

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2021/0914/FL

**Development description:** removal of existing rooflights and chimney together with alterations to fenestration and doors to sunroom and erection of replacement greenhouse

**Site address:** Smoothmans Cottage, Egton Lane, Egton,

**Parish:** Egton

**Case officer:** Miss Kelsey Blain

**Applicant:** Mr M Linton

Smoothmans Cottage, Egton Lane, Egton, Whitby, YO21 1UG

**Agent:** Reed Studio

fao: Gareth Reed, Keelham Cottage, Keelham Lane, TODMORDEN, OL14 8RX

## 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	PLAN02	<p>Strict Accordance With the Plans/Specifications or Minor Variations</p> <p>The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.</p>
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	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>
5	GACS00	<p>A solar control film is to be applied to the upper portion of glazing within the south elevation of the development hereby approved within 3 months of the glazing being installed. Details of the solar control film is to be submitted to the Local Planning Authority and the specification must be agreed in writing prior to the film being applied to the glazing.</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	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	GACS00	In order to comply with the provisions of Policy ENV4 of the North York Moors Local Plan which seeks to ensure that new development maintains the darkness of the night skies above the National Park.

### 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</p>

		on 0845 1300 228.
2	MISCINF02	<p>Coal Referral Area</p> <p>The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at: <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p>

### Consultation responses

#### Parish

No objections.

#### Third party responses

None.

#### Publicity expiry

Advertisement/site notice expiry date: 17 December 2021

Photo showing existing rear extension at Smoothmans Cottage.



## Background

Smoothmans Cottage is a detached stone and pantile property located within open countryside to the east of Egton. The property has been significantly altered over the years including a significant rear extension in 2005 consisting of a two-storey element and single storey garden room.

This application seeks to alter the existing garden room extension by removing the stone chimney breast and rooflights and inserting additional glazing into the garden room's south facing rear elevation.

## Main issues

The most relevant policies contained within the NYM Local Plan to consider with this application are Strategic Policy C (Design), Policy ENV4 (Dark Night Skies) 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.

The ability to experience dark night skies is a special quality of the National Park and therefore Policy ENV4 expect all development to minimise light spillage through good design and lighting management.

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.

The property sits in an elevated position within the open countryside and the existing garden room contains a large proportion of glazing. This application seeks to remove the existing 2 no. rooflights within the garden room and replace the stone chimney breast with additional glazing.

The Authority's Conservation team have advised that the removal of the roof lights are considered to mitigate the increase in glazing to the south elevation. The Authority's Dark Night Skies Officer requested that a solar control film be applied to any glazing that will not be covered by suitable blinds or curtains and the agent agreed to the application of such a film on the upper triangular section of glazing.

The rooflights would be replaced with pantiles to match the existing and the upper and lower sections of glazing will be separated and bordered by natural stone to match the main house. This would break up the elevation and reduce the impact of the glazed elevation.

The proposals relate to the alteration of the existing extension and would not increase the floorspace of the property or have any additional impact upon neighbour amenity. The proposals would utilise traditional materials that match those used on the rest of the property and mitigation measures will be introduced to protect the dark night skies within the National Park.

The proposed greenhouse would be of a suitable design and scale and would be located to the rear of the property in close proximity to the main house, according with the principles outlined in Part Two of the NYM Design Guide.

For the reasons outlined above, this application is considered to accord with NYM Policies SPC, ENV4 and CO17 and is therefore 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 confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.