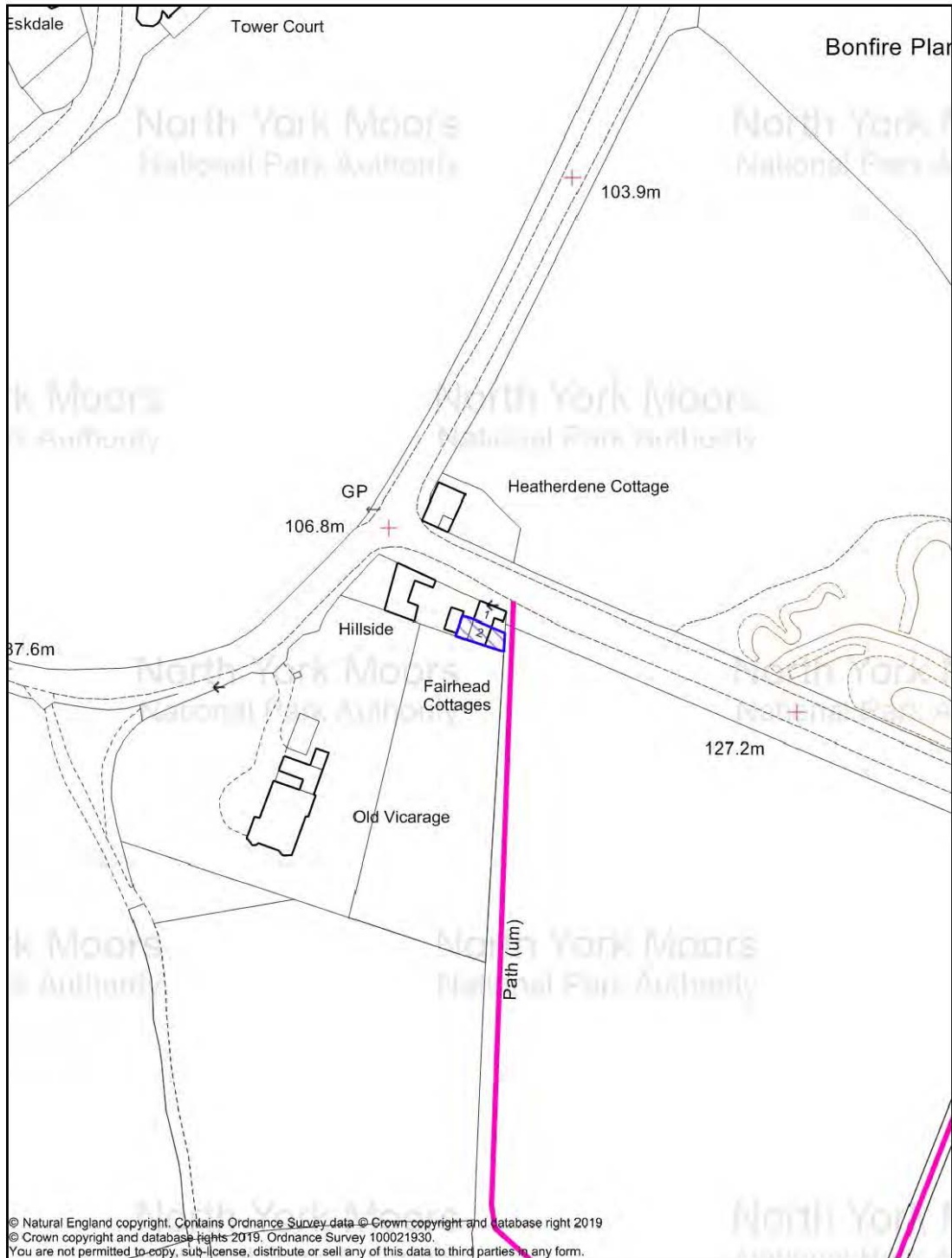
1. Bats
2. Coal Referral Area



North York Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley YO62 5BP
01439 772700

Application Number: NYM/2019/0391/FL

Scale: 1:1250





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Consultations

Parish - Object - Seems to be a total over-build on an already tight site. The dormer is also out of character.

Amended Plans - The revised plan still constitutes an overbuild on an already tight site. The proposed extension is inappropriate in scale and massing and should be more in keeping with that of number one. The proposal is unsympathetic in character to what is a small modest semi-detached cottage and is also unsympathetic to the grouping of the adjacent properties. The proposal is likely to have an adverse effect on amenities on adjoining dwellings. The proposal is likely to create off-site parking issues with dangerous curb side parking on a 1:3 hill.

