

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0132

Development description: variation of condition 2 (material amendment) of planning approval NYM/2019/0732/FL to allow alterations to approved fenestration

Site address: Honey Bee Nest, Glaisdale

Parish: Glaisdale

Case officer: Miss Kelsey Blain

Applicant: Guy Bentley Ltd
c/o Agent

Agent: Malcolm Tempest Ltd
High Parks, Newton le Willows, Bedale, DL8 1TP

Director of Planning's Recommendation

Approval subject to the following:

Conditions

Condition number	Condition code	Condition text						
1	TIME15	Variation of Condition The development hereby permitted shall be commenced before the 02 September 2024.						
2	PLAN01	Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified The development hereby permitted shall not be carried out other than in strict accordance with the following documents: <table border="0"> <tr> <td>Document Description</td> <td>Document No.</td> <td>Date Received</td> </tr> <tr> <td>Amended Window Scheme</td> <td>B099/2 6</td> <td>22 February 2022</td> </tr> </table> or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.	Document Description	Document No.	Date Received	Amended Window Scheme	B099/2 6	22 February 2022
Document Description	Document No.	Date Received						
Amended Window Scheme	B099/2 6	22 February 2022						
3	WPDR00	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H Schedule 2, Part 2, Classes A to C and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.						
4	RSU000	The integral double garage hereby approved shall be used for domestic storage/car parking incidental to the occupation of the main dwelling on the site and for no other purpose. There shall be no alteration or conversion of the building hereby permitted to permanent residential accommodation and any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.						
5	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.
6	MATS00	No work shall commence on the construction of the walls of the development hereby permitted until details of the stone, including samples if so required by the Local Planning Authority, to be used for the external surfaces of the development including for walling and dressings have been submitted to and approved in writing by the Local Planning Authority. The stone used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
7	MATS00	No work shall commence on the excavation works for the development hereby permitted until a one metre square freestanding panel of stonework showing the type of stone and stonework to be used in the construction of the development hereby permitted has been constructed on site and approved in writing by the Local Planning Authority. All new stonework shall match that of the approved panel both in terms of the stone used and the coursing, jointing and mortar mix and finish exhibited in the panel unless otherwise agreed in writing by the Local Planning Authority. The stone panel constructed shall be retained on the development site until the development hereby approved has been completed.
8	MATS00	The roof of the development hereby permitted shall be clad with traditional, non interlocking, non pre-coloured natural red clay pantiles and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9	MATS00	All new window frames, glazing bars, external doors and door frames shall be of timber construction and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10	MATS00	Trickle vents shall not be incorporated into any new windows hereby approved and shall not be installed thereafter unless otherwise agreed in writing with the Local Planning Authority
11	MATS00	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.
12	MATS00	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.
13	HWAY00	No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing B099/2/3. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
14	DRGE00	There must be no ground raising in Flood Zone 3.
15	LNDS00	The access hereby permitted shall be surfaced with a permeable material and the development shall not be brought in to use until the access has been surfaced in accordance with these details. The access surface shall be maintained in that condition in perpetuity.
16	LNDS00	No work shall commence to clear the site in preparation for the development hereby permitted until full details of the proposed boundary treatment to the site, including the size and species of any hedging, the materials to be utilised to any walls or fences and the timetable to implement the proposed works, shall be submitted to and approved in writing by the Local Planning Authority. The site boundary works shall then be implemented in accordance with the approved details. The boundary treatment shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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 National Park.
3	WPDR00	In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of

		safeguarding the existing form and character of the building in line with Strategic Policies A and C of the North York Moors Local Plan, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development.
4	RSU000	In order to enable the Local Planning Authority to control any future changes to the building which is in a location where the formation of a separate dwelling unit would be likely to adversely affect the amenities of existing and future occupiers of the site and to accord with the provisions of Policy CO17 of the North York Moors Local Plan.
5	GACS00	In order to comply with the provisions of Strategic Policy A and ENV4 of the North York Moors Local Plan which seeks to ensure that new development does not detract from the quality of life of local residents or the character of the locality, and so that development helps maintain the National Park's status as an international dark sky reserve.
6	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.
7	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.
8	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.
9	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

		aresafeguarded.
10	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.
11	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.
12	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.
13	HWAY00	In accordance with Policy CO2 of the North York Moors Local Plan and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.
14	DRGE00	In order to comply with the provisions of Policy ENV5 of the North York Moors Local Plan which seeks to mitigate the impact of flood damage to new development within areas at high risk from flooding and prevent additional flood risk to other properties.
15	LNDS00	In accordance with Policy CO2 of the North York Moors Local Plan and to ensure satisfactory highway drainage in the interests of highway safety and the amenity of the area.
16	LNDS00	In the interests of the satisfactory appearance of the development and in order to comply with the provisions of Strategic Policy C of the North York Moors Local Plan which seeks to ensure that development proposals incorporate suitable hard landscaping details.

Informatives

Informative number	Informative code	Informative text
1	INFO0	<p>These works may include replacing part of the edges to the existing highway to the proper line and level. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The local office of the Highway Authority will also be pleased to provide the detailed construction specification referred to in this informative.</p>
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>
3	MISCINF02	<p>Coal Referral Area</p> <p>The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p>
4	MISCINF09	<p>PROW to be Kept Free From Obstruction at all Times</p> <p>Please note that the footpath/track situated to the (insert) the development site hereby approved must be kept free from obstruction and open for use at all times before, during and after any works.</p>

Consultation responses

Parish

No comments received.

Highways

No objections on the clear understanding that the parking areas identified within application NYM/2019/0732/FL remain the same.

Yorkshire Water

No comments received.

Environmental Health

No comments received.

Environment Agency

No comments received.

Natural England

General advice received.

Protection Group

No comments received.

Forestry

No comments received.

Third party responses

None.

Publicity expiry

Advertisement/site notice expiry date: 04 April 2022

Photo showing proposed location of replacement dwelling.



Background

Planning permission was granted in September 2021 for the construction of a replacement open market dwelling on a footprint that partly overlaps the previous dwelling. The site is located outside of the built up part of Glaisdale to the north of the Arncliffe Arms.

The previous dwelling has been demolished following the grant of the 2019 permission. This application now seeks to vary condition 2 of this approval to amend the proposed window design.

Main issues

The most relevant policy contained within the NYM Local Plan to consider with this application is Strategic Policy C (Design).

Strategic Policy C seeks to maintain and enhance the distinctive character of the National Park by requiring that developments are of a high quality design and incorporate good quality materials and do not have an adverse impact upon the amenities of adjoining occupiers. Furthermore, the scale, height, massing and form of the proposal should be compatible with surrounding buildings.

The proposed amended windows would be side hung casements, matching those approved on the side and rear elevations under application NYM/2019/0732/FL. This would be instead of the multi-pane sashes approved on the front and part of the northern side elevation. While the multi-pane sashes would have had a more traditional appearance, the side hung casements are not considered to be harmful to the character or appearance of the proposed property or surrounding area. Furthermore, the amendment would provide uniformity to the property's fenestration.

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 confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.