

North York Moors National Park Authority

Parish: Egton

App No: NYM/2021/0208/FL

Proposal: construction of 1 no. principal residence dwelling with associated access, car port/storage building, amenity space and landscaping works

Location: Land between Windyridge and Mount Pleasant, Egton,

Applicant: The Mulgrave Estate
Estate Office, fao: Mr Robert Childerhouse, Mulgrave Castle, Lythe, Whitby, YO21 3RJ

Agent: John Long Planning Ltd
fao: Mr John Long, 45 The Street, Surlingham, Norwich, NR14 7AJ, Norfolk

Date for Decision: 13/05/2021

Extended to:

Director of Planning's Recommendation

Approval subject to the following condition(s):

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. 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	05-2020-1001 Rev B	23 April 2021
Ground floor plans	05-2020-1002 Rev B	23 April 2021
First floor plans	05-2020-1003 Rev B	23 April 2021
Roof plans	05-2020-1004 Rev B	23 April 2021
Front and side Elevations	05-2020-1005 Rev B	23 April 2021
Rear and side elevations	05-2020-1006 Rev B	23 April 2021
Cart lodge elevations	05-2020-1007 Rev B	23 April 2021
Landscaping plan	05-2020-1008 Rev B	23 April 2021

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

3. The dwelling hereby permitted, shall be used as principal residential dwellings (Class C3) and for no other purpose including any other use in Class C of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). The properties shall be the only or principal home of the main occupant and shall be occupied by the main occupant for at least 80% of the calendar year in the event that the main occupant occupies more than one property. The properties shall not be occupied by the main occupant as a second home. The occupants shall supply to the local planning authority (within 14 days of the local planning authority's request to do so) such information as the local planning authority may reasonably require in order to determine compliance with this condition. For the avoidance of doubt the properties shall not be used as a single unit of holiday letting accommodation.

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4. The cart lodge hereby permitted shall be used for domestic parking and storage incidental to the occupation of the main dwelling on the site and for no other purpose. There shall be no alteration or conversion of the building hereby permitted to permanent residential accommodation and any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H Schedule 2, Part 2, Classes A to C and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
6. No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
7. No work shall commence on the laying of foundations for the development hereby permitted until scaled plans showing the finished floor level, eaves and ridge height of the dwelling hereby permitted in relation to adjacent properties have been submitted to and approved in writing by the Local Planning Authority. The plan shall also include details of a fixed off-site datum point in the immediate locality. The work shall not be carried out otherwise than in accordance with the details so approved.
8. No work shall commence on the construction of the walls and roof of the development hereby permitted until details of the stone and tiles, including samples if so required by the Local Planning Authority, to be used for the external surfaces of the development (including dressings) have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
9. No work shall commence on the excavation works for the development hereby permitted until a one metre square freestanding panel of stonework showing the type of stone and stonework to be used in the construction of the development hereby permitted has been constructed on site and approved in writing by the Local Planning Authority. All new stonework shall match that of the approved panel both in terms of the stone used and the coursing, jointing and mortar mix and finish exhibited in the panel unless otherwise agreed in writing by the Local Planning Authority. The stone panel constructed shall be retained on the development site until the development hereby approved has been completed.
10. All pointing in the development hereby permitted shall accord with the following specification - a lime mortar mix of 1:2 1/2 (lime; sand (sand mix of 50% sieved sharp sand and 50% builders sand)) with a slightly recessed bagged finish.
11. No work shall commence on the installation of any new windows or external doors in the development hereby approved until plans showing the details of all window frames and external doors to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate the window and door construction material and colour.. The window frames and exterior doors shall be installed in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