Highways - Request further information.

Additional Information/Amended Plans - No objection.

Forestry Commission - Refer to standing advice.

Site Notice Expiry Date - 05 July 2019.

Others – Mrs S Green, Hall Garth, Great North Road, Old Micklefield, West Yorkshire

Object - My daughter bought 1 Fairhead Cottage for use of the immediate family. The two properties whilst modest, occupy a prominent position. The size and style of the proposed extensions would not fit in with any surrounding properties and would dominate the building proportions. My objections are as follows:

- The proposed extension would have a huge impact on my daughter's property, the size of the extension all around the property. The style, e.g. dormer windows and the pitch of roof would not be in keeping.
- Natural light is already restricted into her lounge window to the east by the retaining wall into the hillside and also by the single storey wooden extension. A two storey extension would restrict light even further. The corner of the courtyard is already dark because of the extension occupying the full width of what would have originally been the courtyard for No. 2. A double storey extension would restrict air flow and make the property and courtyard even more dark and damp.
- The extension to create three bedrooms would require more than one parking space. There is only one parking space available and to park a car on the roadside would be very dangerous.
- To create a two storey extension would require extensive foundations. The existing foundations are very shallow and to meet current building regulations much deeper regulations would be required and I fail to see how this can be achieved. Such extensive alterations could damage the integrity of both properties.
- There is a discrepancy between the submitted plans and the title deeds for my daughter's property in relation to the yard/shared access. Therefore I fail to see how such extensive work can be carried out and without being an invasion of my daughter's privacy.
- When my daughter purchased the property, she knew she had the benefit of a safe courtyard for her son to play and intends to use the space for storage and outdoor eating. The documentation submitted suggests No. 2 as having ownership of the courtyard nearest the village but this is incorrect as my daughter owns both courtyards in their entirety with No. 2 only granted footpath rights by way. Such a large development would be an invasion of privacy for my daughter's property.

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Others continued

- The documentation there is the intention for boreholes under the cellar floor. I fail to see how this will support the structural integrity of the property and there is a high water level.

Amended Plans - Object. The supporting document states that the property has always been a 3 bedroom property, thus the parking requirements are not affected. This statement is incorrect. Up to and including the previous owners, the property had 2 bedrooms. Henderson's Estate Agents who were acting for the sale to the present owner described it as a 'quirky 2 bedroom property' in the sales literature. There have been workmen in the property and ongoing internal building works carried out since 2017, so it may well have 3 bedrooms now but that has not always been the case. I note the alterations to the plans but these do nothing to reduce the size of this very large extension which would dominate the adjacent semi and the skyline. The plans remove the dormer and reduce the size of the window in the south elevation along with other minor alterations which seem cosmetic. I am concerned that such a large roof area would lead to more surface water than the existing drainage arrangement can cope with and lead to more dampness. All the objections previously raised still stand. There is no alteration in the revisions to address reduced light and airflow to No. 1 Fairhead. Nothing has changed to address the access issue or the effect of the proposed entrance on the privacy in the lower courtyard to the west. The plans are still over ambitious and totally out of keeping with the area, landscape and ethos of the National Park.

Amended Scheme 2 – Whilst I recognise that some of the previous objections have been acted upon, I still have some objections. As the kitchen area now takes up the whole footprint I would hope that adequate foundations are in place. The proposed entrance has been repositioned but the glazed panel is not shown as interference glazing. To be anything other than this would be an invasion of privacy for the lower courtyard of No. 1. I question the need for two en-suite bathrooms and only one bedroom in the loft room. The Local Highway Authority are basing their decision on the letter from the Agent who states there will be no increase in bedrooms but it has since been proved that this is incorrect (see Zoopla listing previously submitted) so the LHA has not been made aware of all the facts. The LHA also refer to the lack of detail regarding the parking space and publicly maintainable highway verge. There is no designated parking space for the property and the land adjacent the speed limit board cannot be used for parking. The existing parking spot being used cannot be adjusted as there is a footpath through and beyond. Any additional parking would end up on the roadside which is a real hazard. I cannot see how such extensive building works can be carried out from footpath access only.

