

# North York Moors National Park Authority

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Parish: Aislaby

App No: NYM/2020/0942/FL

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**Proposal:** alterations, construction of first floor extension and balcony

**Location:** 24 Egton Road, Aislaby

**Applicant:** Mr & Mrs C Mills  
24 Egton Road, Aislaby, Whitby, YO21 1SU

**Agent:** BHD Partnership  
Airy Hill Manor, Waterstead Lane, Whitby, YO21 1QB, United Kingdom

**Date for Decision:** 20/01/2021

**Extended to:**

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## Consultations

**Site Notice/Advertisement Expiry Date** – 12 January 2020

### Director of Planning's Recommendation

**Approval** subject to the following condition(s):

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 and Block Plan	D11931-01 Rev A	25 November 2020
Proposed Plans and Elevations	D11931-04 Rev C	14 January 2021

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. MATS10 Brickwork and Roofing Tiles to Match  
The brickwork and roofing tiles of the development hereby permitted shall match those of the existing building unless otherwise agreed in writing with the Local Planning Authority.
4. WPDR04 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Class A (or any order revoking and re-enacting that Order), no extensions to the dwelling known as 24 Egton Road, other than hereby permitted shall take place without a further grant of planning permission being obtained from the Local Planning Authority.

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**Informative(s)**

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.

**Reason(s) for Condition(s)**

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 Policy A and NYM Strategic Policy C, which seek to conserve and enhance the special qualities of the NYM National Park.
3. MATS00 For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy C 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. WPDR00 In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with Strategic Policies A and C of the North York Moors Local Plan, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development.

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### **Background**

The development site is located on Egton Road at the western end of Aislaby and is in a slightly elevated position from the main road. The property is a two storey dwelling with an attached garage and conservatory to the rear. This application seeks planning permission for a first floor extension above the existing garage to provide an additional bedroom and bathroom. The application also includes the construction of a first floor balcony on the front elevation of the dwelling.

### **Relevant 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.

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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.

**Main Issues**

Initial plans submitted with the application proposed a first floor extension that extended beyond the front elevation of the main dwelling, together with flat roof elements at the front and rear of the extension. The applicant advised that the proposals failed to adhere to the Authority's Design Guidance; the Design Guidance is clear that extensions should not project forward of the principle elevation of a dwelling and that flat roofs are not reflective of the local vernacular and are of poor design. Amended plans were subsequently submitted omitting the flat roof elements and the extension was stepped back from the front elevation of the dwelling.

The amended plans better compliment the host dwelling and are more in keeping with the surrounding area. By removing the flat roof elements, the extension sits appropriately within the existing gable of the dwelling and the roof of the development matches the pitch of the host property. The Authority is generally not supportive of balconies, especially on the front elevation of a dwelling, as they are not a common feature of the vernacular within the National Park. However, in this instance it is considered that the Authority can support the proposals; the surrounding properties vary in style and form and there are other examples of balconies within the immediate area and as such it is not considered that the development would have a detrimental impact on the character and form of the host building.

Policy CO17 is clear that any extension should be clearly subservient to the main part of the building and should not increase the total habitable floorspace by more than 30% unless there are compelling planning considerations in favour of a larger extension. The proposed first floor extension increases the overall habitable floorspace by 20% and is therefore within the recommended limit. PD rights (extensions only) have been removed as a result of this application as it is considered that any further extensions to the property would likely exceed the 30% limit. The existing garage can still be converted into additional residential accommodation without requiring planning permission.

There have been no objections to the application and in view of the above; the application is recommended for approval.

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**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 omission of the flat roof elements and stepping back the front elevation of the extension, so as to deliver sustainable development.