

North York Moors National Park Authority

Parish: Egton

App No: NYM/2020/0852/FL

Proposal: construction of first floor rear extension

Location: 9 Bartons Row, Egton

Applicant: Mr Kyle Robinson
9 Bartons Row, Egton, Whitby, YO21 1TY

Agent: Mr Eric Matthew
Valley View, Underhill, Glaisdale, Whitby, YO21 2PE

Date for Decision: 01/01/2021

Extended to: 18/02/2021

Consultations

Site Notice/Advertisement Expiry Date – 16 December 2020

Others –

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
Amended Rear First Floor Extension	N/A	7 January 2021
Email Confirming Removal of Windows from Application	N/A	11 February 2021

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. MATS12 Render to Match Existing
The finish of the walls to be rendered shall match the existing render in colour and texture and thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority. Such rendering and colouring is to be completed no later than one month after the development hereby permitted being first brought into use.

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4. MATS17 Natural Slate
The roof of the development hereby permitted shall be clad in natural slate to match the roof of the existing building in terms of materials, colour and course height and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
5. MATS44 Windows - Specify Details of Colour/Finish (insert)
All new window frames in the development hereby approved shall be coloured White to match the existing within six months of the date of installation and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
6. MATS47 Window Frames in Reveals - Specify Set Back (insert)
The external face of the frame to all new windows shall be set in a reveal of a minimum of 50mm from the front face of the adjacent walling and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
7. MATS72 Black Coloured Rainwater Goods
The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Informative(s)

1. MISCINFO
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.

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2. MISCINF1 Birds
2 Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England <http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx>. Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.
- If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.
3. INF00 Swift (*Apus apus*) populations are declining in the UK due to the loss of nest sites in roof spaces as old buildings are renovated or demolished. Swifts occupy nest sites between May and August, making little noise and causing no mess or smell. Swift populations can be supported by the inclusion of simple and affordable measures during building construction or renovation, such as purpose-made 'swift bricks' or the creation of small loft voids. Guidance can be found on the Swift Conservation website; <https://www.swift-conservation.org/> with additional swift box ideas from Action for Swifts; <http://actionforswifts.blogspot.com/search/label/nestbox%20design>
4. INF00 The development hereby approved does not include the replacement of any window on the front elevation 9 Barton's Row, Egton. The replacement of these windows will require a separate grant of planning permission from the Local Planning Authority.

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.

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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. 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.
5. 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 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. 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 the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
7. 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 the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.



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Background

9 Barton's Row is a two storey, end terrace property of brick and slate construction. The construction of a front porch was approved in 1987 and this was implemented. There have been unsympathetic alterations to the property, such as the installation of poor quality uPVC windows in replacement of original timber windows. The property is located within the Egton Conservation Area where there is an Article 4 Direction in place; as such any further alterations such as replacement windows require planning permission.

This application relates to the construction of a first floor rear extension to the property. The extension is to be constructed of materials to match the existing 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. 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

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.

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Main Issues

9 Barton Row is a traditional end terrace in the heart of the conservation area, the boundary to which purposefully goes around these properties and their gardens to include them in the designation. Unlike the majority of buildings in Egton, the terrace is constructed of brick with a slate roof. The row dates from the second half of the 19th Century and thus it is imagined the materials used are related to the arrival of the railway at Egton Bridge. Although the buildings have suffered from unsympathetic alterations in the past, their form and architectural detail is still readily appreciated and much of the unsympathetic alteration could be reversed. As such they contribute positively to the conservation area aesthetically and historically.

Initial plans submitted with the application proposed a flat roof extension to the property. The applicant was advised that the flat roof failed to compliment the host building or the surrounding area, as well as being contrary to the Authority's Design Guidance. The applicant therefore submitted amended plans, revising the scheme from a flat roof to a pitched roof. The Authority's Building Conservation team explain that a pitched roof is a more traditional form of roof construction and so will sit better with the host property and the conservation area. This is also in line with other developments in the row which have the benefit of planning permission. This is particularly important for this property as an end terrace occupying a prominent position. Although somewhat shielded visually for part of the year by a nearby tree, when this tree is not in leaf there are clear views of the side of this property as it borders a large open space and as such can be appreciated from the main road going through the conservation area.

The plans submitted with the application propose replacement windows, however these proposals were not considered to be acceptable. The applicant proposed to replace the existing timber window with a poor quality uPVC window which failed to reflect historic glazing patterns or styles and as such the applicant confirmed that this aspect would be removed from the application. If the applicant wishes to replace the windows on the front elevation of the dwelling, a further grant of planning permission is required.

In view of the above, the application for a first floor rear extension is recommended for approval.

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 amendment from flat roof to pitched roof, so as to deliver sustainable development.