

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2022/0076

**Development description:** demolition of conservatory and construction of single storey extension

**Site address:** 188 Coach Road, Sleights

**Parish:** Eskdaleside-Cum-Ugglebarnby

**Case officer:** Mrs Helen Stephenson

**Applicant:** Mr and Mrs A and D Baxter  
17 Hawksley Court, Morley, Leeds, LS27 9TF

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

## 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.	GACS00	<p>No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be Dark Night Skies compliant, fitted with a warm white bulb of 3000k or less and no more than 500 lumens. 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.</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 texture of the stone and the method of coursing and pointing unless otherwise agreed with the Local Planning Authority.</p>
5.	MATS41	<p>Windows - Match Existing</p> <p>All new windows in the development hereby permitted shall match those of the existing building in terms of appearance, materials, section, dimensions, glazing bar pattern, method of opening, external finish, reveals cills and lintels and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.</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.	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 NYM 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 & 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.

### 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 data-bbox="619 197 692 226">Birds</p> <p data-bbox="619 259 1497 618">Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or 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</p> <p data-bbox="619 629 1501 763"><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 data-bbox="619 797 1497 898">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 objection.

### Third party responses

#### Name

Dr Rory Newman, 190 Coach Road, Sleights – Support. As a next door neighbour I am happy to support this application and have no objection to it.

### Publicity expiry

Site notice expiry date - 25 March 2022.



Rear elevation of 188 Coach Road (centre) with neighbouring properties either side. The existing lightweight white framed conservatory extension is proposed to be replaced with a stone and render extension, similar to the left-hand neighbouring extension.

## Background

188 Coach Road is a modest mid-terrace property located on the west side of the A169 in Sleights, close to The Plough public house. The property is of stone construction under a pantile roof. It is similar to its neighbour to the north but the attached neighbouring property to the south is larger.

There is an existing single storey conservatory style extension at the rear, for which there are no planning records. The neighbouring properties either side each have rear extensions with 186 having a solid brick wall facing 188 but the extension at no. 190 has several windows facing the application property (although they do not appear to serve habitable rooms).

This application seeks full planning permission for the replacement of the lightweight conservatory structure with a single storey rear extension of solid construction comprising rendered side walls and a natural stone rear elevation. The proposal is of flat roof design incorporating a flat rooflight and a pair of glazed doors at the rear. No windows are proposed in the side elevations which overlook the neighbouring properties. The proposed extension would be larger than the existing conservatory and has been designed to match the projection of the neighbouring extension at 186. The proposed extension would provide a much-improved kitchen.

## Policy Context

The relevant NYM Local Plan policies to consider with this application are Strategic Policy C (Quality and Design of Development) and Policy CO17 (householder Development), together with the advice contained within part two of the adopted Design Guide.

SPC seeks to ensure that proposed development maintains and enhances the distinctive character of the National Park through appropriate siting, orientation, layout and density together with carefully considered scale, height, massing and form. Proposals should incorporate good quality construction materials and design details that reflect and complement the architectural character and form of the original building and/or that of the local vernacular.

Policy CO17 requires new development within the domestic curtilage to take full account of the character of the local area and special qualities of the National Park. Development will only be permitted where: the scale, form, position and design do not detract from the original dwelling or its setting; the development does not adversely affect residential amenity of neighbouring occupiers or that of the host property; the development reflects the principles set out in the Authority's Design Guide. In order to achieve a subservient extension, Policy CO17 states that extensions should not increase the total habitable floorspace by more than 30% (unless there are compelling

planning reasons for a larger extension) and that the design detail complements the architectural form of the original dwelling.

Part 2 of the Authority's adopted Design Guide (Extensions and Alterations to Dwellings) states that although rear extensions may have less impact on the streetscene, care must be taken to ensure that the mass of the extension does not adversely impact on the space about the dwelling or neighbouring properties, especially in terms of overshadowing, loss of privacy and outlook for semi-detached or terraced dwellings. The gable width of rear extensions should be narrower in gable width than the main building enabling a lower roof height and the side wall should be set in from the gable.

## Main issues

The main issues are considered to be whether the proposed extension is of an acceptable scale and design in relation to the host property and its impact upon neighbouring amenities.

Although larger than the existing conservatory, the size and design of the extension has been informed by existing extensions at other properties within the terrace. Currently, no. 188 is flanked by larger extensions which creates a sense of enclosure to the property and its amenity area. The proposed extension would be of matching proportions to no. 186 but remain smaller than the side/rear extension at no. 190.

The absence of windows in the side elevations ensures there is no overlooking of the windows at 190 and the current occupier has in fact written in support of the application.

The existing kitchen in the property is extremely small and therefore, the proposal would significantly enhance the accommodation. Although the proposed extension exceeds the amount of new floor area permitted by NYM Local Plan Policy CO17, it is only by a marginal amount. The new floor space generated by the proposal represents approximately 33% of the original floor area but in the circumstances it is considered acceptable.

The Parish Council has no objection to the proposal and one neighbour has expressed support. No other representations have been made.

On balance, the revised proposal is considered to meet the above policy requirements being of an acceptable (subservient) size, a design which is similar to neighbouring development and constructed using good quality materials. The scheme is considered to reflect the advice contained within Part Two of the adopted design guide. In view of the above, approval is recommended.

### 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.