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12. Trickle vents shall not be incorporated into any new windows hereby approved and shall not be installed thereafter unless otherwise agreed in writing with the Local Planning Authority.
13. The guttering to the development hereby permitted shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilised in the development and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
14. 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.
15. The external elevations of the cart lodge hereby approved shall, within three months of first being brought into use, be clad in dark stained horizontal timber boarding and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.
16. The crossing of the verge must be constructed in accordance with the approved details and Standard Detail number E50 and the following requirements.
 - Any gates or barriers must be erected a minimum distance of 6 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
 - That part of the access extending 6 metres into the site from the carriageway of the existing highway must be at a gradient not exceeding 1 in 10.
 - Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway must be constructed and maintained thereafter to prevent such discharges. 1 metre of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.All works must accord with the approved details.
17. Prior to the development being first brought into use details of a pedestrian access (with no gates opening outwards over the existing highway) at the southwestern front corner of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out no later than the first occupation of the development and shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
18. No work shall commence on the surfacing of the accesses hereby approved until full details of the access surfacing have been submitted to and approved in writing by the Local Planning Authority. The access surfacing shall then be implemented in accordance with the approved details and shall be maintained in that condition in perpetuity.
19. The proposed new hedge at the rear of the site shall be planted no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The hedge shall consist of native species appropriate to the area, planted at a density of 6 plants per metre, and shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
20. The wall at the front boundary of the site shall be constructed of traditional dry stone walling at a height of no more than 1m from adjacent ground level.

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Informative(s)

1. Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site:
https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification_for_housing__ind_est_roads__street_works_2nd_edition.pdf

Reason(s) for Condition(s)

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan, which seek to conserve and enhance the special qualities of the National Park.
3. In order to comply with emerging NYM Local Plan Policy CO7 which seeks to restrict the occupancy of new residential development to those people who will make the property their principal residency and thus contribute to the sustainability of the local community.
4. In order to enable the Local Planning Authority to control any future changes to the building which is in a location where the formation of a separate dwelling unit would be likely to adversely affect the amenities of existing and future occupiers of the site and to accord with the provisions of Policy CO17 of the North York Moors Local Plan.
5. 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 NYM Development Policy 3 and NYM Core Policy A, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.
6. In order to comply with the provisions of Strategic Policy A and ENV4 of the North York Moors Local Plan which seeks to ensure that new development does not detract from the quality of life of local residents or the character of the locality, and so that development helps maintain the National Park's status as an international dark sky reserve.
7. In order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to conserve and enhance the special qualities of the National Park and ensure that new development is of a high quality and respects the character of the locality.
- 8-10. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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.

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- 11-15. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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.
16. In accordance with NYM Development Policy 23 and to ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.
17. In accordance with Policy CO2 of the North York Moors Local Plan and to protect pedestrians and other highway users.
18. In the interests of the satisfactory appearance of the development and in order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that development proposals incorporate suitable hard landscaping details.
19. To ensure a reasonably thick and dense structure is created to adequately compensate for the established plants likely to be lost, and in order to comply with the provisions of Policy ENV1 of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.
20. In order to comply with the provisions of Strategic Policy C of the North York Moors Local Plan which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality.

Consultations

Parish –

Highways – 11 May 2021 – Conditional approval. The LHA have considered whether it is reasonable to recommend a condition to provide a footway in front of the application site for pedestrians to walk along the highway and whether to propose the extension of the 30 mph speed limit.

It is the view of the LHA that it would be reasonable to recommend the footway across the front of the property from the proposed access to the western corner of the site as this will provide a facility for the residents and visitors of the proposed dwelling to walk into the village. It is not proposed to recommend a footway from the access to the eastern corner as the layout of the verge outside Mount Pleasant is not likely to allow the extension of the footway on this side of the road. It is noted that there is a missing link of footway outside Windy Ridge but there is verge width available here for a future footway provision. It is not recommended that this area is conditioned for this application as it is outside the applicant's control.

14 May 2021 - An alternative option to a pavement would be that from the application site have a pedestrian gate at the front left hand corner of the site away from the vehicular drive with the gate at the front of the property and should be conditioned to not open outwards over the existing highway.

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Environmental Health Officer – 29 March 2021 -No objections

Site Notice Expiry Date – 5 June 2020

Others –

Dr Rebecca Hodgson, Honeybee House, Egton – 20 April 2021 - Have two queries. The driveway access from Honeybee House opposite is not shown on the outline plans and is more or less opposite (offset slightly) the proposed access 'concrete apron'. Has the relationship between access to the two properties been taken into consideration in design/location of the access to the proposed development, in relation to road safety, visibility etc?

My other query relates to a historic 'trod' that I believe is located on or adjacent to this site and I think was part of the reason why previous proposals were declined. Has consideration been given to protection of archaeological artefacts (where present)?



