

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/0746/FL

Development description: construction of porch and alterations to window openings to front elevation, together with construction of first floor rear extension

Site address: Glendower, 5 Sled Gates, Fylingthorpe

Parish: LCPs of Fylingdales and Hawsker-cum-Stainsacre

Parish: Fylingdales

Case officer: Mrs Helen Stephenson

Applicant: Mr & Mrs G & K Kidd
c/o BHD Partnership Ltd

Agent: BHD Partnership
fao: Mr N Duffield, Airy Hill Manor, Waterstead Lane, Whitby, YO21 1QB, United Kingdom

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>Site plan</td> <td>D12052-01 Rev A</td> <td>20 Sept 2021</td> </tr> <tr> <td>Proposed revised version</td> <td>D12052-06 Rev A</td> <td>01 Dec 2021</td> </tr> </tbody> </table> <p>Plans and Elevations</p> <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	Site plan	D12052-01 Rev A	20 Sept 2021	Proposed revised version	D12052-06 Rev A	01 Dec 2021
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Site plan	D12052-01 Rev A	20 Sept 2021									
Proposed revised version	D12052-06 Rev A	01 Dec 2021									
3.	WPDR00	<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 property known as Glendower shall take place without a further grant of planning permission being obtained from the Local Planning Authority.</p>									
4.	GACS00	<p>No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be Dark Night Skies compliant, fitted with a warm white bulb of 3000k or less and no more than 500 lumens. All lighting fixtures should be shielded/fully cut off to prevent upward and minimise horizontal light spill and all lighting shall be installed to minimise its impact on neighbouring amenity. The</p>									

		lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.
5.	MATS12	<p>Render to Match Existing</p> <p>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.</p>
6.	MATS13	<p>Roof Tiles to Match Existing</p> <p>The roof tiles utilised in carrying out the development hereby permitted shall match those of the existing building unless otherwise agreed in writing with the Local Planning Authority.</p>
7.	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.
8.	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.

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.	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 and Policy CO17 of the North York Moors Local Plan, which seek to enhance and conserve the special qualities of the National Park, secure high quality design for new

		development and to maintain a suitable mix of housing types within the National Park.
4.	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.
5 to 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 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 Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.</p>
2.	INFO0	In order to safeguard the quality of the dark night skies and night time environment for nocturnal species, the applicant is advised to ensure the enlarged areas of glazing and new glazing serving the development hereby approved is treated or shielded to minimise light spill (through tinting, or use of electronically controlled blinds or smart glass).
3.	INFO0	<p>The applicant's attention is drawn to the comments submitted by the Local Highway Authority as below:</p> <p>The LHA are concerned about the available visibility for drivers leaving the drive way of the property and looking downhill to see oncoming traffic. It is noted that the drive access has been extended on the uphill side to increase the visibility of the driver looking downhill and the LHA would like to see this safety feature facility remain available for the residents.</p>

Consultation responses

Parish

Original Plans - The Councillors wished to object to the 360 degree dormer windows but had no objections to the other elements of the application.

Amended Plans -

Highways

Original Plans - No objection. The LHA is concerned about the available visibility for drivers leaving the drive way of the property and looking downhill to see oncoming traffic. It is noted that the drive access has been extended on the uphill side to increase the visibility of the driver looking downhill and the LHA would like to see this safety feature facility remain available for the residents.

Amended Plans – No change to previous recommendation.

Third party responses

Name

None received.

Publicity expiry

Advertisement expiry date – 16 December 2021.



Front elevation of Glendower as seen from the pavement. The property is a detached two storey dwelling finished in cream render under a pantile roof (ridge parallel with the road). The main access door is in the side elevation and the front is characterised by a bay window at ground floor level on the right with three smaller windows to the left and three standard windows at first floor.



Partial view of rear elevation taken from the side drive showing the existing full width single storey lean-to extension.

Background

Glendower is a detached property, occupying an elevated position, set back slightly from the road on the south side of Sledgates in Fylingthorpe. The property is a relatively modern two storey dwelling finished in cream render under a tile roof. The property has been extended to the rear with a full width, single storey lean-to extension.

The property has vehicular access to the rear via a side drive and a substantial garden. To the side and in the rear garden is an existing single garage/workshop and a newly constructed garden room with decking exists to the other side boundary (further information is to be submitted in relation to the garden room to confirm whether planning permission is required). The garden room therefore does not form part of the current application.

In addition to the rear extension, a further planning permission was granted in 2013 for the erection of a replacement garage and workshop.

The current application seeks full planning permission for alterations and extensions to the main dwelling. As originally proposed the scheme included substantial extensions and larger dormer windows to the front and rear elevations. However, following a number of Officer concerns the scheme has been considerably reduced in scope and the revised application now proposes the construction of a traditional pitched roof porch to the front elevation, the removal of the existing bay window and altered fenestration to the front elevation together with the construction of a first floor extension at the rear to form an enlarged bedroom. The alterations do not result in any additional bedrooms.

