

North York Moors National Park Authority

Parish: Carlton	App No. NYM/2020/0440/FL
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Proposal: alterations and construction of single and two storey extensions following demolition of existing extensions and summerhouse, erection of replacement garden footbridge, construction of replacement detached garage

Location: Carlton Grange, Carlton in Cleveland

Applicant: Mr Andrew Port, Carlton Grange, Carlton in Cleveland, TS9 7BB

Agent: Design 4 Architecture, fao: Mr T Harrison, Chestnut House, Marton, Sinnington, York, YO62 6RD

Date for Decision: 09 September 2020

Extended to: 25 September 2020

Director of Planning's Recommendation

Approval subject to the following condition(s):

1. TIME01 Standard Three Year Commencement Date
2. PLAN01 Strict Accordance With the Documentation Submitted or Minor Variations - Document No's Specified
3. RSUO04 Domestic Outbuildings - No Conversion to Accommodation - Inside Villages
4. MATS03 Stonework to Match
5. MATS13 Roof Tiles to Match Existing
6. MATS11 Render Details
7. MATS56 Conservation Rooflights Only
8. MATS72 Black Coloured Rainwater Goods
9. MATS00 Prior to the commencement of works on the replacement footbridge, constructional details should be submitted to the Authority. The constructional details of the proposed footbridge must be approved in writing by the Local Authority and the development must be carried out strictly in accordance with the approved details.
10. LNDS00 Prior to the commencement of works to the replacement garage and footbridge, a report must be submitted to the Local Planning Authority outlining the impact, if any, of the development on any trees or Root Protection Areas within the immediate vicinity. The report should include any potential mitigation which is to be approved in writing by the Local Planning Authority.

