

**From:**  
**To:** [Planning](#)  
**Cc:** [Helen Webster](#); [Mark Hill](#)  
**Subject:** Re: NYM/2020/0272/FL  
**Date:** 08 October 2020 15:02:48  
**Attachments:** [Outlook-NYMNPA Log.png](#)  
[mvmt17.pdf](#)

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Dear Planning

Further to your letter dated 5<sup>th</sup> October 2020, please accept this email as confirmation that I would like to speak at the committee meeting on 15<sup>th</sup> October 2020. Please could you confirm receipt of this request?

I would also like to identify some items for review on the Planning Officer's Committee Report if possible?

1. There is a proposed condition in relation to external lighting requiring details to be submitted and discharged. Please could I request that this condition is either removed or changed to an informative? As it stands, no external lighting is proposed as part of this application and therefore there are no details to submit for approval.
2. The title for the photo on page 2 is at the bottom of the 1<sup>st</sup> page of photos which is a little misleading to anyone who does not know the area. If titles are required for the other photos, feel free to use the following descriptions:
  - a. Boundary fence to the garden of 17 Mill Lane and house of 15 Mill Lane in the background.
  - b. 15 Mill Lane to the left and the garage of 17 Mill Lane to the right.
3. On page 8 of the report it covers information about the pre-application we undertook. Some of the information within this section is inaccurate. Officers did not express concern in relation to the scale and mass of the proposed extension, nor did Officers advise that "particular regard to the likely adverse impact the proposed first floor would have upon neighbouring amenity". I've attached a copy of the Pre-App letter (dated 20/03/2020) which states the following:

***Assessment of Proposals under Current Local Planning Policies***

*Having regard to the proposed first floor extension (or two storey extension depending on the quality of the existing garage structure), I would advise that I have no objection in principle to the scale and design under the current NYM CSDPD Policies DP3 and DP19. In relation to the finer details we would usually advise that detailing such as kneelers and water tabling is omitted from extensions in order to achieve a sense of subservience but in this case, I can see that they are a distinctive feature of the properties on Mill Lane. Furthermore, the position of the extension which would be set back a considerable distance from the front elevation of the property and lower ridge height would help to achieve this aim, allowing the original dwelling to remain the dominant form.*

*As a single storey structure, extending no more than 3 metres from the original rear wall of*

*the dwelling, the proposed rear garden room would meet the allowances set out in Class A, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and would therefore not require formal planning permission.*

*However, notwithstanding the above, I remain to have concerns in relation to the scale of the proposal and the impact on the availability of parking to serve the enlarged property.*

The final sentence I believe refers to parking rather than the scale of the extension which is covered in the first paragraph. The letter then goes on to cover the proposal under the draft policies (which have now been adopted).

### ***Assessment of Proposals under Draft Local Planning Policies***

*Having regard to the draft Local Plan Policy CO17 (Householder Development), if this is adopted (anticipated date of June 2020) I am of the opinion that the current proposal for a first floor side extension is likely to receive favourable consideration as the first floor accommodation is likely to fall within the proposed maximum increase of habitable floorspace of 30%. However, if the rear extension is constructed prior to the determination of the application for the side extension, I would advise that this is likely to jeopardise the success of that or any future applications for extensions or alterations because the sum of the additional floorspace would exceed the 30% limit.*

*The determination of a planning application under the current NYM CSDPD is likely to be the most straight forward process, subject to addressing any concerns that may be forthcoming from the Highway Authority. If you would prefer to submit an application prior to receiving their informal advice, I would advise that there is the opportunity to amend an application during the 8 week determination period if necessary.*

Nowhere in the letter in my opinion does it express that there are concerns with the scale and mass of the proposed extension. There is also no mention of any adverse impact on neighbouring amenity. After this letter was received there was further email correspondence and at no point was the scale and massing raised as an issue to address/resolve. The only hurdle to get over at that point in time was Highways which we did. It is for these reasons that we submitted a full planning application that was of "identical size and scale to that proposed at pre-application stage". We had no reason to submit anything different and we do not want the Committee Members to think that we ignored advice from the Officers as we've done everything within our power to work closely with them throughout the application process which started back in February 2020.

Thank you for your consideration.

Kind regards,  
Mr & Mrs Suggitt

# North York Moors National Park Authority

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**Andy Wilson**  
Chief Executive

Mr Chris Suggitt

Your ref:

Via Email

Our ref: NYM\2020\ENQ\16358

Date: 20 March 2020

Dear Mr Suggitt

## **Proposed Single Storey Rear Extension, Conversion of/Extension to Garage to form Living Accommodation and Construction of First Floor Side Extension at 15 Mill Lane, West Ayton**

Thank you for the additional information in support of the above enquiry, received at the National Park Office on 12 March 2020. I have taken the opportunity to consider the details and research the relevant planning history in relation to neighbouring properties. I have also sought advice from the Local Highway Authority and I await their response.

