

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/0864/FL

Development description: rebuilding of boundary wall and erection of replacement gate to site entrance

Site address: Samara, Egton

Parish: Egton

Case officer: Miss Kelsey Blain

Applicant: Mr Mathew Webster
Samara, Egton, Whitby, YO21 1TX

Agent:

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>Gate measurements</td> <td></td> <td>10 November 2021</td> </tr> <tr> <td>Additional Information</td> <td></td> <td>10 December 2021</td> </tr> <tr> <td>Amended Gate Design</td> <td></td> <td>13 December 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	Gate measurements		10 November 2021	Additional Information		10 December 2021	Amended Gate Design		13 December 2021
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Gate measurements		10 November 2021												
Additional Information		10 December 2021												
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3	MATS00	<p>The boundary wall hereby approved shall match the adjacent dry stone wall in height, colour and texture of the stone and method of coursing and pointing unless otherwise agreed in writing with the Local Planning Authority.</p>												
4	LNDS04	<p>Trees/Hedging Retained in Accordance With Plans</p> <p>The large Sycamore tree shown as being retained on the approved plans shall not be felled, uprooted, wilfully damaged or destroyed, cut back or removed without the prior written consent of the Local Planning Authority. Any work approved shall be carried out in accordance with British Standard 3998:2010 Tree Work - Recommendations. If the Sycamore tree is removed, uprooted, destroyed or dies within five years of the completion of the development, it shall be replaced with a tree of a similar size and species unless the Local Planning Authority gives written consent to any variation.</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	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.
4	LNDS02	In order to comply with the provisions of NYM Strategic Policy E which seeks to conserve and enhance the quality and diversity of the natural environment.

Consultation responses

Parish

No objections.

Highways

No comments received.

Third party responses

None.

Publicity expiry

Advertisement/site notice expiry date: 17 December 2021

Photo showing existing dry stone wall at Samara, Egton.



Photo showing existing gate at Samara, Egton.



Background

Samara is a modern detached property located to the west of the high street running through the centre of the Egton Conservation Area which is protected by an Article 4 (2) Direction. Outline planning permission for the construction of the property was approved in 1982 with reserved matters approved in 1983. The property is constructed of natural stone with a pantile roof and a two storey side extension with integral garage sits to the north of the property, approved under planning permission granted in 2002.

A low dry stone wall forms the property's front boundary wall with a timber five-bar gate providing access to the driveway.

This application seeks planning permission to rebuild and increase the height of the dry stone wall and replace the existing gate.

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 proposed replacement dry stone wall would be built on the same footprint as the existing and would be constructed to match the existing dry stone wall at Wardles Farm in both appearance and height. The proposed replacement gate would be of five-bar timber construction with a height of 1.2 metres and would be similar in appearance to the existing gate, although it would provide split pedestrian and vehicle access.

Minor amendments to the design of the gate were requested so that it would match the existing, and these were adopted by the applicant. The Building Conservation team have confirmed that provided the dry stone wall would match the appearance and height of the neighbouring wall, then they would have no objections to this proposal.

The Authority's Conservation team highlighted that the large Sycamore tree which is located in close proximity to the existing wall should be protected and retained, and confirmed that provided the protection of the tree could be conditioned, they would have no objections to this application. The applicant has confirmed that the wall will be rebuilt on the existing footprint so that the roots and soil around the Sycamore tree will not be disturbed.

The proposals would utilise traditional materials and methods of construction that are considered to reflect the character and appearance of the main house and surrounding Conservation Area. The existing amenity space would be retained and as the wall would be rebuilt on the existing footprint and to a height matching that of the neighbouring wall, it is not considered that there would be any harm to neighbouring amenity levels. The development is therefore considered to accord with NYM SPC, SPI and Policy C017.

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 gate design, so as to deliver sustainable development.