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Background

This application relates to a field at the eastern end of the village of Egton. The site lies behind a front boundary hedge and slopes southwards away from the road. The field is situated on rising land between two existing detached dwellings which are situated at right angles to the road and within generous curtilages. The western property is known as Windy Ridge and the eastern cottage is known as Mount Pleasant and is the last property on this side of the road that is within the built up part of the village. To the west of Windyridge is an open site which has planning permission for the construction of a terrace of principal residence dwellings.

This application seeks permission for the construction of a 3 bed two storey stone and pantile dwelling, perpendicular to the road, with a detached timber clad and slated roofed car port with domestic storage above. Like the adjacent dwellings, the property would be set in generous grounds. The scheme has been amended to reduce the amount of glazing, specifically roof lights to reduce concerns regarding light pollution.

The adjacent terrace that has recently be granted planning permission will have a mixture of slate and pantile roofs.

The application comprises a revised scheme to a recently withdrawn application which was for the construction of 3 dwellings where Officers had concerns that such development would have a detrimental impact on the overall character of the village, particularly due to the site's location in this area of the village where development is more sporadic, and the adjacent dwellings are perpendicular to the road, adding to the undeveloped nature of this part of the village.

Egton is designated as a 'Larger Village' in the North York Moors Local Plan.

Main Issues**Local Plan**

Strategic Policy M - Housing – seeks to ensure the delivery of new homes to help meet the needs of local communities and be delivered through a number of ways, including on suitable small sites in listed settlements such as Egton.

The Authority will support proposals for a variety of tenures, types and sizes of dwellings within the National Park, including accommodation for older people and those needing special facilities, care or support at home. Schemes will be expected to meet the need for smaller dwellings. Principal residence and affordable housing will be permitted on suitable small sites in Larger Villages.

The relevant Policy in the Local Plan is Policy CO7 (Housing in Larger villages) which sets out that in order to support the wider service function of Larger Villages, principal residence and affordable housing will only be permitted on suitable small sites within the main built up area of the village only, with proposals meeting the need for smaller dwellings, or as a conversion of an existing building which lies within the main built up area and makes a positive contribution to the character of the settlement.

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Strategic Policy C- Design - seeks to maintain and enhance the distinctive character of the National Park, and states that development will only be supported where it is of a high quality design; incorporates good quality construction materials and design details that reflect architectural character and form of the original building or the local vernacular; the siting, orientation, layout and density complement existing buildings; the scale, height, massing and form are compatible with surrounding buildings and not have an adverse impact upon the amenities of adjoining occupiers; sustainable design and construction techniques are incorporated; there is a good quality landscaping and planting scheme; local wildlife and biodiversity is enhanced; provision is made for adequate storage, cycling facilities and car parking are provided and the proposal ensures the creation of an accessible, safe and secure environment for all potential users.

Policy CO2 – Highways - only permits new development where it is of a scale which the adjacent road network has the capacity to serve without detriment to highway safety; the external design and layout and associated surfacing works take into account, as appropriate, the needs of all users including cyclists, walkers, horse riders and users of mobility aids; and highway detailing, road improvements and street furniture are sensitive to the character, heritage, built form and materials of the area, the need to conserve and enhance biodiversity and are the minimum required to achieve safe access.

Material Considerations

The site is considered to meet the requirements of a suitable site as set out within Strategic Policy M. The application site is considered to be a suitable site, having the characteristic of being part of the continuous built form of the village.

The layout and design of the proposed development would be unlikely to have a detrimental impact on the amenities enjoyed by adjacent residential properties, in terms of privacy and outlook.

It is considered that the proposed construction of a new building towards the edge of the village is acceptable in principal. The design proposed and layout largely takes cues from the adjacent traditional dwellings and the scale and massing enables the proposed to sit well within the existing built environment and respects the plots relationship with the existing buildings.

No objections have been received

Conclusion

It is considered that the proposed development would provide a modest three bed dwelling, would not have a detrimental impact on the character of the locality, or neighbouring amenities.

In view of the above, the proposal is considered to be in accordance with the NYM Local Plan policies outlined above, and approval is recommended.

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Pre-commencement Conditions

N/A

Decision under the Temporary Scheme of Delegation

N/A

Explanation of how the Authority has Worked Positively with the Applicant/Agent

Approval (Amendments Requested and Received)

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 roof lights so as to deliver sustainable development.