

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
Parish: Egton

Application No. NYM/2019/0480/FL

Proposal: alterations and construction of single storey side extension to dwelling and car port/garage

Location: The Willows, Low Newbiggin North Farm, Egton

Decision Date: 09 October 2019

Extended to: 20 December 2019

Consultations

Parish - Following our call I have now spoken to the Council about this application and they have noted they have concerns over the annex and the roof lights.

Highways – The application documents do not state whether the residents of the detached annexe will have a right of access from the public highway. Consequently the Local Highway Authority recommends that Conditions are attached to any permission granted.

Forestry Commission – Offer Standing advice with regard to Ancient Woodland

Site Notice Expiry Date – 12 September 2019

Director of Planning's Recommendation

Approval subject to the following condition(s):

1. **Standard Three Year Commencement Date**
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. **Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified**
The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Location Plan	1:2000	22 November 2019
Proposed Site Plan	6029G.19.06D	29 October 2019
Proposed Ground Floor Plan	6029G.19.07C	29 October 2019
Proposed First Floor Plans & East Elev	6029G.19.08D	04 November 2019
Proposed Elevation	6029G.19.09C	29 October 2019
Proposed 3D Views	6029G.19.10C	29 October 2019
Proposed Cartshed Plan & Elevations	6029G.19.13A	04 July 2019

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. **Stonework and Roofing Tiles to Match**
All new stonework and roofing tiles used in the development hereby permitted shall match those of the existing building, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar mix unless otherwise agreed with the Local Planning Authority.

Application Number: NYM/2019/0480/FL

4. **Windows - Match Existing**
All new windows in the development 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.
5. **Conservation Rooflights Only**
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.
6. **There shall be no access or egress by any vehicles between the highway and the application site until full details of a safe and satisfactory access to the adopted highway have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The development shall not be brought into use until the approved access is available for use.**
7. **Garage Conversion to Habitable Room**
Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Informatives

1. **Bats**
All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.

Reason(s) for Condition(s)

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. 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 building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
4. 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.

Application Number: NYM/2019/0480/FL

5. 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.
6. In accordance with NYM Development Policy 23 and in the interests of highway safety.
7. In accordance with NYM Development Policy 23 and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity the development.

**Background**

“The Willows” was formerly a barn conversion scheme of two holiday cottages known as Primrose and Blue Bell Cottages, Low Newbiggin Farm North which was originally approved in 1987. There were no restrictions on the occupancy of the units and therefore the previous owner purchased them both to occupy as a single dwelling.

Permitted development rights were removed when the application was first submitted, hence the need for the original (NYM2009/0143/FL) application for the insertion of 2 velux windows, a new window in the north elevation and also the repositioning of a flue pipe. A later application (NYM2012/0146/FL) then also included the addition of a 3 bay timber garage building which is made up of an enclosed double garage and an open car port located to the north east of the dwelling at the end of the access drive (not constructed). An extension to the domestic curtilage into the paddock area in front of the property has also been granted

Application Number: NYM/2019/0480/FL

previously (NYM2009/0331). A non material amendment application (NYM2013/0608/NM) was also granted for a minor amendments to the original scheme to allow the insertion of patio doors in place of a window to the east elevation and a top hung casement window to the west elevation. This was granted as the alterations were considered to be acceptable given the domestic style property.

Previous applications have already gained approval for a number of alterations to the fenestration, rooflights and flue pipes, however even prior to this the building retained little of its original agricultural character.

Under this application permission is now sought for further alterations to the main house including a side extension to accommodate an additional bedroom and the construction of a triple bay garage with a small leanto store to the south side of the access track.

Main Issues

The property in question already has a strong domestic appearance and the alterations already approved and implemented have actually enhanced the appearance of the building (following the original 1980s style conversion), although little of the original agricultural character ever remained.

The number and location of rooflights and flues has changed on numerous occasions during the last 10 years and as the building currently stands there are also unauthorised works. Negotiations have taken place to remove the detached new build annexe from the proposed scheme and simplify the design of the extension.

At the point of conversion Development Policy 8 of the Local Development Framework seeks to permit the conversion of traditional unlisted rural buildings where the building is of architectural or historic importance, and makes a positive contribution to the character of the area, is structurally sound, is of sufficient size to accommodate the proposed use without the need for significant alterations or extensions, is compatible in nature, scale and levels of activity with the locality, is of a high quality of design and does not required changes to the buildings curtilage or new vehicular access or parking areas. This applications was not determined against this policy as it was approved in 1987 and unfortunately due to the passage of time and alterations which have since taken place the building now has more of an appearance of a detached domestic property.

Development Policy 19 of the LDF states that proposals for extensions or alterations to dwellings, or other development within the domestic curtilage will only be supported where the scale, height, form, position and design does not detract from the character of the original dwelling and its setting; the development does not adversely affect the amenities of neighbouring occupiers, or that of the existing dwelling and that annexe accommodation is ancillary to the main dwelling and will remain under the control of the occupier of the main dwelling.

The extension to the dwelling now proposed is required to accommodate a bedroom with ensuite for extended family since the detached annexe cannot be supported and has been omitted from the application. The amended style proposed is more simple and in keeping with the character, style and massing of the original property. The number and style of rooflights proposed have been reduced and no further comments with regard to these have been received from the Parish Council who had originally raised concern.

Application Number: NYM/2019/0480/FL

The new timber garage building is located to the side of the existing dwelling alongside the access driveway in an area already occupied by a storage building which will be removed as part of the application. The building will have no additional impact on the neighbouring property and therefore the scheme is now considered to be appropriate for the setting.

Neither the new garage building or the alterations to the main building proposed would be particularly prominent in the landscape, although they would be visible from the North York Moors Railway which passes the site at the bottom of the small paddock beyond the garden.

The new garage and proposed alterations to the main dwelling are considered to accord with Development Policy 19 of the NYM Local Development Framework which requires householder developments to take full account of the landscape and architectural character and therefore approval is recommended.

Draft Local Plan

The proposals are considered to be in accordance with Policy CO17 of the draft Local Plan.

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

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including the removal of the detached annexe from the proposal and simplification of the design of the alterations to the main dwelling, so as to deliver sustainable development.

Pre-commencement Conditions

Condition 6 is a pre-commencement condition and has been agreed in writing with the applicant/agent.