

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2022/0173

**Development description:** construction of single storey rear extension together with raised terrace and steps

**Site address:** Greenacres, Raw Pasture Bank, Robin Hoods Bay

**Parish:** Fylingdales

**Case officer:** Miss Lucy Gibson

**Applicant:** Mr Paul Lane-Ryan  
Greenacres, Raw Pasture Bank, Robin Hoods Bay, North Yorkshire, Whitby, YO22 4PE

**Agent:** A L Turner + Associates  
Fao: Mr Tony Turner, 1 Loring Road, Ravenscar, Scarborough, YO13 0LY,

## Director of Planning's Recommendation

Approval subject to the following:

### Condition(s)

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 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.</p>
4	MATS12	<p>Render to Match Existing</p> <p>The finish of the walls to be rendered shall match the existing render in colour and texture and thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority. Such rendering and colouring is to be completed no later than one month after the development hereby permitted being first brought into use.</p>

### Reason(s) for condition(s)

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 NYM Strategic Policy A and NYM Strategic Policy C, 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	MATS00	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.

#### Informative(s)

Informative number	Informative code	Informative text
1	INFO0	In order to safeguard the quality of the dark night skies and night time environment for nocturnal species, the applicant is advised to ensure the enlarged areas of glazing and new glazing serving the development hereby approved is treated or shielded to minimise light spill (through tinting, or use of electronically controlled blinds or smart glass).
2	INFO0	With reference to condition no. 3 above, further advice and guidance in relation to suitable external lighting fixtures is available on the Authority's website: <a href="https://www.northyorkmoors.org.uk/discover/dark-skies/dark-skies-friendly-lighting">https://www.northyorkmoors.org.uk/discover/dark-skies/dark-skies-friendly-lighting</a> or by contacting the Authority at <a href="mailto:planning@northyorkmoors.org.uk">planning@northyorkmoors.org.uk</a> < <a href="mailto:planning@northyorkmoors.org.uk">mailto:planning@northyorkmoors.org.uk</a> >
3	MISCINF01	<b>Bats</b>  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

		<p>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>
4	MISCINF12	<p><b>Birds</b></p> <p>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  <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>
5	INFO0	<p>Swift (<i>Apus apus</i>) populations are declining in the UK due to the loss of nest sites in roof spaces as old buildings are renovated or demolished. Swifts occupy nest sites between May and August, making little noise and causing no mess or smell. Swift populations can be supported by the inclusion of simple and affordable measures during building construction or renovation, such as purpose-made 'swift bricks' or the creation of small loft voids. Guidance can be found on the Swift Conservation website; <a href="https://www.swift-conservation.org/">https://www.swift-conservation.org/</a> with additional swift box ideas from Action for Swifts; <a href="http://actionforswifts.blogspot.com/search/label/nestbox%20design">http://actionforswifts.blogspot.com/search/label/nestbox%20design</a></p>

## Consultation responses

### Parish

None received

### Third party responses

None

### Publicity expiry

Advertisement/site notice expiry date: 12 April 2022



This photograph shows the rear elevation of Greenacres, Robin Hoods Bay with the existing timber terrace.

## Background

Greenacres is a detached relatively modern, rendered and pantiled dwelling located in an elevated position outside the main settlement of Robin Hoods Bay on Raw Pasture Bank.

The former bungalow has had various alterations and extensions approved between 1983 and 2006 including the provision of an extension and dormer windows to form 1st floor accommodation, a conservatory, and a single storey side extension.

This application seeks planning permission for alterations to replace an existing timber raised terrace to the rear of the property with a rendered terrace with a paved surface and clear glass frameless balustrade. A small single storey extension is also proposed as part of the development however this element would be permitted development and is therefore not under consideration.

## Main issues

### Local Plan

The most relevant policies contained within the NYM Local Plan to consider with this application are Strategic Policy C (Design) and Policy CO17 (Householder Development).

Strategic Policy C seeks to maintain and enhance the distinctive character of the National Park by requiring that developments be of a high-quality design and incorporate good quality materials and do not have an adverse impact upon the amenities of adjoining occupiers.

Policy CO17 seeks to ensure that development within the domestic curtilage of dwellings should take full account of the character of the local area, the special qualities of the National Park and will only be permitted where the scale, height, form, position, and design do not detract from the character and form of the original dwelling or its setting in the landscape and does not adversely affect the residential amenity of neighbouring occupiers.

The proposed alterations would replace the existing timber terrace with a rendered terrace with a clear glass frameless balustrade and paved surface.

The replacement terrace with render to match would be sympathetic to the character and form of the modern style dwelling and would cause no harm to its setting within the landscape. Further to this, whilst the property is located within an elevated position, it is considered that the alterations would also cause no additional harm to the amenity of adjoining occupiers.

The Authority's Ecologist has expressed some concerns regarding the large, glazed windows to be included in the permitted development single storey extension, however

as this element of the development is not under consideration, an informative endorsing the use of a solar film has been applied to this recommendation.

In view of the above, it is considered that the proposals accord with SPC and Policy CO17 of the NYM Local Plan. As such, approval is recommended.

**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.