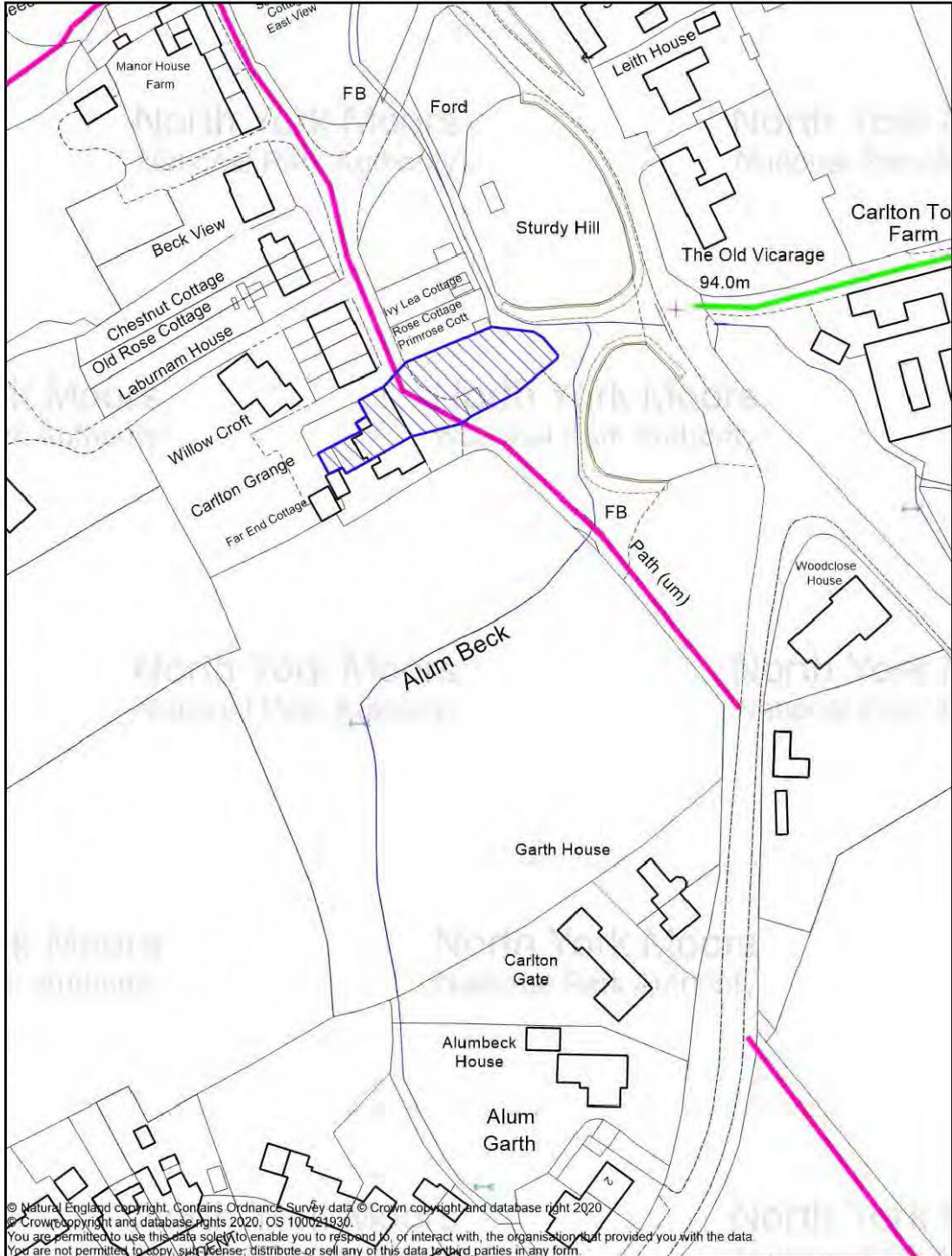
Application No: NYM/2020/0440/FL

Condition(s) continued

11. LNDS00 Prior to the commencement of any works being undertaken on the drive, garage (including demolition of the existing), pathway or bridge, a Construction Environmental Management Plan is to be produced, submitted and approved in writing by the Local Planning Authority. All works to the drive, garage, pathway and bridge must be carried out in accordance with the recommendations/directions of the CEMP plan.
12. GACS07 External Lighting - Submit Details

Informative(s)

1. MISCINF01 Bats
2. MISCINF12 Birds
3. MISCINF09 PROW to be Kept Free From Obstruction at all Times





Application Number: NYM/2020/0440/FL

Consultations

Parish - Object - 10 August 2020 - The Parish Council objects strongly to the proposed electric gates as they will cause inconvenience to neighbours living in the vicinity as the narrow roadway in front of the cottages has no facility for vehicles to turn around. Closing off access with these gates will cause congestion and block access to driveways when visiting cars and delivery vehicles halt and then have to reverse out of the road. The gates will also close access to one adjoining property. They also have concerns that the proposed gates block a pedestrian right of way. Furthermore, the Parish Council comment that the proposed aluminium windows on the rear are not in-keeping with the historic nature of the house or many of the neighbouring properties. Finally, the Parish Council comment that a section of the proposed garage that goes through the existing hedge may be on common land.

Amended Plans - Object - 13 September 2020 - The Parish Council strongly objects to the amended plans. Aside from the removal of the pedestrian gate, the amended plans take no account of the other numerous concerns raised in the original objection. To add to their previous comments, the Parish Council comments that the proposed gate would severely affect the village as a whole as access to the adjacent farm would be blocked. Access is essential for its use for grazing and for maintenance of the surrounding trees and hedging. There would be consequential impact that an electric gate would create in terms of additional hazards to the highway resulting from delivery vans/lorries being compelled to reverse on to a section of the highway that has parked vehicles, horse traffic and pedestrians.

Ward -**Highways** - No objection - 7 August 2020

Object - 14 September 2020 - When the site visit was conducted it was believed that the land forward of the property was private; however following a consultation of the draft extents of the highway, it is clear that this is adopted highway. Therefore the Highway Authority is unable to support the introduction of a gate.