### **Policy Context**

You may be aware that the Authority is currently working towards the preparation of a new Local Plan which means that planning policies are likely to change in the relatively near future.

The current local planning policies relevant to this application are Development Policy 3 (Design) and Development Policy 19 (Householder Development) contained within the NYM Core Strategy and Development Policy Document (CSDPD). These policies collectively seek to ensure that development maintains and enhances the special character of the National Park; is sympathetic to the character and appearance of the host dwelling and; should not have an adverse effect upon the amenities of neighbours. This is to be achieved through careful siting, high quality design and appropriate scale, mass and materials.

As mentioned above, the draft Local Plan is not yet adopted but following the Examination in Public in November 2019, it is worth having regard to the likely requirements of the emerging policies at this stage as they may affect your proposal. 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 proposes that the new development does not increase habitable floorspace by more than 30%.

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Total habitable floorspace should be calculated excluding existing extensions (unless built before 01 July 1948), garages, conservatories and outbuildings. Not only does this limited scale of extension help to ensure that proposals are of a subservient nature but also helps to ensure that a good mix of dwelling types are maintained in order to sustain balanced communities. Limiting the size of new extensions can help avoid the loss of smaller more manageable and affordable dwellings within the National Park.

Further information and the draft policies are also available online using this link:  
<https://www.northyorkmoors.org.uk/planning/framework>

### **Assessment of Proposals under Current Local Planning Policies**

Having regard to the proposed first floor extension (or two storey extension depending on the quality of the existing garage structure), I would advise that I have no objection in principle to the scale and design under the current NYM CSDPD Policies DP3 and DP19. In relation to the finer details we would usually advise that detailing such as kneelers and water tabling is omitted from extensions in order to achieve a sense of subservience but in this case, I can see that they are a distinctive feature of the properties on Mill Lane. Furthermore, the position of the extension which would be set back a considerable distance from the front elevation of the property and lower ridge height would help to achieve this aim, allowing the original dwelling to remain the dominant form.

As a single storey structure, extending no more than 3 metres from the original rear wall of the dwelling, the proposed rear garden room would meet the allowances set out in Class A, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and would therefore not require formal planning permission.

However, notwithstanding the above, I remain to have concerns in relation to the scale of the proposal and the impact on the availability of parking to serve the enlarged property. I note that similar extensions have been approved and constructed at No. 11 Mill Lane and I have checked the relevant permission (NYM4/013/506/PA granted 14 March 1996). Looking at the archived file, I can confirm that the proposal was amended following concerns raised by the Highway Authority in relation to the availability of parking. The original proposal was amended to allow vehicular parking in front of the proposed garage and in addition to this a condition was attached to the permission stating:

The garage hereby permitted shall not be used for purposes other than domestic purposes with sufficient space maintained free of obstruction for the parking of motor vehicles associated with the adjacent dwelling.

Without the revised plan and condition, I understand that the Highway Authority would have lodged an objection to the proposal.

I have passed the details of your enquiry to the relevant Highway Engineer for their informal comment/advice and I will update you as soon as I receive their comments.

### **Assessment of Proposals under Draft Local Planning Policies**

Having regard to the draft Local Plan Policy CO17 (Householder Development), if this is adopted (anticipated date of June 2020) I am of the opinion that the current proposal for a first floor side extension is likely to receive favourable consideration as the first floor accommodation is likely to fall within the proposed maximum increase of habitable floorspace of 30%. However, if the rear extension is constructed prior to the determination of the application for the side extension, I would advise that this is likely to jeopardise the success of that or any future applications for extensions or alterations because the sum of the additional floorspace would exceed the 30% limit.

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The determination of a planning application under the current NYM CSDPD is likely to be the most straight forward process, subject to addressing any concerns that may be forthcoming from the Highway Authority. If you would prefer to submit an application prior to receiving their informal advice, I would advise that there is the opportunity to amend an application during the 8 week determination period if necessary.

I appreciate that this is currently an uncertain period in respect of local planning policies and I am sorry that I cannot provide you a greater degree of certainty in respect of the likely outcome of a planning application. However, I hope the above advice is of assistance to you and trust you appreciate that this letter is an expression of informal Officer opinion only; given without prejudice to any decision the Authority may issue in response to a formal Planning Application.

If you have any questions or would like to discuss the matter, please do not hesitate to contact me.

Yours sincerely

*H. Webster*

Miss Helen Webster  
Planning Officer

**Normal Working Hours:**

Tuesday to Friday, 9am - 5pm.

**Notes:**

1. Whilst the documentation submitted is acceptable for pre-application purposes, the details may not meet national and local validation requirements when submitting a planning application. As such, you may wish to consider contacting the Planning Administration Officer; Mrs Wendy Strangeway to seek further advice.
2. The relevant planning application forms and guidance notes are available to download from the Authority's website or paper copies are available upon request from the Planning Administration Team. Alternatively, an online application can be made via the Planning Portal website.