

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2021/0687/FL

**Development description:** construction of two storey rear extension and construction of dormer window

**Site address:** Lawns gate Farm, Shaw End, Lealholm

**Parish:** Glaisdale

**Case officer:** Miss Megan O'Mara

**Applicant:** Mr A Foord  
Lawns gate Farm, Shaw End, Lealholm, Whitby, YO21 2AT

**Agent:** Eric Matthew  
Valley View, Underhill , Glaisdale , YO21 2PF

## 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> <tr> <td>Document Description</td><td>Document No.</td><td>Date Received</td></tr> <tr> <td>Plans and Elevations</td><td>N/A</td><td>28 October 2021</td></tr> <tr> <td>Dormer Window Email</td><td>N/A</td><td>12 November 2021</td></tr> </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	Plans and Elevations	N/A	28 October 2021	Dormer Window Email	N/A	12 November 2021
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Plans and Elevations	N/A	28 October 2021									
Dormer Window Email	N/A	12 November 2021									
3	MATS04	<p>Stonework and Roofing Tiles to Match</p> <p>All new stonework and roofing tiles used in the development hereby permitted shall match those of the existing building, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar mix unless otherwise agreed with the Local Planning Authority.</p>									
4	MATS41	<p>Windows - Match Existing</p> <p>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.</p>									
5	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</p>									

		shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
6	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 Lawns gate Farm shall take place without a further grant of planning permission being obtained from the Local Planning Authority.</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 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	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.
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 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.
<b>Informative(s)</b>		
<b>Informative number</b>	<b>Informative code</b>	<b>Informative text</b>
<b>1</b>	<b>MISCINF01</b>	<p><b>Bats</b></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>

### Consultation responses

No responses

### Publicity expiry

Advertisement/site notice expiry date: 6 October 2021



This photograph shows the rear elevation of the property, on which the proposed extension and dormer window are to be constructed.

## Background

Lawnsgate Farm is a traditional farmhouse of stone and pantile construction and is surrounded by a variety of traditional and modern agricultural outbuildings. The development site is located within the open countryside of Lealholm and some of the land within the applicant's ownership adjacent to the farmhouse is an active camping and caravan site.

The farmhouse has limited planning history and is largely in its original form. This application seeks planning permission for the construction of a two storey rear extension together with the introduction of a small dormer window on the rear elevation.

## Main issues

### Relevant Policies

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.

### Discussion

Initial plans that were submitted with the application proposed a two storey rear extension with an eaves height much higher than the eaves of the original dwelling. The development also included extensive glazing on the gable elevation and a balcony with glazed balustrade. The applicant was advised that in its original form the proposals were contrary to the Authority's adopted policies and Design Guidance. The Authority's Dark Skies Officer also expressed concern regarding the proposed level of glazing and the negative impact this would have on the surrounding area and quality of the dark night skies.

Subsequently, the applicant submitted amended plans which showed a reduction in the eaves height of the two storey extension, omission of the balcony and a revised fenestration on the gable elevation. It is considered that in its amended form the

proposed development adheres to the Authority's adopted policies and Design Guidance in terms of scale, position, form, design and materials.

Policy C017 states that 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. The proposed extension in this instance increases the original habitable floorspace by 28% and therefore below the 30% limit. In accordance with the policy, permitted development rights have been removed in order to ensure that the property cannot be overdeveloped.

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 reduction of eaves height, revised fenestration and omission of the proposed balcony, so as to deliver sustainable development.