Ramblers' Association - Object - 3 August 2020 - The applicant has not indicated that a gate is needed on the footpath for agricultural reasons (s.147 of the Highways Act 1980) and, therefore, a gate would present an unlawful obstruction of the right of way under common law. They object to the proposal for a gate, and would expect a gap of at least 2 metres to be provided to allow free access for wheelchair users.

Amended Plans - No objection - 1 September 2020 - Comment that they wish to see proposals for safeguarding the safety of walkers while the work is in progress.

Police (Traffic) -

Application Number: NYM/2020/0440/FL

Others - Mr Scott Taylor, Willow Croft, Carlton-In-Cleveland, TS9 7BB - Object - 13
August 2020 - Mr Taylor considers that the proposed rear extension would encroach on their privacy and right to enjoyment of their home. The proposed two story extension with two full length windows and Juliet balcony's will look into their daughter's bedroom, down into their utility and have full unrestricted views over their garden. Mr Taylor believes that the impact on their privacy will directly devalue their property. Mr Taylor raises concerns that the demolition of the existing summerhouse would also negatively impact the privacy of their garden as it would increase visibility between the two properties.

In regard to the design of the development, Mr Taylor considers that the proposed materials are not in keeping with the host dwelling or the surrounding area and properties. Mr Taylor also objects to the introduction of a vehicular and pedestrian gate on the land forward of Carlton Grange. He highlights that the land forward of Carlton Grange is used by local residents and delivery drivers for turning and reversing when accessing surrounding properties. Mr Taylor also notes that the proposed gate will also impact an existing access route to an adjacent field. The field is agricultural land and the farmer and land owner access the field with large farm vehicles and there is no other point of access other than the route and the route for removal of livestock would be blocked by the proposed gate. In addition, Mr Taylor is also concerned that the proposed side entrance and drainage pipes could impose in an already tight access point to Willow Cottage with safety implications.

Object - 14 September 2020 - Mr Taylor wishes to renew his previous comments in light of the submission of amended plans. He comments that the proposed development at Carlton Grange will have serious consequences to the enjoyment of their home. In addition to the previous comments, Mr Taylor comments that the occupiers of Carlton Grange have no right to access the private drive of Willow Croft through the proposed side door at the property or garden access gate.

Mr. Chris Thornton, Primrose cottage, Carlton in Cleveland, TS9 7BB - Object - 7
August 2020 - The proposed gate will make it difficult in terms of vehicular access to Mr Thornton's driveway. It will also mean that delivery vans, post office vans etc. will be unable to gain access to Carlton Grange (and Far End cottage) when the residents are not at home, resulting in congestion in front of Mr Thornton's house. The local farmer also has a field at the end of the road to which he transports sheep on a regular basis and the proposed gate will block this access.

Object - 13 September 2020 - Mr Thornton renews his previous comments to the proposed plans. His main concern is the impact that the proposed gate would have on surrounding residents. Delivery drivers, emergency vehicles and oil tankers will be unable to access properties safely. Mr Thornton also comments that he has concerns regarding the impact to fauna and wildlife through the construction of the proposed garage.

Application Number: NYM/2020/0440/FL

Others continued

Mr Alistair Sutcliffe, Church Farm, Church Farm, Carlton in Cleveland, TS9 7DJ - Comment - 13 September 2020 - As a farmer of the adjacent land, Mr Sutcliffe requires access with large farm vehicles to the land across the area where the electric gates are proposed.

Mrs Diane Wilkinson of Old Rose Cottage, Carlton-in-Cleveland, North Yorkshire, TS97BB - Comment - 11 September - Mrs Wilkinson raises concerns regarding the proposed gates. The comments that the implications of the gate would be that traffic accessing the above properties and delivery vans could back up outside their property blocking access to their driveway. The access lane is narrow and the presence of the gate will render the vehicles unable to turn around in the gravelled area, having to reverse down to a blind bend on an incline, with stone walls and vehicles parked, being at risk of being damaged.

