

# North York Moors National Park Authority

## Delegated decision report

### Application number

NYM/2021/0353/FL

### Development description

alterations, removal of porch and construction of single storey side extension with storage area below

### Site address

Nookside, Whitby Road, Robin Hoods Bay,

### Parish

Fylingdales

### Case officer

Miss Helen Webster

## Director of Planning's Recommendation

Approval subject to the following:

### Condition(s)

Condition number	Condition code	Condition text																											
1.	TIME01	<p>Standard Three Year Commencement Date</p> <p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p>																											
2.	PLAN01	<p>Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified</p> <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>Location Plan</td> <td>N/A</td> <td>13 May 2021</td> </tr> <tr> <td>Block Plan</td> <td>N/A</td> <td>04 May 2021</td> </tr> <tr> <td>Proposed ground floor plan</td> <td>20-05-04a</td> <td>04 May 2021</td> </tr> <tr> <td>Proposed front elevation</td> <td>20-05-06</td> <td>04 May 2021</td> </tr> <tr> <td>Proposed side elevation</td> <td>20-05-5</td> <td>04 May 2021</td> </tr> <tr> <td>Proposed rear and side elevation</td> <td>20-05-7</td> <td>04 May 2021</td> </tr> <tr> <td>Roof plan</td> <td>20.05.08</td> <td>04 May 2021</td> </tr> <tr> <td>Drive frontage proposed</td> <td>20-05-10</td> <td>14 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	Location Plan	N/A	13 May 2021	Block Plan	N/A	04 May 2021	Proposed ground floor plan	20-05-04a	04 May 2021	Proposed front elevation	20-05-06	04 May 2021	Proposed side elevation	20-05-5	04 May 2021	Proposed rear and side elevation	20-05-7	04 May 2021	Roof plan	20.05.08	04 May 2021	Drive frontage proposed	20-05-10	14 June 2021
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3.	MATS10	<p>Brickwork and Roofing Tiles to Match</p> <p>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.</p>																											
4.	MATS72	<p>Black Coloured Rainwater Goods</p> <p>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</p>																											

Document title

		Local Planning Authority.
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**Reason(s) for condition(s)**

Reason number	Reason code	Reason text
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 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 & 4.	MATS00	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 the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.

Informative(s)

Informative number	Informative code	Informative text
1.	MISCINF01	<p>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.</p>
2.	MISCINF12	<p>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  <a href="http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx">http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx</a>. Further information on wildlife legislation relating to birds can be found at <a href="http://www.rspb.org.uk/images/WBATL_tcm9-132998.pdf">www.rspb.org.uk/images/WBATL_tcm9-132998.pdf</a>.</p> <p>If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or <a href="mailto:conservation@northyorkmoors.org.uk">conservation@northyorkmoors.org.uk</a>.</p>
3.	INFO0	<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; <a href="https://www.swift-conservation.org/">https://www.swift-conservation.org/</a> with additional swift box ideas from Action for Swifts; <a href="http://actionforswifts.blogspot.com/search/label/nestbox%20design">http://actionforswifts.blogspot.com/search/label/nestbox%20design</a></p>

4.	INFO0	If the applicant wished to apply for widen the extent of dropped kerbs, it should be noted that this will require planning permission as it is on a classified road, but this has not being included within this application and therefore, vehicular access should be across the existing footway crossing rather than driving over the area in front of where the front wall has being removed.
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### Consultation responses

#### Parish

No objection

#### Highways

Request for additional information.

Revised plans: No objection.

#### Third party responses

None received.

#### Publicity expiry

Site notice expiry date: 24 June 2021.



## Background

Nookside is a relatively modern detached bungalow located on Whitby Road, Robin Hoods Bay, opposite the garage. It is set back into the site, orientated with the gable fronting the road with vehicular parking at the front of the property. It is constructed of red brick under a clay tile roof with a small lean-to porch to the side of lightweight construction.

This application proposed the construction of a side extension to replace the existing porch forming a garage and study, together with a front porch of pitched roof design, similar to neighbouring properties. The garage/study extension is to be constructed of matching materials with the garage having a flat roof design but with a pitched roof over the study. Due to the falling levels of the site, it is possible to provide ancillary domestic storage beneath the study, accessed from the rear garden.

## Main issues

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).

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.

The host property is of relatively modern design and set within a street scene of similar properties. The immediate neighbouring dwellings each have a similar front porch to that proposed for Nookside. The porch is considered to be of a size, scale and design appropriate for the host property and likely to result in a modest enhancement by introducing a more formal front door, consistent with the row.

The proposed garage and study extension is modest in scale and although the garage will be constructed with a flat roof, there are no other suitable options due to the limited amount of space and the ground levels at the side of the property. The flat roof design would not be out of character for a property of this age and ensures the impact upon the neighbouring dwelling is minimised.

The garage will replace a small, poor quality shallow-pitch lean-to glazed porch and the study element towards the rear of the property will have a pitched roof which will enhance the appearance of the extension from the streetscene.

In response to initial concern from the Highway Authority in respect of the small size of the garage (which is below current standards) and the proposed surface material of the driveway, the applicant has advised that the garage is to house a vintage car which is smaller than today's vehicles and that the gravel surface laid by the previous owners will be removed and the whole frontage will be block paved. Furthermore, it is confirmed that the property will remain as a two-bedroom dwelling and there is no change to the current parking availability.

The Highway Authority has considered the additional information and commented that the size of the garage is below the minimum requirement for this space to be classed as a suitable vehicular parking space. The proposals are not altering the likely demand for parking at this address nor are the designs reducing the off street parking availability therefore there are no objections. However, further advice in respect of dropped kerbs is provided in the recommended informatives.

The Parish Council has no objection to the scheme and no other representations have been received. The proposal is considered to be of an appropriate size, scale and design in relation to the host property and its non-conservation area setting. Approval is therefore 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 areas of the application which required further information/clarification with the applicant's agent and requesting the submission of additional information 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.