

# North York Moors National Park Authority

## Plans list item 2, Planning Committee report 07 April 2022

**Application reference number:** NYM/2022/0057

**Development description:** construction of replacement dormer window together with erection of decking

**Site address:** Appletree Cottage, Whitby Road, Robin Hoods Bay Parish: Fylingdales

**Case officer:** Mrs Jill Bastow

**Applicant:** Mr Martin Povey, Appletree Cottage, Whitby Road, Robin Hoods Bay, Whitby, YO22 4PD

**Agent:** Ian Hazard Architects, Cayley Court, fao: Mr Ian Hazard, Hopper Hill Road, Scarborough Business Park, Scarborough, YO11 3YJ

### Director of Planning's Recommendation

Approval subject to the following:

#### 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 Number., Date Received  Proposed Plans, 21047-30-000, 11 March 2022  or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3	MATS00	No work shall commence on the construction of the replacement dormer hereby permitted until details of the metal and timber cladding, including samples if so required by the Local Planning Authority, to be used for the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.

<b>Condition number</b>	<b>Condition code</b>	<b>Condition text</b>
4	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 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 lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.

### **Informative(s)**

<b>Informative number</b>	<b>Informative code</b>	<b>Informative text</b>
1	MISINF01	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.

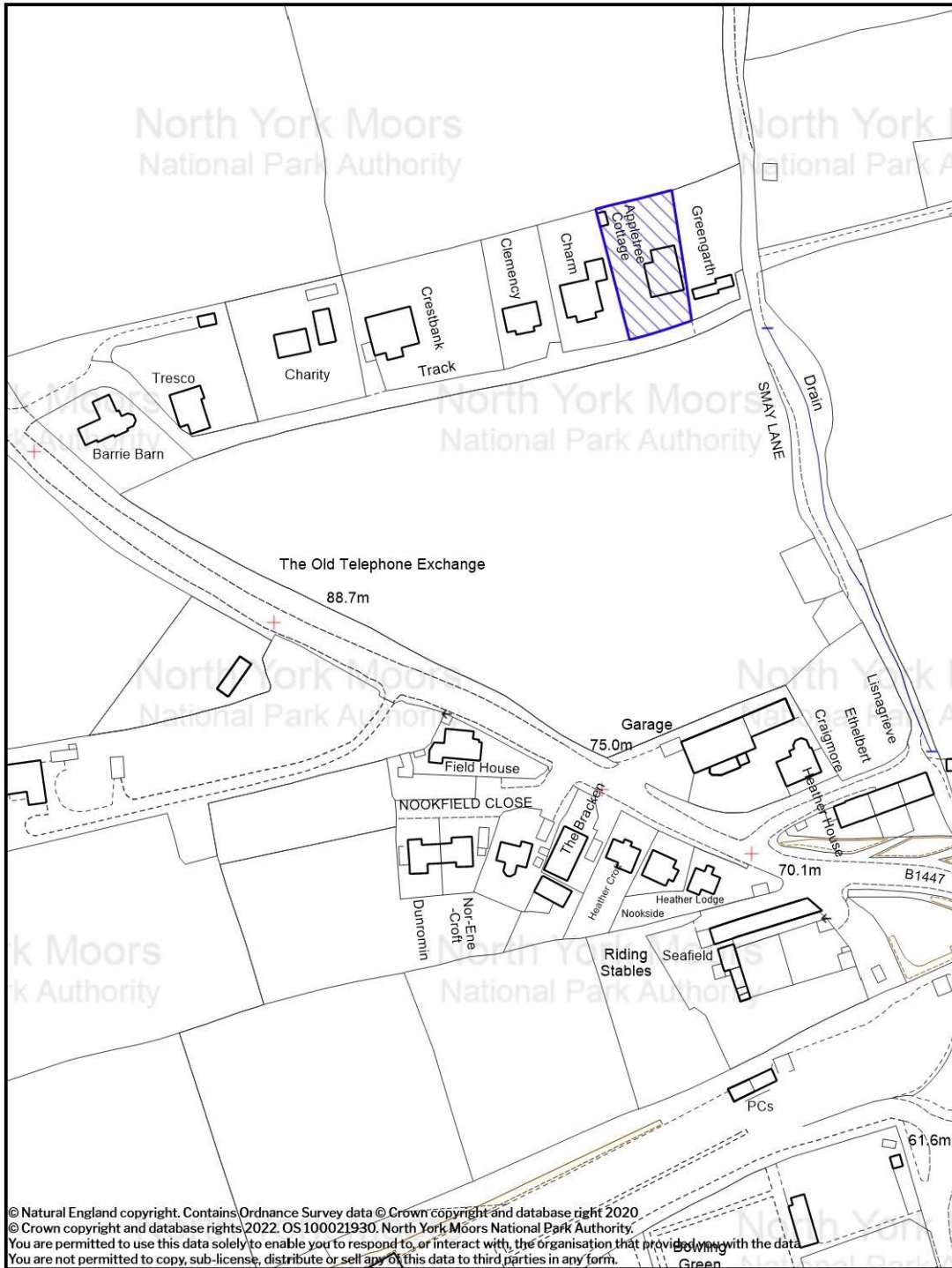
# Map showing application site



**North York Moors  
National Park**

Application Number: NYM/2022/0057

Scale: 1:1500



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**Photo showing front elevation of the property with the dormer and raised decking areas to be replaced**



## **Consultation responses**

### **Parish**

Amended Plans: No comments received.

