

North York Moors National Park Authority

Delegated decision report

Application number

NYM/2021/0360/FL

Development description

alterations and construction of single and two storey extensions following demolition of conservatory

Site address

40 Iburndale Lane, Sleights

Parish

Eskdaleside-Cum-Ugglebarnby

Case officer

Mrs J Bastow

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition text									
1	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.									
2	<p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table border="1"><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Proposed site plan</td><td>2183/PL/03 A</td><td>30 June 2021</td></tr><tr><td>Proposed floor plans & elevations</td><td>2183/PL/05 A</td><td>30 June 2021</td></tr></tbody></table> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p>	Document Description	Document No.	Date Received	Proposed site plan	2183/PL/03 A	30 June 2021	Proposed floor plans & elevations	2183/PL/05 A	30 June 2021
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Proposed site plan	2183/PL/03 A	30 June 2021								
Proposed floor plans & elevations	2183/PL/05 A	30 June 2021								
3	All new stonework and roofing tiles used in the development hereby permitted shall match those of the existing building, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar									

Document title

	mix unless otherwise agreed with the Local Planning Authority.
Reason(s) for condition(s)	
Reason number	Reason text
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	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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.
Informative(s)	
Informative number	Informative text
1	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.
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	<p>Swift (<i>Apus apus</i>) 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</p>
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Consultation responses

Parish

No objection

Third party responses

No comments received

Publicity expiry

9 June 2021



Front elevation



Rear elevation showing existing garden room/conservatory to be replaced

Background

This application relates to an end terraced property situated on the south side of Iburndale Lane in Sleights. It is constructed of coursed stone under a pantile roof with a number of rear extensions including a uPVC conservatory that have been added over the years. There is a detached garage to the west.

Planning permission is sought to replace the existing rear extensions with a flat roof rendered family room with roof lanterns along with a two storey side extension to provide an entrance porch and utility room with en-suite bathroom above.

Main issues

The most relevant policy of the NYM Local Plan is Policy CO17 (Householder Development) which seeks to ensure that any new development within the domestic curtilage does not detract from the original dwelling by virtue of its scale, form, position and design and does not adversely affect residential amenity of neighbouring occupiers. It also requires that proposals should reflect the principles set out in the Authority's Design Guide.

Policy CO17 also requires any extension to be clearly subservient to the main part of the building and should not increase the total habitable floor space by more than 30% unless there are compelling planning considerations in favour of a larger extension. Not only does this limited scale of extension help to ensure that proposals are of a subservient nature but it also helps to ensure that a good mix of dwelling types are maintained in order to sustain balanced communities. Limiting the size of new extensions can help avoid the loss of smaller more manageable and affordable dwellings within the National Park.

In the justification to the policy it advises that total habitable floor space should be calculated excluding existing extensions (unless built before 1 July 1948), garages, conservatories and outbuildings. On this basis the internal floor space of the original dwelling amounts to approx. 77.85 sq.m. The existing rear family room and conservatory extensions add a further 33.5 sq.m which represents a 43% increase in total habitable floor space of the original dwelling.

As originally submitted the proposal to replace the existing rear extensions along with the proposed two-storey side extension amounted to an additional 47.2 sq. m which represented a 60% increase in the total habitable floor space of the original dwelling and as such did not comply with Policy CO17. Amended plans have since been received maintaining the two storey side extension but reducing the size of the replacement rear extension such that the total additional floorspace now amounts to 37.37 sq.m which represents a 48% increase, little more than the existing extensions. This is still in excess of the 30% ruling of Policy CO17 however it is considered that there are material considerations that weigh in favour of approving the application.

In the first instance the proposed replacement rear extension represents a significant improvement to the existing which comprises an awkward arrangement of several different extensions including a uPVC conservatory. The rear extension at present has no cohesive appearance and detracts from the appearance of the property. By contrast the flat roof rendered extension, albeit of a contemporary design and contrasting materials, would complement the host building whilst being subservient to it.

Furthermore the proposed two storey side extension would provide limited additional habitable space in the form of a small entrance porch and utility at ground floor with an en-suite bathroom above. As no additional reception room or bedroom would be provided, it is considered that approval would not result in the loss of a smaller, more affordable property and therefore would not harm the objectives of Policy CO17.

As mentioned the proposed rear extension is considered to be an improvement to the existing arrangement. The two storey side extension would be constructed in stone to the front elevation under a pantile roof to match the host property with the side and rear elevation rendered to match the proposed rear extension. Given its modest scale and form, and set back from the front elevation, it is considered to be subservient to the host property.

In terms of the impact on the residential amenity of neighbouring occupiers, the rear extension will not extend as far into the garden as the existing conservatory and will be set further off the common boundary. The elevation facing the adjoining property will only have high level windows and as such it is considered that the situation will be improved as a result of the proposal. The neighbouring property to the west it occupies an elevated position some 12 metres away and as such would not be affected by the proposals.

In view of the above it is considered that whilst not fully in accordance with Policy CO17, there are material considerations that weigh in favour of approval.

Pre-commencement conditions

There are no pre-commencement conditions.

Explanation of how the Authority has worked positively with the applicant/agent

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.