

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/0508/FL

Development description: demolition of existing garage and conservatory, alterations and construction of single and two storey extensions together with replacement front porch

Site address: Ivy Cottage, High Street, Egton

Parish: Egton

Case officer: Miss Megan O'Mara

Applicant: Mr G Withers

Lake Farm, Thornden Lane, Rolvenden Layne, Cranbrook, TN17 4PR

Agent: BHD Partnership

fao: Mr Neil Duffield, Airy Hill Manor, Waterstead Lane, Whitby, YO21 1QB,

Director of Planning's Recommendation

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

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>Proposed Floor Plans & Elevations</td> <td>D12063-03 Rev F</td> <td>21 October 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 Floor Plans & Elevations	D12063-03 Rev F	21 October 2021
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Proposed Floor Plans & Elevations	D12063-03 Rev F	21 October 2021						
3	MATS03	<p>Stonework to Match</p> <p>All new stonework used in the development hereby permitted shall match that of the existing building including the colour and texture of the stone and the method of coursing and pointing unless otherwise agreed with the Local Planning Authority.</p>						
4	MATS13	<p>Roof Tiles to Match Existing</p> <p>The roof tiles utilised in carrying out the side extension hereby permitted shall match those of the existing building unless otherwise agreed in writing with the Local Planning Authority.</p>						
5	MATS17	<p>Natural Slate</p> <p>The roof of the rear extension hereby permitted shall be clad in natural slate to match the roof of the existing building in terms of materials, colour and course height and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.</p>						

6	MATS30	<p>Doors - Details of Construction to be Submitted</p> <p>No work shall commence on the installation of any door in the development hereby approved until detailed plans showing the constructional details and external appearance of all external doors and frames (and glazing if included) have been submitted to and approved in writing by the Local Planning Authority. All doors shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.</p>
7	GACS07	<p>External Lighting - Submit Details</p> <p>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.</p>
8	RSU000	<p>The integral garage hereby permitted is not to be converted into additional living accommodation without a separate grant of planning permission.</p>
9	WPDR04	<p>Withdrawal of PD Part 1 Class A - Extensions Only (insert)</p> <p>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 extensions to the dwelling known as Ivy Cottage shall take place without a further grant of planning permission being obtained from the Local Planning Authority.</p>
10	ARCH01	<p>Archaeological Interest Requiring Prior Notice</p> <p>The developer shall (a) give notice within ten days or immediately in writing of the commencement of works on site to the archaeologist nominated by the Local Planning Authority (b) shall afford safe access within the site to the nominated archaeologist at all reasonable times and allow the archaeologist to observe any excavations and record finds and features of archaeological interest.</p>

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 NYM Strategic Policy A and NYM Strategic Policy C, which seek to conserve and enhance the special qualities of the NYM National Park.
3	MATS00	For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy C 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 NYM Strategic Policy A and NYM Strategic Policy C 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 NYM Strategic Policy A and NYM Strategic Policy C 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.
6	MATS00	For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy C 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.
7	GACS00	In order to comply with the provisions of Strategic Policy A 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.
8	RSU000	In order to enable the Local Planning Authority to control any future changes to the building in order that development accords with the provisions of Policy CO17 of the North York Moors Local Plan.

9	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.
10	ARCH00	In order that any remains of archaeological importance can be adequately investigated and recorded before any development takes place on the site and to comply with Strategic Policy I and Policy and Policy ENV10 of the North York Moors Local Plan which seeks to conserve and enhance the historic assets and cultural heritage of the National Park

Informative(s)

Informative number	Informative code	Informative text
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1	MISC INF01	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	MISC INF 12	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

		<p>found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.</p> <p>If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</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; https://www.swift-conservation.org/ with additional swift box ideas from Action for Swifts; http://actionforswifts.blogspot.com/search/label/nestbox%20design</p>

Consultation responses

Highways

No objection – 16 August 2021

Third party responses

Mr Leslie Barnes of New Cottage, Egton, Whitby, YO21 1TX

No objection – 15 August 2021

Mr Gregory James Swann, Cross View Cottage, Egton, YO21 1TX

Object with comments – 24 August 2021 – no objections to side or rear extension in principle, but objects to scale, form and materials of both elements. Mr Swann considers that the proposed rear extension is excessive in size and will have a detrimental impact on the neighbouring listed properties, as well as having an impact on the private amenities of the neighbouring property. Mr Swann also considers that the proposed side extension will overlook his bedroom, therefore affecting his private amenities. Mr Swann also notes some anomalies in the plans submitted.