Mr David Marwood of The Barn, Hall farm, Carlton in Cleveland, TS9 7BB - Object - 11 September 2020 - Mr Marwood owns the agricultural land adjacent to Far End Cottage and objects to the application. He states that the proposed gate would severely restrict his only access to the land with large agricultural machinery. The land is used for grazing at the moment but access is still required for machinery, some of which can be 3 metres, or more, wide. The existing access is already restricted and the placement of gates would further restrict access, especially if a pedestrian gap is placed alongside the gate.

Site Notice/Advertisement Expiry Date - 3 August 2020

Background

Carlton Grange is a two storey, semi-detached property of traditional stone and pantile construction. The property is reflective of the local vernacular and is considered to make a positive contribution towards the wider conservation area. Vehicular access to the property is via the north with a shared gravel drive to the east and a detached double bay timber garage located to the east. The property has a large garden to the east with a footbridge leading over Alum Beck to an area of land in their ownership called Sturdy Hill. The property also has a modest enclosed garden to the rear with a substantial garden room for which planning permission was granted in 2000; it is proposed that this garden room is to be demolished.

Application Number: NYM/2020/0440/FL

Background continued

This application relates to a number of alterations and extensions to the property. It is intended to construct a two storey extension on the south west elevation of the dwelling. The extension at first floor level will introduce an additional gabled projection to match that existing, together with a connecting room between the two projections to form an en suite. At ground floor the proposal seeks to extend the existing rear extensions across the rear elevation of the original dwellinghouse together with alterations to the appearance of the existing ground floor extensions. It is proposed that the first floor gable projection will be constructed of materials to match the host dwelling (stone and pantile), whilst it is proposed that the ground floor will be rendered with a weathered zinc roof and extensive glazing.

The proposals also seek planning permission for the replacement and relocation of the existing double bay timber garage with a triple bay timber garage set further east towards the beck. The application also includes the replacement and reorientation of the existing garden footbridge.

The application originally included proposals to introduce an electric vehicular gate, together with a pedestrian gate at the entrance of the gravel drive forward of their property. Both of these aspects have now been omitted from the application.

Main Issues**Local Plan Policies**

Strategic Policy C relates to the quality and design of development within the National Park. The policy seeks to ensure that proposed development maintains and enhances the distinctive character of the National Park through appropriate siting, orientation, layout and density together with carefully considered scale, height, massing and form. Proposals should incorporate good quality construction materials and design details that reflect and complement the architectural character and form of the original building and/or that of the local vernacular.

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.

Strategic Policy I relates specifically to development affecting the Historic Environment. The policy states that all developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park through the conservation and, where appropriate, enhancement of the historic environment.

Development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area

Application Number: NYM/2020/0440/FL

Background continued

Policy ENV11 relates specifically to Historic Settlements and the Built Heritage. The policy states that development affecting the built heritage of the North York Moors should reinforce its distinctive historic character by fostering a positive and sympathetic relationship with traditional local architecture, materials and construction. High standards of design will be promoted to conserve and enhance the built heritage, settlement layouts and distinctive historic, cultural and architectural features.

Principle of Extension

Policy CO17 seeks to ensure that any proposed extensions should not increase the overall habitable floor space of a dwelling by more than 30% without sufficient justification for doing so. The proposed extensions at Carlton Grange will extend the overall habitable floor space by approximately 18%; the development is therefore below the recommended 30% limit.

Amendments to Scheme

A number of design details have been amended from the original scheme following discussions between the applicant/agent and the Planning Authority. Initially the scheme proposed unsympathetic features such as zinc cladding at ground floor level, two Juliet balconies and extensive glazing at first floor level. The proposed two storey extension on the rear of the property also sat flush with the gable end of the original dwellinghouse. In order to achieve a higher quality of design and to adhere to the advice provided in the Authority's Design Guides, amended plans were submitted. The amendments to the scheme include the removal of the zinc cladding and the Juliet balcony between the two projecting gables. The plans also omitted a large proportion of the extensive glazing on the proposed gable projection in order to improve the stone-to-void ratio and to minimise the impact on the neighbouring property in terms of overlooking. The proposed two storey extension has also been amended by stepping it in from the gable end to break up and provide relief on the north west elevation.

