

# North York Moors National Park Authority

Parish: Hawsker-Cum-Stainsacre

App No. NYM/2020/0479/FL

**Proposal:** alterations, construction of single storey rear extension following demolition of existing conservatory, together with construction of rear dormer window and installation of solar panels to front elevation

**Location:** 7 Hall Farm Road, Low Hawsker

**Applicant:** Mr & Mrs R Harrison, 7 Hall Farm Road, Low Hawsker, Whitby, YO22 4LS

**Agent:** Mr Eric Matthew, Valley View , Underhill , Glaisdale, YO21 2PF

**Date for Decision:** 04 September 2020

**Extended to:**

## Director of Planning's Recommendation

**Approval** subject to the following conditions:

1. TIME01 **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. PLAN01 **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	N/A	10 July 2020
Proposed Elevations, Plans & Section	20/ERM/25	11 September 2020

  
or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. MATS00 The external elevations of the dormer hereby approved shall be coloured dark brown or dark grey and shall thereafter be so maintained unless otherwise agreed in writing with the Local Planning Authority.
4. MISC00 The solar panels hereby approved shall be installed in accordance with the submitted details and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority. If the use of the solar panels ceases, they shall be removed (together with any brackets and fixings) from the building as soon as is reasonably practicable.

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**Informative**

1. MISCINF01 **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.

**Reasons for Conditions**

1. TIME01 To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. PLAN00 For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Strategic Policies A and C which seek to conserve and enhance the special qualities of the NYM National Park.
- 3 & 4. MATS00 For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policies A and C 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.

**Consultations**

**Parish** - Object. The extension would be out of line with surrounding buildings and the dormer does not suit the character of the area.

**Amended Plans** -

**Site Notice Expiry Date** - 11 July 2020.

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**Site Photographs:**



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**Background**

7 Hall Farm Road is a relatively modern and modest detached bungalow of brick construction under a concrete tile roof. It is set within a row of nine other similar properties on the north side of the road. The property has an attached, flat roof garage and is set back from the road with a modest front garden and parking area with an enclosed rear garden. The majority of the properties have small rear extensions (mainly conservatory style) and three dwellings in the row have solar panels fitted to the front facing roofslope. Hall Farm Road is not located within a designated conservation area.

The general character of Hall Farm Road is split by the road with modern development on the north side and older, traditional properties on the south. Although few properties have dormer windows, there are some examples and the planning records have revealed that planning permission was granted in 2017 for front and rear facing dormer windows to a property known as Fern Hill (a modern bungalow on the north side of the road). At that time, there were no objections to the scheme.

This application proposes the construction of a rear extension following the demolition of the existing conservatory, the installation of a rear facing dormer, together with the installation of solar panels to the front elevation. As originally submitted, the scheme proposed a large, flat roof box style dormer centrally positioned in the roofslope to provide improved headroom in an existing WC and landing area. The removal of the existing conservatory (leading from the living room on the right-hand side) would allow the construction of an extension from the kitchen (on the left-hand side of the elevation). The extension is of flat roof design and projects 3.5 metres from the original rear wall and is 4.8 metres wide. The former opening between the living room and conservatory would be partially blocked up and re-fitted with a window as it becomes an external wall.

Based on the submitted plans, the rear extension and the solar panels would comply with the permitted development allowances set out in the relevant sections of the Town and Country Planning (General Permitted Development) (England) Order 2015.

In response to the consultation process, the Parish Council registered their objection to the scheme, advising that the Council considered that the extension would be out of line with surrounding buildings and the dormer does not suit the character of the area. In response to these comments, Officers sought amendments to the scheme but on the basis the proposed extension was similar in scale to other extensions and could be constructed without planning permission, the dormer window formed the basis of the negotiations.

The applicant's agent has submitted amended plans which show a reduction in width of the proposed dormer, smaller windows and a catslide roof, allowing tiles to match the main roof to be used.

The amended plans have been issues for consultation but no further comments have been received.

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**Policy Context**

The relevant NYM Local Plan Policies to consider with this application are Strategic Policy C (Quality and Design of Development) and Policy CO17 (Householder Development) together with the advice contained within Part 2 of the Authority's Design Guide.

SPC 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 requires new development within the domestic curtilage to take full account of the character of the local area and special qualities of the National Park. Development will only be permitted where: the scale, form, position and design do not detract from the original dwelling or its setting; the development does not adversely affect residential amenity of neighbouring occupiers or that of the host property; the development reflects the principles set out in the Authority's Design Guide. In order to achieve a subservient extension, Policy CO17 states that extensions should not increase the total habitable floorspace by more than 30% (unless there are compelling planning reasons for a larger extension) and that the design detail complements the architectural form of the original dwelling.

Part 2 of the Authority's adopted Design Guide recognises that dormer windows are a traditional feature in several parts of the National Park but the detailing varies within and between settlements. However, in general, traditional small scale dormers which are well related to the size, position and glazing pattern of existing windows beneath may be acceptable. Large flat-roof box dormers and dormers incorporating balconies are considered to be inappropriate due to their respective impact on the host dwelling and impact on amenity. The use of dormers on the front elevation will generally be inappropriate unless the street or local area is characterised by existing dormers.

**Main Issues**

The main issues are considered to be whether the proposed dormer window, in its amended form, is of an acceptable, size, scale, position and design in relation to the host property and its setting.

In response to the officer request for revisions, the applicant's agent wrote in support of the proposal advising that the dormer is only to provide sufficient headroom to the existing WC which varies in height from approximately 1.6m down to 1.4m in the width of 1.1m which is insufficient for an adult. As people live longer and remain in their own homes into later life, the need for such facilities are essential. This is the only WC on the first floor and as such, I would state that the dormer was in fact integral to enable the proper functioning of the dwelling.

As a compromise, officers continued to seek amendments in order to reduce the size and bulk of the dormer, which would be the first to be approved in this row of properties. In view of the age and style of the property, it is considered that a refusal was unlikely to be successfully upheld but there was scope to achieve a more sensitive scheme which took into account design advice.

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The revised plans show a reduction in width to 2.5 metres with a catslide design, dropped from the ridge. The revised design is considered to reflect the advice contained within the design guide, and by virtue of the fact the dormer is to be sited at the rear of the property, it is not considered to result in significant or unacceptable harm to the character of the streetscene.

The Parish Council's comments have been fully considered and the relevant planning considerations are considered to have been satisfactorily addressed, through the submission of amended plans. It is considered that the revised scheme is in accordance with the relevant Local Plan Policies, design advice and consistent with other recent planning decisions in the immediate locality for similar development.

In view of the above, 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.