

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/0919/FL

Development description: construction of conservatory (revised scheme to NYM/2021/0546/FL)

Site address: Hardale Stray Farm, Tranmire,

Parish: Glaisdale

Case officer: Mrs Hilary Saunders

Applicant: Mr Adam Dickinson

Hardale Stray Farm , Tranmire, Whitby, North Yorkshire, YO21 2BW

Agent:

Director of Planning's Recommendation

Approval subject to the following:

Document title

Condition(s)

Condition number	Condition code	Condition text
1	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2	PLAN01	The development hereby permitted shall not be carried out other than in strict accordance with the following documents: Document Description Document No. Date Received Plans & Elevations Sheet 1 AD2021 Rev D 23/12/2021 or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3	GACS00	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 should 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.
4	MISC00	No work shall commence on the installation of the glazing in the development hereby approved until details of measures to reduce light spill from the conservatory, such as the use of tinted glazing or solar control film, have been submitted to and approved in writing by the Local Planning Authority. The work shall accord with the details so approved and shall be maintained in that condition in perpetuity.
5	MATS00	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.

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 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	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	MISC00	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	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.

Informative(s)

Informative number	Informative code	Informative text
1	MISCINFO1	<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>

Consultation responses

Parish

Highways

Third party responses

None

Publicity expiry

Site notice expiry date 29 December 2021

View of bungalow and annex from private access track



Proposed conservatory to be attached to right hand projection (with existing hip roof replaced with a gable) and porch in middle which blew down replaced



Permission granted in 2018 for a conservatory on the rear elevation, but this has not been implemented and has now expired.



Background

Hardale stray is a detached bungalow situated in an isolated position at the end of a track leading through the small hamlet of Tranmire. The property is a relatively modest extended bungalow with a smooth cream rendered finish under a hipped, slate roof. The windows and doors are of timber construction, painted pale green.

To the front of the bungalow is a stone and pantile outbuilding that was converted a number of years ago into annex accommodation.

Planning permission was granted in 2018 for the construction of a large conservatory to the rear of the bungalow. The property now has new owners who did not implement that permission which has now expired.

Earlier this year planning permission was refused for substantial extensions for the construction of a link extension to the outbuilding, construct a side extension including a hipped roof extension and dormer windows to enable bedroom accommodation to be created in the roof space. However, this proposal resulted in a significant increase in habitable floor area as set out below:-

The habitable floorspace of the original dwelling measures approximately 58.6m². The combined floorspace increase of the existing and proposed extensions (not including first floor accommodation) is approximately 113m² which represents an increase in habitable floorspace of 192%. This combined with the additional habitable floorspace in the roof would represent an increase of well in excess of 200%.

The revised scheme originally was submitted as a link extension, but the applicants have re-considered their requirements and the scheme has now been amended so that a conservatory is proposed (without linking to the annex buildings. It is also proposed to replace a previous porch which blew down and to replace all the windows with sage green upvc frames.

Main issues

Local Plan

The relevant policies contained within the North York Moors Local Plan to consider in relation to this application are Strategic Policy C (Design), Policy CO17 (Householder extensions) and Policy ENV4 (Dark Night Skies).

Strategic policy C seeks to maintain and enhance the distinctive character of the National Park, and states that development will only be supported where it is of a high quality design; incorporates good quality construction materials and design details that reflect architectural character and form of the original building or the local vernacular and sustainable design and construction techniques are incorporated.

Policy CO17 seeks to ensure 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 only be permitted where the scale, height, form, position and design do not detract from the

character and form of the original dwelling or its setting in the landscape; does not adversely affect the residential amenity of neighbouring occupiers and reflects the principles outlined in the Authority's Design Guide.

Policy ENV4 - Dark Night Skies - seeks to ensure that the darkness of the night skies above the National Park are maintained and enhanced and requires that all development will be expected to minimise light spillage through good design and lighting management.

Material Considerations

The property itself as existing extended modest bungalow with all habitable floor space located on one floor. Whilst the previous application was considered to be unacceptable, primarily due to the scale of the extensions significantly exceeding the 30% threshold, in this instance a glazed conservatory and replacement porch are proposed, so the 30% criteria does not apply.

It is considered the proposed conservatory will reflect the character, form and materials of the original property as Hardale Stray is a relatively modern property with poor quality windows. The base walls of the conservatory will also be a render finish matching that of the original dwelling.

Whilst the conservatory would be sited on the principle elevation of this property, due to its general design and the position of the annex building in front of it, it is not considered that in this case the proposed development would have a detrimental impact on the character or setting of this property.

The property is located in an area where Dark Skies are particularly important, so there is some concern that a fully glazed conservatory could impact on this, hence a condition is attached to agree a method of glazing to minimize light spill. It is not considered reasonable to refuse permission for a glazed conservatory on this basis as a similarly sized conservatory could be constructed on the rear elevation without the need for planning permission and therefore, without the ability to control the type of glazing.

In conclusion it is considered that the development will accord with SPC and Policy CO17 and conditions to address concerns regarding ENV4 are proposed.

In view of the above, the application is recommended for approval.

Pre-commencement conditions

N/A

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

Approval (Amendments Requested and Received)

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including change in design from glazed link to conservatory, so as to deliver sustainable development.