

# North York Moors National Park Authority

## Delegated decision report

### Application number

NYM/2021/0479/FL

### Development description

alterations and construction of single storey side extension following removal of existing porch

### Site address

Sherwin, Butt Lane, Robin Hoods Bay,

### Parish

Fylingdales

### Case officer

Mrs Jill Bastow

### Applicant

Mr & Mrs Rattenberry

Sherwin, Butt Lane, Robin Hoods Bay, Whitby, YO22 4PF

### Agent

Peter Rayment Design Ltd

fao: Mr Peter Rayment, Woodbine Cottage, Westgate, Thornton Le Dale, Pickering, YO18 7SG

## Director of Planning's Recommendation

Approval subject to the following: / Refusal for the following reason(s)

**Condition(s)**

<b>Condition number</b>	<b>Condition code</b>	<b>Condition text</b>
1	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2	PLAN02	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3	MATS09	All new brickwork utilised in carrying out the development hereby permitted shall match that of the existing building unless otherwise agreed in writing with the Local Planning Authority.
4	MATS12	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.
5	MATS41	All new windows in the development hereby permitted shall match those of the existing building in terms of appearance, materials, section, dimensions, glazing bar pattern, method of opening, external finish, reveals cills and lintels and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
6	WPDR00	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 further extensions shall take place without a further grant of planning permission being obtained from the Local Planning Authority.

**Reason(s) for condition(s)**

<b>Reason number</b>	<b>Reason code</b>	<b>Reason text</b>
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	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 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 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.
5	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.
6	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 North York Moors Local Plan Strategic Policies A and C, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development and Policy CO17 of the which seeks to limit the size of new extensions so as to avoid the loss of smaller more affordable dwellings in the National Park.

## Consultation responses

### Parish

No objection

### Third party responses

No comments received

### Publicity expiry

28 July 2021



Rear elevation taken from Butt Lane – extension would be to the left side

## Background

Sherwin is a relatively modest detached dormer bungalow located on a generous plot off Butt Lane in a small ribbon of development to the north-west of Robin Hoods Bay. It is the last property accessed off the lane such that it only has one boundary shared with a residential property. Although the property is not prominent in views from the main road to Robin Hoods Bay, it is accessed from a green lane which is also a designated public bridleway. The property dates from circa 1930 and is constructed of dwarf red brick walls with render above and a flat Rosemary tiled roof. The property is orientated to take advantage of the seaward views with the principle elevation south facing with the garden extending away from the property whereas the 'rear' elevation faces north and onto Butt Lane. The property been altered over the years with the addition of a relatively modest flat roof dormer to the south facing roofslope and a single storey flat roof extension to the front elevation (south).

Planning permission was recently granted in February 2017 for the enlargement of the existing dormer together with a replacement raised decking area and glass balustrade.

Planning permission is now sought for a modest flat roof side extension to provide a larger bedroom with an extension of the raised decking area and glass balustrade around the side of the property to provide a patio area outside the extension on the south side. The submitted plans also show a modest enlargement of the tarmac to provide a turning area and the repositioning of the existing greenhouse.

## Main issues

Policy CO17 of the Local plan is most relevant to this application. It supports proposals for development within the domestic curtilage provided that 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; it does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling; and it reflects the principles outlined in the Authority's Design Guide. In addition in the case of extensions and alterations to the existing dwelling, 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; and the design and detailing should complement the architectural form and character of the original dwelling and any new roofline should respect the form and symmetry of the original dwelling.

The proposal is for a modest flat roof side extension which would be constructed using materials to match the host property. Whilst a flat roof structure is not particularly aesthetically pleasing it does complement the existing extension to the front elevation and ensures that the attractive hipped roof remains intact. It also ensures that the extension is subservient to the host property.

In terms of the increase in habitable floorspace, the floorspace of the original dwelling extends to 65 sq.m with the front extension adding a further 14 sq.m. There are no planning records to date this extension and it is clearly of some age although whether it is pre-1948 for the purposes of calculating the habitable floorspace is difficult to tell. The proposed side extension would add a further 10.5 sq.m which, when taken into account with the front extension results in 38% increase in habitable floorspace; if the front extension is excluded from the calculations then the side extension represents only 16% increase in floorspace. As such it is considered that given the uncertainty regarding the front

extension, the proposed side extension is considered acceptable and meets the size threshold of Policy CO17.

The proposed extension to the existing decking area with its glass balustrade supported by steel posts to the side of the property to provide a further patio area is considered acceptable. It will be visually cohesive and will not adversely affect the character or appearance of the property or its setting in the landscape.

Given the position of Sherwin and its relationship to neighbouring properties to the north and east, it is not considered that the proposed works would have an impact on the residential amenity of neighbouring occupiers.

In view of the above the proposal is considered by virtue of its scale, height, form, position and design to meet the requirements of Policy CO17 and approval is recommended.

### **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.