Miss C Green, 1 Fairhead Cottage, Grosmont – Object. Inaccuracies on the application form: there is no vehicle access to No. 2 Fairhead Cottages, nor any hardstanding. There is only footpath access by right of permission. There are a number of trees and sections of hedges which would need work on them. I dispute the statement that the proposed works would not affect existing car parking arrangements. The development proposed does not suggest a modest family residence and the likelihood is for parking to trespass on that of No.1 Fairhead Cottage or on the roadside which presents a safety issue. Comments regarding plans: the 'void' shown on the lower ground floor is unlikely to be void as the same area at No.1 is compacted glacial clay. The re-location of the bin store would block the right of access and the area shown as new access is not on land owned by No. 2. The increased potential for pedestrian traffic as well as vehicles parked at the kerbside will adversely affect levels of natural light to the kitchen of No. 1 which is served only by one small window. The dormer window is not in-keeping with the age or aesthetics of the properties and would be a prominent eyesore and invade the privacy of the dwellings at the

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farm above. The proposed windows in the gable wall would invade the privacy of the Old Vicarage as the house and garden would be overlooked in a substantial way. The glazed rear door in the south elevation is away from the designated footpath access right facing an area of storage for No. 1 and adjacent to the lounge window resulting in direct invasion of privacy. The increase in roof height will considerably reduce the already limited amount of natural light afforded to the lounge of No. 1 Fairhead Cottage from the top courtyard. The courtyard has a retaining wall and is damp. I am concerned that a double storey extension would restrict airflow exacerbating the problem. The glazed panel adjacent to the door in the lower courtyard overlooks my outdoor amenity space and unless it is obscure glazed, would be an invasion of privacy. The enlargement of the roof window will increase visibility into the property known as 'Hillside' and be an invasion of their privacy. It would no longer be symmetrical to No. 1 and therefore damage the aesthetics of the street-scene. I fail to see how close-boarded cladding is in-keeping. In summary I strongly object to the application and believe the scheme is excessive, unsympathetic to the property and surroundings and inconsiderate to neighbours.

Revised Plans Further Letter – Strong Objection. The covering letter from the agent incorrectly states that the property has always been a three bed cottage. It was sold to the current owner as a two-bedroom semi-detached house (Zoopla listing enclosed). One parking space is insufficient for a property with more than two bedrooms. Increased occupancy potential will increase the potential for roadside parking in a dangerous location. There is no detail to explain what the boundary to the 'yard' adjacent to the bedroom will be constructed of. The doorway on the lower ground floor plan appears to be sited in a position that would lead directly onto an area that is currently a garden owned by No. 1. The proposed attic room windows would be a direct invasion of privacy to the Old Vicarage and Low Fairhead Farm as their house and garden would be overlooked as a result. En-suites are over-ambitious and more aligned to a guest house than domestic residence. Letter continues to emphasise all previous objections and concerns listed in original letter.

Peter Hanson, 3 Institute Row, Grosmont – Object. The proposed extensions almost overwhelm the property as it was built in the 1850s. It would significantly impact on the outline and aesthetics of what are two traditionally built stone cottages. Should this proposal be allowed it would diminish the look and feel of the area. There would be a significant impact on the natural light that enters No.1 Fairhead Cottage. The proposal would impact on the privacy of the surrounding properties. The increase in accommodation and occupancy of No. 2 could mean more vehicles and impact upon traffic. There is no designated parking for the property. If approved, there would be significant disruption and disturbance to the surrounding area. There is no room to conduct the construction as the proposal covers the whole of the footprint of the property owned by No. 2. Where would material be stored? How would spoil be removed? Where would scaffolding be placed? The construction process and subsequent use would severely impact surrounding residents, environment and traffic. If allowed, it would detract from what is a relatively unspoilt industrial village.

Further letter – The application incorrectly states that the property has always been a three bed cottage. When the property was sold to the current owner it was sold as a two bedroom cottage as detailed in the brochure (extract enclosed). All objections listed in my original objection still stand.

Mrs A Boddington, The Old Vicarage, Grosmont – There are inaccuracies within the application forms. The gable end of 2 Fairhead Cottages is actually part of the boundary wall with my property and the rest of the boundary wall is already dry stone walling. I have to cover the cost of damage to this wall caused by previous owners. It is intended to raise the height of the existing building and adding new windows which would overlook my property.

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Background

2 Fairhead Cottages is a modest semi-detached stone under slate two storey property occupying a roadside position to the east of Grosmont. 2 Fairhead Cottages is not a Listed Building and is not within a designated village Conservation Area, however it does occupy a prominent position with the National Park.