Policy Context

The relevant NYM Local Plan policies to this application are Strategic Policy C (Quality and Design of Development), Policy CO17 (Householder Development) and the advice contained within Part Two of the Authority's adopted Design Guide.

SPC seeks to maintain and enhance the distinctive character of the National Park and is supportive of developments which are: of a high quality of design; incorporate good quality construction materials and design details that reflect and complement the host building or local vernacular; respectful of existing views and spaces around buildings; of a scale, height, massing and form which is compatible with surrounding buildings and land uses; in the case of conversions, the design detailing must respect the architectural form and character of the building; incorporate sustainable design and construction techniques including making provision to reduce energy use and use energy from renewable sources; include a good quality landscaping scheme and provision to improve biodiversity; provision is made for adequate storage and where the proposal ensures the creation of an accessible, safe and secure environment for all users.

Policy CO17 requires new development within the domestic curtilage to take full account of the character of the local area and special qualities of the National Park. Development will only be permitted where: the scale, form, position and design do not detract from the original dwelling or its setting; the development does not adversely affect residential amenity of neighbouring occupiers or that of the host property; the development reflects the principles set out in the Authority's Design Guide. In order to achieve a subservient extension, Policy CO17 states that extensions should not increase the total original habitable floorspace by more than 30% (unless there are compelling planning reasons for a larger extension) and that the design detail complements the architectural form of the original dwelling.

The adopted Design Guide seeks to protect the intrinsic qualities of the host property and wider locality. It advises that the key to a successful extension lies in the respect shown to the original building so that it remains the dominant form and the design principles cited (i.e. lower ridge height, subservient form, position and detailing) are equally applicable to more recently constricted dwellings as they are to traditional properties. The Design Guide states that all buildings have a threshold point beyond which further extension is not possible without jeopardising or potentially destroying the integrity of the original character.

Main issues

The main issues to consider with this application are whether the proposed extensions and alterations are of an acceptable size and design in relation to the host property and its setting.

The proposed scheme is considered to successfully take into account earlier Officer advice and has resulted in a satisfactorily sensitive scheme. The extensions are of a suitable size and scale in relation to the host property and are acceptable in terms of floor area. The applicant's agent has provided detailed calculations with the application which confirms that, together with existing extensions, the proposed extensions amount to a 34.5% increase in floor area. Although this figure exceeds the stated figure in Policy CO17, on balance it is considered to be an acceptable amount and there is no material increase in the level of accommodation provided (i.e. no increase in bedrooms or new living areas).

In terms of design, the proposed first floor extension is considered to relate well to the character of the host property being of simple ridge and gable design and not projecting as far as the ground floor extension below.

The proposed porch is also of an acceptable, modest scale and it too helps to create a more welcoming front elevation facing the road. The most significant changes to the character and appearance of the dwelling will result from the removal of the rationalising of the window openings. At present, the windows in the front elevation are of varying sizes and design which make little contribution to the character of the

property. The revised window sizes and consistency of design are considered to result in a more attractive and higher quality appearance to this property which sits at the gateway to the conservation area. The changes are therefore welcomed and considered to enhance the property and setting of the conservation area.

Due to the layout of the properties in the area together with the substantial revisions, the amended scheme is not considered likely to result in any unacceptable neighbour impact.

The Parish Council(s) has expressed objection to the dormers originally proposed but no objection to the other elements. The revised application does not include dormer windows but to date, the Council has not provided any further comment in response to the amended plans. The revised proposals are however, considered to address their objection in full.

The Authority's Building Conservation Officer has advised that the amended plan shows a much simpler and traditional form of extension and as such it is considered that the amended scheme will provide an enhancement to the wider character of the Fylingthorpe Conservation Area. Conditions to cover window details, window reveals, the use of gutter spikes and matching construction materials to be added – including a sample of the render colour if proposed to be changed.

The comments and recommendation of the Building Conservation Officer are noted, however, the property does not fall within the boundary of the conservation area (it only abuts the boundary). Consequently, planning permission is not required to alter the windows/reveals and it is therefore considered unreasonable to impose a condition requiring details to be submitted. The main property is fitted with gutter spikes and therefore it would be preferable to see the use of gutter spikes on the front elevation despite the existing modern rear extension being fitted with fascia boarding. Officers have included a gutter spike condition in the recommendation to ensure the alterations are in keeping with the original character. The submitted plans confirm that new render is to match the existing and therefore, this has also been reinforced by the recommended conditions.

The Authority's Ecologist also raised concern in respect of the increased and proposed areas of glazing at the rear of the property, particularly at first floor and above which may result in excessive lightspill to the detriment of the protected dark night skies and nocturnal wildlife. The amended scheme shows a reduction in glazing and removed the larger dormers. It is recommended that an informative is added to draw the applicant's attention to possible measures to reduce lightspill.

The Highway Authority has no objection to the scheme (provided there are no changes to the current access arrangements) and no other representations have been received. In view of the above, approval is recommended.

Explanation of how the Authority has worked positively with the applicant/agent

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.