

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2019/0732/FL

Development description: construction of 1 no. replacement dwelling with associated landscaping works

Site address: Honey Bee Nest, Glaisdale,

Parish: Glaisdale

Case officer: Mrs Hilary Saunders

Applicant: Guy Bentley Ltd
Bentley Buildings, Windhill, Glaisdale, YO21 2QY

Agent: Malcolm Tempest Ltd
High Parks, Newton le Willows, Bedale, DL8 1TP

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text									
1	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.									
2	PLAN01	<p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table border="0"> <thead> <tr> <th>Document Description</th> <th>Document No.</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Replacement Dwelling</td> <td>B099/2/3</td> <td>18/10/2019</td> </tr> <tr> <td>Proposed dwelling (amended scheme)</td> <td>6 B099/2 Rev A</td> <td>30 March 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	Replacement Dwelling	B099/2/3	18/10/2019	Proposed dwelling (amended scheme)	6 B099/2 Rev A	30 March 2021
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Replacement Dwelling	B099/2/3	18/10/2019									
Proposed dwelling (amended scheme)	6 B099/2 Rev A	30 March 2021									
3	WPDR01	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.									
4	RSU000	The integral double garage hereby approved shall be used for domestic storage/car parking 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	GACS00	No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be of a style and luminance which minimises glare and light pollution. All bulbs should be shielded to prevent upward and minimise horizontal light spill and all lighting shall be installed to minimise its impact on neighbouring amenity. The lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.									

6	MATS01	No work shall commence on the construction of the walls of the development hereby permitted until details of the stone, including samples if so required by the Local Planning Authority, to be used for the external surfaces of the development including for walling and dressings have been submitted to and approved in writing by the Local Planning Authority. The stone used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
7	MATS06	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.
8	MATS15	The roof of the development hereby permitted shall be clad with traditional, non interlocking, non pre-coloured natural red clay pantiles and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9	MATS60	All new window frames, glazing bars, external doors and door frames shall be of timber construction and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10	MATS54	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.
11	MATS70	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.

12	MATS72	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.
13	HWAY16	No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing B099/2/3. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
14	DRGE00	There must be no ground raising in Flood Zone 3.
15	LNDS12	The access hereby permitted shall be surfaced with a permeable material and the development shall not be brought in to use until the access has been surfaced in accordance with these details. The access surface shall be maintained in that condition in perpetuity.
16	LNDS09	No work shall commence to clear the site in preparation for the development hereby permitted until full details of the proposed boundary treatment to the site, including the size and species of any hedging, the materials to be utilised to any walls or fences and the timetable to implement the proposed works, shall be submitted to and approved in writing by the Local Planning Authority. The site boundary works shall then be implemented in accordance with the approved details. The boundary treatment shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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	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 Strategic Policies A and C of the North York Moors Local Plan, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development.
4	RSU000	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	GACS00	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.
6-8	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
9-12	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
13	HWAY00	In accordance with Policy CO2 of the North York Moors Local Plan and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.
14	DRGE00	In order to comply with the provisions of Policy ENV5 of the North York Moors Local Plan which seeks to mitigate the impact of flood damage to new development within areas at high risk from flooding and prevent additional flood risk to other properties.
15	LNDS00	In accordance with Policy CO2 of the North York Moors Local Plan and to ensure satisfactory highway drainage in the

		interests of highway safety and the amenity of the area.
16	LNDS00	In the interests of the satisfactory appearance of the development and in order to comply with the provisions of Strategic Policy C of the North York Moors Local Plan which seeks to ensure that development proposals incorporate suitable hard landscaping details.

Informative(s)

Informative number	Informative code	Informative text
1	INFO0	These works may include replacing part of the edges to the existing highway to the proper line and level. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The local office of the Highway Authority will also be pleased to provide the detailed construction specification referred to in this informative
2	MISCINF01	<p>Bats</p> <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>
3	MISCINF02	<p>Coal Referral Area</p> <p>The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p>

4	MISC INF09	Please note that the footpath/track situated to the south the development site hereby approved must be kept free from obstruction and open for use at all times before, during and after any works.
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Consultation responses

Parish

No Objections in principle.

Highways

Satisfied that the amount of vehicular parking proposed is expected to be sufficient for the proposed development. It is expected that some works along the edge of the carriageway will be required. Consequently the Local Highway Authority recommends an Informative

Yorkshire Water

No comments

Environmental Health

No objections

CL163 Protection Group

Our information shows that there is not any infringement on common land. If our maps are correct, we have no objection.

Environment Agency

No objections subject to conditions that there must be no ground raising in flood zone 3.

Forestry Commission

Standing advice regarding ancient woodland

Natural England

The development will not have significant adverse impacts on statutory protected nature conservation sites.

Third party responses

Name

Dick Brew, Greenhowe , Glaisdale- I wish to draw your attention to a public right of way that runs along the southern boundary of the property (between Honey Bee Nest and the Arncliffe Arms). The right of way is an unclassified road, the U2266/9/70. It is used regularly by myself, and other members of the public. Whereas I do not oppose the development in itself, I note from the plans that the southern wall of the replacement dwelling will abut the "Track". My concern is that during construction, the public right of

way will be obstructed, or even closed, which would obviously be unacceptable. Can you provide assurance that the U2266/9/70 will not be affected, either during redevelopment of Honey Bee Nest, or on completion.

Publicity expiry

Site notice expiry date 27 December 2019

View of existing house from road



View of existing house from rear garden



Background

This application seeks full planning permission to construct a replacement open market dwelling on a footprint that partly overlaps the existing but is set further back in the site to allow better vehicular access.

The site is located outside the built up part of Glaisdale. The existing dwelling is of lightweight timber construction and is of poor design and appearance.

The proposed replacement dwelling would be of a larger footprint but creating a modest 3 bedroom dwelling with a garden room at the rear created out of the basement due to the steeply sloping site.

The current floor area is approximately 154m² plus integral double garage that could be converted without planning permission, creating a total habitable floorspace of 190m².

The proposed dwelling would measure 191m² , plus basement garden room totalling 238m². This represents a total increase in floorspace of approximately 25%.

Main issues

Local Plan

Strategic Policy C - Quality and Design of Development. This Policy seeks to maintain and enhance the distinctive character of the National Park, and supports development that is of a high quality design that will make a positive contribution to the local environment in accordance with the principles set out in the North York Moors National Park Authority Design Guide; 2

Policy CO7 - Housing in Larger Villages – 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. It also states that where a replacement dwelling is permitted within a settlement identified in Strategic Policy B any occupancy restrictions will remain unchanged.

Material Considerations

The existing dwelling is clearly of poor design and does not contribute to the character of the locality; however the residential use has not been abandoned. It is considered that the replacement would represent a visual improvement to the existing dwelling on the site and would bring it back into use as a practical and energy efficient dwelling, which would not have a detrimental impact on the character of the locality.

Furthermore, whilst the footprint is increased from the existing dwelling, it is considered to still meet the aims of Policy CO7 in terms of providing smaller dwellings, as a modest 3 bed dwelling is proposed.

As the dwelling currently doesn't have an occupancy condition attached, it is not proposed that any such condition should be attached to this replacement dwelling.

In view of the above, approval is recommended.

Pre-commencement conditions

N/A

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 amendments to the scale and design, so as to deliver sustainable development.