

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2021/0387/LB

**Development description:** Listed Building consent for internal and external alterations, enlargement of existing single storey rear extension, construction of additional single storey extension with balcony above and catslide dormer window

**Site address:** The Cottage, Sneaton Hall, Sneaton Lane, Sneaton

**Parish:** Sneaton

**Case officer:** Miss Kelsey Blain

**Applicant:** Mr Ahsen Bhatti

The Cottage, Sneaton Hall, Sneaton Lane, Sneaton, Whitby, North Yorkshire, YO22 5HP,

**Agent:**

## Director of Planning's Recommendation

Approval subject to the following:

### Conditions

Condition number	Condition code	Condition text												
1	TIME02	<p>Standard Three Year Commencement Date - Listed Building</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>Amended Plan</td> <td></td> <td>14 February 2022</td> </tr> <tr> <td>Screening Details</td> <td></td> <td>16 November 2021</td> </tr> <tr> <td>Shed Details</td> <td></td> <td>23 February 2022</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	Amended Plan		14 February 2022	Screening Details		16 November 2021	Shed Details		23 February 2022
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3	MATS40	<p>Detailed Plans of Window Frames Required</p> <p>Notwithstanding the approved plans, no work shall commence on the installation of any replacement or new windows (and glazing if included) in the development hereby approved until detailed plans showing the constructional details of all window frames to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross sectional detailing including means of opening. The window frames shall be installed in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.</p>												
4	MATS03	<p>Stonework to Match</p> <p>All new stonework used in the development hereby permitted shall match that of the existing building including the colour and</p>												

		texture of the stone and the method of coursing and pointing unless otherwise agreed with the Local Planning Authority.
5	GACS00	No external lighting shall be installed in the development hereby permitted without first obtaining planning permission from the Local Planning Authority.
6	MATS72	<b>Black Coloured Rainwater Goods</b>  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.
7	MATS70	<b>Guttering Fixed by Gutter Spikes</b>  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.

### Reasons for conditions

Reason number	Reason code	Reason text
1	TIME02	To ensure compliance with Sections 18(1) of the Planning (Listed Buildings and Conservation Areas) 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	MATS02	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.
4	MATS02	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 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.
6	MATS02	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.
7	MATS02	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.

### 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	MISCINF12	<p>Birds</p> <p>Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or</p>

		<p>captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England <a href="http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx">http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx</a>. Further information on wildlife legislation relating to birds can be found at <a href="http://www.rspb.org.uk/images/WBATL_tcm9-132998.pdf">www.rspb.org.uk/images/WBATL_tcm9-132998.pdf</a>.</p> <p>If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or <a href="mailto:conservation@northyorkmoors.org.uk">conservation@northyorkmoors.org.uk</a>.</p>
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### Consultation responses

#### Parish

No objections.

#### Third party responses

None.

#### Publicity expiry

Advertisement/site notice expiry date: 25 February 2022

Photo showing front elevation of The Cottage, Sneaton.



Photo showing rear elevation of The Cottage, Sneaton.



## Background

The Cottage originally formed part of the curtilage of Sneaton Hall which is a Grade II Listed Building. This range of buildings at the rear of the Hall was converted in the 1980's into residential units. The cottages are accessed directly from the main road with amenity space for each unit at the rear.

Planning permission and Listed Building Consent were granted in 2016 to sub-divide an existing dwelling to create an additional unit of accommodation to provide a holiday cottage, along with internal alterations. Planning permission was granted in 2020 to allow the holiday accommodation to be rented out as either a holiday let or used as part of the main dwelling as a single residential unit.

The property has seen a number of unsympathetic alterations including the installation of uPVC windows and the construction of a number of flat roof rear extensions along the rear range of cottages.

This application seeks Listed Building Consent for the enlargement of the existing single storey rear extension with the construction of a balcony above, together with the partial demolition of the existing garage, siting of oil tank and bin store with associated screening and the erection of a timber shed.

## Main issues

### Statutory Duties

Section 16, paragraph 199 of the National Planning Policy Framework 2021 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Section 16, paragraph 200 of the National Planning Policy Framework 2021 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The Authority has a statutory duty to protect curtilage Listed Buildings within the Park as they form part of the significance of the built and cultural heritage of the North York Moors. These buildings represent a significant part of the history and culture of the National Park and their considerable importance, once lost, cannot be replaced.

The Authority has a general duty in respect of curtilage listed buildings in its exercising of planning functions as set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

### NYMNPA Policies



The most relevant policy contained within the North York Moors Local Plan to consider in relation to this application is Strategic Policy I (Historic Environment).

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.

## Conclusion

Despite being a curtilage listed property, The Cottage has seen a number of unsympathetic alterations that have detracted from the character and appearance of the main house. This application proposes to slightly extend an existing modern extension and provide a first floor balcony above. The Authority's Building Conservation team raised no objections to the principle of the balcony provided the glazed balustrade was amended to timber.

The application originally proposed the installation of replacement windows, a new dormer window with Juliet balcony and a porch to serve the existing holiday accommodation, however, following negotiations with Officers these proposals were omitted from the scheme.

An existing stone garage would be demolished with the drystone wall to the north retained to mark the historic subdivision of the plot. An oil tank and bin store would be erected in its place and largely concealed by stone walls to match the existing. A modest timber shed would be erected to the south of the site for domestic storage.

This application also proposes to partially block up a door on the property's roadside elevation and insert a window of a style matching the existing windows within the property's roadside elevation. Due to the location of the highway verge, this door has become redundant and the Authority's Building Conservation team have raised no objections to this alteration.

Due to the previous alterations to the property, it is not felt that the above proposals would detract from the character or appearance of the main house. The character of the property's traditional roadside elevation would be maintained and the alterations to the rear would utilise traditional materials.

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 the omission of the Juliet balcony and porch, so as to deliver sustainable development.