A number of objections and comments were submitted to the Authority in regard to the proposed electric vehicular gate and pedestrian gate at the entrance of the gravel area forward of Carlton Grange. Highways confirmed that the land is not private and is in fact adopted highway. The Highway Authority were clear in that the application could not be supported and in line with the objections submitted to the Authority regarding the access being restricted, the applicants agreed to omit both the pedestrian and vehicular gate from the proposals.

Application Number: NYM/2020/0440/FL

Impact on Wider Conservation Area

The property is located within the Carlton in Cleveland Conservation Area. The principal (front) and north west (gable/side) elevations are visible from the Conservation Area; however the rear elevation of the property is not visible from the any public footpaths or open spaces with the Conservation Area.

The Parish Council and a third party have commented that the design and materials proposed for the rear extensions and glazing is unsympathetic to the host building and surrounding Conservation Area. The applicants were advised to reconsider the proposed glazing by reducing the extent of glazing and encouraging consistency through a revision in design of the proposed units. The applicant subsequently reduced the extent of glazing by omitting the Juliet balcony on the central en-suite extension. The scale of glazing proposed for the gabled rear projection was also reduced to improve the stone to void ratio. Whilst the Authority would always have a preference for timber windows, it is not considered that aluminium windows of high quality design and construction would have a detrimental impact on the character of the dwelling or wider Conservation Area.

The Authority's Building Conservation Team has commented that the proposed pattern of fenestration of the rear first floor level is at odds with the attempt to replicate traditional materials and detailing. The principal elevation retains many traditional features, including the historic pattern of fenestration and contributes positively towards the conservation area. It is therefore considered on balance that as the front of the property retains its traditional character and form, the alterations to the rear will not have a detrimental impact.

The Authority's Building Conservation Team has also commented that the number of proposed rooflights is not in keeping with a historic property. However, the property is not listed and all proposed rooflights are on the rear of the property; the rooflights could therefore be installed under permitted development rights.

The gable elevation is visible from the public footpath and adopted highway within the Conservation Area. The initial scheme proposed a rear extension flush with the gable end of the property. This resulted in an enlarged gable end masking the rear wall and form of the original dwelling. The proposals were subsequently amended to ensure that relief was provided by stepping in the rear extension, to enable the original rear wall to be clearly identified and retaining the gable as existing. Therefore it is not considered that the proposed rear extensions will have a detrimental visual impact on the wider Conservation Area.

The existing timber garage is visible from the wider Conservation Area and is considered to have a neutral impact. The Authority's Building Conservation Team has not commented on this aspect of the proposal.

Application Number: NYM/2020/0440/FL

Main Issues continued

It is considered that replacement and relocation of the garage with a triple bay timber structure will not have a negative impact on the original dwelling or surrounding Conservation Area. The relocation will reduce wider visibility of the garage within the Conservation Area. The proposed structure adheres to the Authority's Design Guidance in form and materials and is well screened by established hedging, shrubbery and trees.

Within close proximity of the replacement garage in the garden forward of the property is a narrow footbridge over Alum Beck, connecting two areas of land both within the applicant's ownership. The existing bridge is of steel construction, painted green, however it is proposed that the replacement bridge will be of timber construction and reoriented slightly. Whilst not visible from the wider conservation area because of existing trees and shrubbery, it is considered that a timber replacement would be more appropriate and sympathetic to the surrounding area. The bridge is considered to have a neutral impact on the Conservation Area.

Impact on Neighbouring Amenities

Carlton Grange was previously two terraced cottages of a row of three; at some point they were amalgamated into one single property (planning permission would not have been required), adjoined to Far End Cottage which is at the southern end of the terrace. Another terrace of four dwelling, two of which are listed, sits north of Carlton Grange. A private drive sits between Carlton Grange and the terrace of four dwellings.