The property is amongst a small cluster of four properties located close to the junction of Fairhead Lane with Eskdaleside, approximately 400metres from the centre of the village. In addition to its attached neighbour, there is another residential property to the north (on the opposite side of the road) and another to the immediate west. To the south, the property overlooks open fields and shares its boundary with the paddock serving The Old Vicarage (to the south-east). The property is of natural stone under slate construction and has had a number of alterations made to it over the years including replacement windows and ad-hoc single storey extensions to the front and rear.

The application follows a pre-application enquiry for an extensive scheme of extensions, insertion of front and rear dormer windows and alterations to windows. At pre-application stage, the applicant and his agent was advised that the proposal was considered unacceptable in terms of the size and scale of extensions which would dominate the character and appearance of the property and would be likely to affect the amenities of neighbouring occupiers.

As originally submitted, this application was relatively little altered from the proposals put forward at pre-application stage (which were amended during the pre-application process). The scheme proposed a two storey rear extension, a dormer window in the rear roofslope and single storey pitched roof front extension together with the installation of gable glazing to the side elevation and enlarged rooflight on the front elevation. The only significant difference between the pre-application proposal and the full scheme was the removal of one dormer and marginally reduced extensions.

Officers requested amendments to the scheme, emphasising the advice given at pre-application stage. A number of objections were received from third parties and the Parish Council. The agent provided amended plans omitting the rear dormer and revising the design of the two storey extension from ridge and gable design to catslide/lean-to. However, Officers were not satisfied that these amendments were sufficient to address their concerns and a further attempt to reduce the scale of the proposal was made. The current plans propose a much reduced rear extension of part two storey and part single storey lean-to design together with a replacement front extension to provide entrance. The plans show an enlarged front facing conservation style rooflight and the large area of gable glazing has been reduced to show 1 no. single sash casement window.

The final set of revisions have been offered for further consultation and the Parish Council, together with all third parties, continue to object to the proposal on the grounds of over-development and loss of amenity. The application is therefore included in this agenda for consideration by Members of the Planning Committee.

Policy Context

The relevant policies contained within the NYM Core Strategy and Development Policy Document to consider with this application are Development Policy 3 (Design) and Development Policy 19 (Householder Development), together with the advice contained within Part 2 of the Authority's adopted Design Guide.

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Background continued

DP3 seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, orientation, layout and density of development preserves or enhances views into and out of the site and that the scale, height, massing, materials and design are compatible with surrounding buildings and do not have an adverse effect upon the amenities of adjoining occupiers. DP3 also requires a high standard of design detailing which complements the local vernacular (whether it is traditional or contemporary) and which takes into account the safety, security and access needs for all potential users of the development whilst incorporating good quality sustainable design and a satisfactory landscaping scheme.

Development Policy 19 is supportive of proposals for development within the domestic curtilage provided that it does not detract from the character and form of the original dwelling or its setting and it would not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling.

Part 2 of the Authority's adopted Design Guide recognises that the key to a successful extension lies in the respect shown to the original building so that it remains the dominant form. The position of an extension is an important consideration and respect should be given to existing building lines and the space about a building. Rear extensions are generally preferable to side extensions and most properties cannot easily accommodate extensions to their main front elevation without significantly affecting their appearance. Furthermore, the use of dormers on the front elevation is generally resisted unless the street or local area is characterised by existing dormers.

Main Issues

The main issues are therefore considered to be whether the revised scheme is sympathetic to the character, appearance and setting of the host property and whether the proposed development would result in an adverse effect on the residential amenities of neighbouring occupiers.

Impact on Host Dwelling and Setting

The revised scheme is considered to be much more sympathetic to the character and appearance of the host property and of a compatible scale. After much discussion and continued negotiation between Officers and the applicant's Agent, the scheme now takes better account of the size, scale and form of existing extensions at the neighbouring property. Therefore, the two properties retain a degree of symmetry to the rear elevation. Whilst the extensions proposed at No. 2, will result in a greater increase in floor area in comparison to the neighbouring property, it is worth noting that the re-designed entrance (front extension) is smaller than the existing conservatory which it will replace. This part of the scheme therefore reduces the proximity of the built form of No.2 on the attached neighbour and its windows. The rear extension is approximately 2 metres longer than the existing rear extension, albeit partially increasing in height to two storeys.