Publicity expiry

Advertisement/site notice expiry date: 15 November 2021



This photograph shows the principle elevation of the property, from the main road.



This photograph shows the gable end of the property, together with the existing garage to be replaced by the proposed two storey extension.



This photograph shows the rear elevation of the property, including the existing conservatory to be replaced by the proposed rear extension.

Background

Ivy Cottage is a traditional, modest dwelling of stone and pantile construction in a central and prominent location of the main built up area of Egton. Adjoining the property is a Grade II listed thatched cottage. Ivy Cottage is within the Conservation Area where there is an Article 4 direction in place, removing certain permitted development rights. The property has no previous planning history.

This application seeks planning permission for a two storey side extension, comprising living accommodation at first floor and an integral garage at ground floor. The application also includes a single storey rear extension to replace the existing conservatory, together with a replacement porch.

Main issues

Strategic Policy C relates to the quality and design of development within the National Park. The policy 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 states that development within the domestic curtilage of dwellings should only be permitted where 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. The policy also states that the development should reflect the principles outlined in the Authority's Design Guide.

Strategic Policy I relates specifically to development affecting the Historic Environment. The policy states that all developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park through the conservation and, where appropriate, enhancement of the historic environment. Development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area

Policy ENV11 relates specifically to Historic Settlements and the Built Heritage. The policy states that development affecting the built heritage of the North York Moors should reinforce its distinctive historic character by fostering a positive and sympathetic relationship with traditional local architecture, materials and construction. High standards of design will be promoted to conserve and enhance the built heritage, settlement layouts and distinctive historic, cultural and architectural features.

Discussion

Ivy Cottage is a traditional property, reflective of the local vernacular and as such is considered to contribute to the surrounding conservation area. At present there is modern and non-traditional porch on the front elevation of the property, together with a poor quality, flat roof and concrete block garage adjacent to the southern gable. There is also a modern uPVC conservatory on the rear of the dwelling.

This application proposes to replace the rear conservatory, existing porch and also to demolish the concrete block garage. The rear conservatory is to be replaced with a single storey rear extension with stone dwarf walls and glazing under a shallow pitched slate roof; the extension will be 3.2m wide and 3.1m deep. The proposed rear extension is of better quality design and construction and would not be harmful to the host property. A third party objector considered that the proposed rear extension was excessive in size and would overlook the neighbouring property; however, based on a site visit to the property, the Case Officer does not consider this to be the case.

Following the demolition of the existing concrete block garage south of the property, the applicants propose the construction of a two storey side extension, incorporating an integral garage at ground floor and additional living accommodation at first floor. The proposed side extension is of stone and pantile construction to match the main dwelling and due to appropriate design detailing, the development would appear subservient to the host property. The third party objector also considered that this element of the proposals were excessive in scale and would overlook his bedroom. The

Case Officer has visited the site and does not consider that the development will overlook any neighbouring properties.

When combined, the accommodation provided at first floor in the proposed side extension and the proposed rear extension would equate to an increase of 30% of the original habitable floor space. The development is therefore in accordance with Policy CO17 and permitted development rights have been removed to prevent overdevelopment of the dwelling.

Finally, following suggested amendments, the proposed replacement porch is considered to be appropriate in scale, appearance and materials and is unlikely to have an impact on the host dwelling or wider conservation area. The Authority's Building Conservation Officer has not raised any concerns in relation to the proposed development.

In view of the above, the application is recommended for approval.

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 minor design details on the porch and side extension, so as to deliver sustainable development.