

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/0881

Development description: Listed Building consent for removal of garage, construction of garden room, porch and link extension to store together with alterations to create annexe accommodation

Site address: Foulsyke House, Foulsyke Farm, Fylingdales

Parish: Fylingdales

Case officer: Mrs Hilary Saunders

Applicant: Mr & Mrs J & J Huitson
Foulsyke House, Foulsyke Farm, Fylingdales, Whitby, YO22 4QL

Agent: BHD Partnership
fao: Mr Neil Duffield, Airy Hill Manor, Waterstead Lane, Whitby, YO21 1QB

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text						
1	TIME02	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.						
2	PLAN00	<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>Proposed plans and elevations - Garden room and link</td> <td>D12112-03 Rev I</td> <td>17/3/2022</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	Proposed plans and elevations - Garden room and link	D12112-03 Rev I	17/3/2022
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Proposed plans and elevations - Garden room and link	D12112-03 Rev I	17/3/2022						
3	MATS00	Any new slate to be used in the development hereby approved shall match those on the existing building (Welsh in origin) to match the roof of the existing building in terms of materials, colour and course height and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.						
4	MATS00	The colour of all new external timber of the building hereby approved shall be stained dark brown and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.						
5	MATS00	No work shall commence on the installation of new windows (including glazing) 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.
6	MATS00	No work shall commence on the installation of any door in the development hereby approved until detailed plans showing the constructional details and external appearance of all external doors and frames (including glazing) have been submitted to and approved in writing by the Local Planning Authority. All doors shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
7	MATS00	All new rain water goods required for the new kitchen in the redeveloped 'piggery'/outbuilding shall match those of the main dwelling in material and colour, and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8	MATS00	Prior to any plasterwork being undertaken to the W/C enclosure under the stairs, details of the mix ratio, application and finish of the lime plaster shall be submitted to and approved in writing by the Local Planning and thereafter applied in accordance with the approved details and thereafter be so maintained.

Reason(s) for condition(s)

Reason number	Reason code	Reason text
	TIME02	To ensure compliance with Sections 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
	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.
	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 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.
	MISC00	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.
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Informative(s)		
Informative number	Informative code	Informative text
1	MISCINF05	Development in Accordance with Planning Permission Planning permission has also been granted for this development. You are advised to obtain sight of the notice of planning permission and the approved plans and ensure that the development is carried out strictly in accordance with the

		approved plans and the terms and conditions of the planning permission.
2	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>

Consultation responses

Parish

No objections

Third party responses

None

Publicity expiry

Advertisement expiry date 3 March 2022

Farm group at Fouslyke – buildings to the left are holiday cottages. Lean-to on gable end to be replaced with garden room



Lean-to to be replaced with garden room



Building to be linked and converted to annex



Background

Foulsyke House is situated in an isolated location, accessed just off the A170, a little north of the Flask Complex. The farmhouse is a Listed Building and consequently, the adjacent traditional agricultural buildings are listed as curtilage buildings.

This application relates to the main house and seeks permission to removal of garage, construction of garden room, porch and link extension to store together with alterations to create annexe accommodation

The scheme has been amended through negotiations with Officers as follows:-

The Porch has been reduced to a simple Weather Porch, just large enough for the doors. And will be finished externally with timber and kept low to avoid conflicting with the house eaves detail. The WC has been moved to below the stair in the smaller 'Downhouse' Lounge

The Garden Room has been revised to a simple Lean-to and finished with dark stained timber. Glazing to the North would be recessed, to the East has sliding shutters, to the South with hinged shutters.

The link has been reduced in size to act as a simple contemporary glass box. The connecting element of the Link would be set 700mm in reveal to ensure there is no impact on the front elevation of the House.

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Main issues

Local Plan

Strategic Policy I - The Historic Environment - seeks to ensure that developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park and that development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area.

In the case of extensions and alterations to the existing dwelling, 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; the design and detailing should complement the architectural form and character of the original dwelling.

Policy ENV11 – Historic Settlements and Built Heritage - This policy seeks to resist development that results in loss of or harm to the significance of designated and other heritage assets of national importance. In order to accept any loss or harm proposals will be required to present clear and compelling justification for the development, including the public benefits which will arise from the proposal. This includes assets which are recognised through formal designation such as Listed Buildings and Conservation Areas which benefit from statutory protection, but also non-designated assets of local or regional significance that contribute to the special qualities of the National Park.

Material Considerations

The scheme has been amended in accordance with comments made by the Building Conservation Team in order that the development respects the historic fabric and character of the host dwelling.

The proposed lean-to garden room replaces an existing lean-to garage and would be designed with timber shutters over the windows to reduce reflection and light spill.

In conclusion the proposal is considered to be in keeping with the host property and would not detract from its historic interest or the character of the wider landscape.

Consequently, approval is recommended.

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 amendments to the garden room design and the link, so as to deliver sustainable development.