The re-designed front extension is considered to be a significant improvement in terms of scale and design. It is acknowledged that the introduction of a pitched roof will result in an increase in height (approximately 0.5 metres) as the existing structure is of flat roof design, however this is considered to be mitigated by the reduced floor area. The existing conservatory occupies almost the full width of the elevation at 5 metres whereas the proposed entrance measures approximately 3.3 metres; set 1.9 metres away from the boundary with No. 1 Fairhead Cottages, allowing legibility of the original frontage of the dwelling.

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Main Issues continued

The revised rear extension is considered to be compatible in terms of size and design for both the host property and its setting. The simple design, informed by the existing two storey rear extension at the adjoining neighbouring property, is considered to respect the simple and modest character of the main dwelling. The variation in heights ensures that the overall massing is reduced and the level of accommodation provided is commensurate with the site.

Impact on Neighbouring Properties

The proposal has attracted a number of objections and concerns from neighbouring occupiers and from individuals who live further afield but have connections to the area. A summary of the objections letters is included above (objections and comments which do not relate to material planning considerations have been omitted) and full copies of the letters are available to view on the Authority's website.

The applicant and his agent have attempted to overcome the neighbouring concerns (some of which are shared by Officers), and as a result, the scheme has been substantially amended and reduced in size. The proposal has also been re-designed in order to maintain a level of similarity with the form of extension with the neighbouring property and in addition the reduced heights will have less of an impact upon neighbouring amenities.

The removal of the dormer windows from the scheme will reduce the opportunity for overlooking and whilst the neighbours concern in respect of direct overlooking of The Old Vicarage (50 metres away) and Low Fairhead Farm (240 metres); Officers are of the opinion that the two properties mentioned are of sufficient distance away so as not to be affected to an unacceptable degree. Furthermore, the large area of gable glazing as originally proposed has been reduced to a modest single sash casement window positioned at the winding steps of the staircase where the opportunity for direct overlooking is limited. Concern has been expressed in relation to the effect of an additional window upon the value of neighbouring properties but property values are not a material planning consideration.

Officers have requested clarification regarding the use of obscure glazing for the proposed panel to the side of the entrance door and the applicant's agent has confirmed this will be obscure glazed along with the ensuite bathroom window (currently a plain glazed bedroom window) at the front of the property. The use of obscure glazing in the upper floor ensuite is considered to improve the privacy of neighbours.

Having respect to the issues of land ownership, this is a civil matter which must be resolved between the individuals concerned rather than through the planning system. Whereas, technical matters relating to foundation design and construction methods would be picked up at Building Regulations stage, again separately to the planning system.

Highway Matters

The neighbours' concerns regarding parking is understood. The information provided by the neighbour in respect of the number of bedrooms is available for the Highway Authority's consideration, however; bearing in mind the proximity of the property to the junction and the extremely limited parking available in the vicinity and for the avoidance of doubt, Officers have raised this query with the Local Highway Authority and Members will be updated at the Meeting.

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Draft Local Plan

SPC (Quality and Design of Development), amongst other things, requires new development to be of a high quality design that will make a positive contribution to the local environment; to incorporate quality construction materials that reflect that of the original building and local vernacular and; the development is compatible with surrounding buildings and will not adversely impact neighbouring properties. The revised scheme is considered to comply with the above in its position outside the designated Grosmont Conservation Area.

Policy CO17 (Householder Development) has very similar requirements to the current DP19 in terms of scale, height, design and general amenity considerations however, in order to achieve a subservient extension, the policy requires that the new development does not increase habitable floorspace by more than 30%. In this case the new floor space provided by the development is less than 30% of the existing floorspace and therefore, is in compliance with the relevant draft Local Plan Policy.

Contribution to Management Plan Objectives

Approval is considered likely to help meet Policy C10 which seeks to ensure all new development will be of a high quality design and will conserve and enhance the built heritage.

Summary

Since the preparation of the report, the applicant's agent has responded to some of the most recent concerns of neighbours and corrected the elevation tags relating to the north and south elevations; clarified the windows which will be obscure glazed and confirmed the roof window type and size (for information only as the installation of the rooflights do not require planning permission in this case).

On balance, the revised proposal is considered to comply with the relevant local planning policies and unlikely to have an unacceptable impact on the amenities of the adjoining property or visual appearance of the surrounding area. Although the proposal contains proposals to extend the property, the redesigned and reduced front entrance is considered to improve the level of amenity currently provided to the neighbouring property. The proposed materials are considered to be acceptable in this location and subject to the final assessment of the proposal by the Local Highway Authority, approval is recommended.

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.