Original Plans: The alteration is too drastic and dominates the bungalow. It is disproportionate to the original structure.

### **Environmental Health**

No objections

### **Third party responses**

No comments received

### **Consultation expiry**

2 March 2022

## **Background**

Appletree Cottage is situated towards the end of a private lane serving eight properties on the east side of Whitby Road as it heads north out of Robin Hoods Bay. It is a cream rendered detached dormer bungalow with a red plain clay tiled roof with white uPVC dormers. The track falls away steeply to the east of the property such that its ground floor level is at ridge height of the neighbouring property. Given the sloping garden there are raised decking areas outside the principal windows to the front (south) elevation.

Planning permission is sought to replace the existing dormer to the front elevation with one that is slightly wider, and which comes slightly further down the roof slope. Rather than having rendered cheeks and uPVC windows it is proposed that the new dormer would have metal and timber cladding with aluminium framed window. It is also proposed to renovate the fenestration of the property at ground floor levels, replacing the white uPVC windows with larger aluminium framed windows and areas of timber cladding although these works do not require planning permission.

The application also seeks planning permission for external works to the front garden comprising an area of timber decking to provide an outside seating area, stepping down to follow the natural gradient of the garden. This would replace the existing raised decking to the principal windows to the front elevation.

Several of the properties in the locality have been remodelled in recent years.

## Main issues

### Local Plan

The relevant policies of the adopted Local Plan in the determination of this application are considered to be **Strategic Policy C** (Quality and Design of Development) and **CO17** (Householder Development).

**Strategic Policy C** states that in order to maintain and enhance the distinctive character of the National Park, development will be supported where the proposal is of a high quality design that will make a positive contribution to the local environment in accordance with the principles set out in the North York Moors National Park Authority Design Guide; incorporates good quality construction materials and design details that reflect and complement the architectural character and form of the original building; and is of a scale, height, massing and form compatible with the surrounding buildings and will not have an adverse impact upon the amenities of adjoining occupiers.

**Policy CO17** requires that new development does not detract from the character and form of the original dwelling or its setting in the landscape by virtue of its scale, height, form, position and design; does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling; and reflects the principles outlined in the Authority's Design Guide.

In addition, the policy requires that any extension should be clearly subservient to the main part of the building and should not increase the total habitable floorspace by more than 30% unless there are compelling planning considerations in favour of a larger extension; and that the design and detailing should complement the architectural form and character of the original dwelling.

### Principle

The property has already been extended to the side and rear to provide additional living and bedroom accommodation such that the threshold of 30% as set out in Policy CO17 has been exceeded to a significant degree. Therefore, the proposal to replace the existing dormer with a large one would increase the habitable floor area further contrary to Policy CO17. However, the additional floor area only amounts to 1.5 square metres and would simply make the bedroom in the attic space more useable rather than creating an additional bedroom. As such the property would remain a three-bedroom one and the proposed enlarged dormer would have little impact on its relative affordability.

### Design

The Authority's Design Guide does advise against large flat roof box dormers, particularly to front elevations where they can dominate the property giving a horizontal emphasis. It advises that more traditional small scale dormers, which are well related to the size, position and glazing pattern of the existing windows are most appropriate. The existing flat roof dormer is relatively small in scale and does not dominate the front elevation.

As originally submitted the proposal was to replace the existing dormer with a much larger design and it was considered that this would dominate the front roof slope and appear out of scale with the host property. However, the proportions of the dormer have been reduced such that although it is still larger than the existing structure it will sit much more comfortably within the existing roof slope. The submitted plans indicate the intention to renovate the property, alternating the ground floor fenestration to the front elevation from smaller windows to larger areas of glazing with areas of timber boarding to give the property a more contemporary design. The replacement dormer would complement this design ethos.

Furthermore, it is noted that some of the neighbouring properties along this private lane have also been renovated in a more modern, contemporary manner and it is considered that these proposals for Appletree Cottage would be in keeping with the evolving character and appearance of the immediate area.

### **Residential amenity**

The proposed replacement dormer would not cause any overlooking of neighbouring property given that it would be to the front (south) elevations facing out over the fields.

The proposed decking area to the front garden providing an outdoor seating area has potential to cause some overlooking of the neighbouring property to the east which lies at a much lower level. However, the decking would follow the natural slope of the land, stepping down in a south-easterly direction to minimise its height and overall visual impact. Where the decking adjoins the property and is therefore at a higher level, a timber screen fence is proposed to the east elevation to ensure privacy for the neighbours. Therefore, given the separation distance between the two properties, the proposed screen fencing and the established boundary hedge, it is not considered that the decking area would cause any loss of residential amenity to the occupiers of the neighbouring property.

### **Conclusion**

It is considered that the proposed replacement dormer along with the alterations to the ground floor fenestration and the proposed decking area all complement each other to give this property a more modern contemporary design. The enlarged dormer would not dominate the front elevation and is considered appropriate in terms of its scale, massing, form, materials and design detailing. The proposals therefore comply with the principles in the Authority's Design Guide and the design criteria of Policy CO17.

### **Contribution to Management Plan Objectives**

Approval is considered likely to help meet Policy E3 which seeks to ensure that new development does not have a detrimental impact on the landscape of the National Park and Policy C10 which seeks to ensure that all new development is of a high quality design.

### **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.