There will be very little impact on the adjoining property (Far End Cottage) as the proposed extensions will not extend beyond the existing footprint of the property on the side of the adjoining boundary. The proposed rear extensions are closer to the boundary adjacent to the private driveway and it is not considered that the extensions will unduly overlook into Far End Cottage or the rear garden and it is unlikely to have an adverse impact on the flow of natural light to Far End Cottage. It is also considered that the proposed extensions and alterations are unlikely to have a negative impact on the neighbouring amenities of the first of the row of four terraced properties (Primrose Cottage).

Situated to the rear of the four terraced properties is Willow Croft, a two storey rendered property under concrete tile. Willow Croft sits to the north-west of Carlton Grange in a substantial curtilage and access is gained through the private drive adjacent to the development site. The occupiers of Willow Croft have expressed serious concerns in respect of the proposed development and the impact it will have on their private amenities. They raise three main concerns in regard to the impact on their amenities; views into the dwelling, views into the garden and right of way over their land.

Application Number: NYM/2020/0440/FL

Main Issues continued

The occupier, Mr Taylor, has commented that the proposed side entrance door to the rear hall/boot room/utility and the garden gate open out onto the private drive to Willow Croft. He states that the applicants do not have right of access across his land and has concerns that the proposals will impact an already tight access to his property. No part of the development however will overlap onto the private drive and access over the land for use of the side entrance and garden gate is a civil matter to be dealt with between the occupiers of Willow Croft and Carlton Grange independently from the planning process.

The occupiers of Willow Croft have considerable concerns regarding their privacy and the impact that the development might have. Currently there is a distance of roughly 14m between the north western corner of Carlton Grange and the south eastern corner of Willow Croft; with the proposed rear extension there would be just over 10m between the north western corner of the first floor of Carlton Grange and Willow Croft. The Planning Case Officer conducted a site visit to Carlton Grange and assessed the views of Willow Croft from inside the first floor bedrooms and concluded that whilst the property was clearly visible, it was not possible to achieve clear views of the interior of Willow Croft. It was also considered that due to the angle at which you would view the property, even after the proposed rear extension it will still not be visually intrusive to Willow Croft.

Mr Taylor also states that the proposed removal of the existing outbuilding which is located at the bottom of the garden of Carlton Grange, adjacent to the boundary of Willow Croft, together with the proposed rear extension would result in unrestricted views from Carlton Grange into the garden of Willow Croft. The Planning Officer also considered the views into the garden from the first floor of Carlton Grange during the site visit. It is agreed that the removal of the outbuilding will allow for unrestricted views through to the garden of Willow Croft, but it not considered that the proposed rear extension will exacerbate this issue. The patio area which Mr Taylor highlights as an area of concern is situated at least 40m from the rear of Carlton Grange. Reinstatement of hedging along the boundary between Carlton Grange and Willow Croft would mitigate the loss of the screening benefits currently provided by the outbuilding. The remaining boundaries of the garden to the rear of Carlton Grange consist of well-established hedging, shrubbery and trees. The land immediately surrounding Willow Croft is not visible from the first floor of Carlton Grange.

Conclusion

Overall, it is considered that following amendments to the proposed extensions and the omission of the vehicular and pedestrian gates from the scheme, the application adheres to the Authority's Adopted Policies contained within the Local Plan together with the Part 2 of the Authority's Design Guidance.

Application Number: NYM/2020/0440/FL

Main Issues continued

The proposals will not have a detrimental impact on the wider Conservation Area or the character of the host dwelling and it is not considered that the proposed development will result in unacceptable harm on the neighbouring amenities of the surrounding residents. In view of the above, the application is therefore recommended for approval.

Pre-commencement Conditions

Conditions 9, 10 and 11 are pre-commencement conditions and have all been agreed in advance by the applicant/agent.

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 reduction in glazing, omission of a pedestrian gate and reconsideration of certain design details so as to deliver sustainable development.