

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/0755/FL

Development description: installation of replacement uPVC windows and enlargement and repositioning of 1 no. window together with enlargement of conservatory, removal of pitched roof and replacement with flat roof

Site address: The Mill House, Village Street, Lealholm,

Parish: Glaisdale

Case officer: Miss Kelsey Blain

Applicant: Mr and Mrs Ita

The Mill House, Village Street, Lealholm, Whitby, YO21 2AQ

Agent: Mr Stephen McGivern

Poets Cottage, Lealholm, Whitby, YO21 2AQ

Director of Planning's Recommendation

Approval subject to the following:

Conditions

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>Amended Plans</td> <td></td> <td>16 November 2021</td> </tr> <tr> <td>Window Details</td> <td></td> <td>16 November 2021</td> </tr> <tr> <td>Glazing Bar Width</td> <td></td> <td>17 November 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	Amended Plans		16 November 2021	Window Details		16 November 2021	Glazing Bar Width		17 November 2021
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3	GACS00	<p>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 shall 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.</p>												
4	MATS70	<p>Guttering Fixed by Gutter Spikes</p> <p>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.</p>												
5	MATS72	<p>Black Coloured Rainwater Goods</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 Local Planning Authority.
6	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>
7	MATS54	<p>Trickle Vents Shall Not be incorporated into Windows</p> <p>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.</p>
8	MATS00	<p>Windows - Lintels in Stone to Match Existing</p> <p>The lintels of all new windows hereby approved, together with any replacement lintels, shall be of natural or reclaimed stone to match the existing in terms of dimension, tooling, shape, colour and texture and shall be maintained in that condition in perpetuity.</p>

Reasons for conditions

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	PLAN01	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	GACS00	In order to comply with the provisions of NYM Strategic Policy A which seeks to ensure that new development does not detract from the quality of life of local residents and in accordance with Local Plan Policy ENV4 which seeks to protect dark night skies.
4	MATS02	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.
5	MATS02	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.
6	MATS01	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.
7	MATS02	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.
8	MATS02	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.

Informatives

Informative number	Informative code	Informative text
1	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</p>

		Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.
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Consultation responses

Parish

No comments received.

Natural England

No comments to make.

Forestry

No comments received.

Third party responses

None.

Publicity expiry

Advertisement/site notice expiry date: 02 November 2021

Photo showing front elevation of The Mill House, Village Street, Lealholm.



Photo showing rear elevation of The Mill House, Village Street, Lealholm.



Background

The Mill House is a large detached property, originally constructed in the Nineteenth Century as a mill and later used as a village hall. Planning permission was granted in 1990 for the conversion of the building into a dwelling with further permissions granted in 1997 for a detached double garage and in 2004 for a substantial rear conservatory.

The property now has a largely domestic character with stormproof casement windows and a large modern conservatory. However, the property remains a substantial building within the Lealholm Conservation Area which is protected by an Article 4 (2) Direction.

This application seeks planning permission for alterations to the conservatory to form a flat roofed extension, as well as the installation of heritage style uPVC windows elsewhere in the property.

Main issues

The most relevant policies contained within the NYM Local Plan to consider with this application are Strategic Policy C (Design), Strategic Policy I (Historic Environment) and Policy CO17 (Householder Development).

Strategic Policy C seeks to maintain and enhance the distinctive character of the National Park by requiring that developments are of a high quality design and incorporate good quality materials and do not have an adverse impact upon the amenities of adjoining occupiers. Furthermore, the scale, height, massing and form of the proposal should be compatible with surrounding buildings.

Strategic Policy I 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. For the reasons outlined above, this application is recommended for approval.

CO17 states that development within the domestic curtilage of dwellings should take full account of the character of the local area, the special qualities of the National Park and will be permitted where among other things, the 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 and does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling.

The existing conservatory and windows are not particularly traditional or characterful and do not contribute to the Lealholm Conservation Area. The existing conservatory is constructed of dwarf stone walls and a timber frame with 2 no. hipped roofs. As originally proposed, this application sought to alter the conservatory with stone walls, a flat roof and 2 no. large glazed lanterns. The Authority advised that the proposal was not felt to represent high quality design as required by Strategic Policy C and following negotiations with Officers the application was amended to omit the timber pillars and to include a stone parapet to conceal the now flat roof lanterns.

The proposed alterations to the conservatory would make it habitable floorspace, however as it would only represent a 14% increase in the property's total habitable floorspace it would comply with Policy CO17.

The Authority's Building Conservation team objected to the replacement of timber windows with uPVC which is a less traditional and sustainable material. Furthermore, the single pane design of the windows was not felt to reflect the traditional character of the mill which previously contained multi-paned windows.

In response to these comments the application was amended to the use of four pane windows with 20 mm glazing bars. While the Authority would prefer the retention of traditional materials within the Conservation Area, the improvement in the design of the windows which would be heritage style vertically sliding sashes is considered to be a sufficient enhancement on the stormproof casements to allow uPVC frames to be considered acceptable in this instance.

As amended, this application is considered to represent a modest enhancement to previous unsympathetic alterations to the property and would therefore not be considered to be additionally harmful to the character or appearance of the Conservation Area. The development is considered to comply with SPC, SPI and Policy CO17.

For the reasons outlined above, this application is recommended for approval.

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 design of the windows and rear extension, so as to deliver sustainable development.