

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0122

Development description: demolition of existing conservatory, construction of a single storey extension and retrospective permission for porch to front elevation

Site address: Darncombe Farm, Langdale End

Parish: Darncombe-Cum-Langdale End

Case officer: Miss Lucy Gibson

Applicant: Dr David Wood

Darncombe Farm, Langdale End, North Yorkshire, Scarborough, YO13 0LH

Agent: Holtbeck Ltd

fao: Mr Charles Wood, 32 Wood Road North, Stretford, Manchester, M16 9QG

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	PLAN01	<p>Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified</p> <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>Site location plan</td> <td>02-SL Rev 1</td> <td>21 February 2022</td> </tr> <tr> <td rowspan="4">Amended plans</td> <td>04-01 Rev3</td> <td></td> </tr> <tr> <td>04-02 Rev 3</td> <td></td> </tr> <tr> <td>04-05 Rev 3</td> <td></td> </tr> <tr> <td>04-06 Rev 3</td> <td>08 April 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	Site location plan	02-SL Rev 1	21 February 2022	Amended plans	04-01 Rev3		04-02 Rev 3		04-05 Rev 3		04-06 Rev 3	08 April 2022
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3	WPDR00	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Class A (or any order revoking and re-enacting that Order), no further extensions to the property known as Darncombe Farm shall take place without a further grant of planning permission being obtained from the Local Planning Authority.</p>															
4	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 Skies compliant and no other lighting shall be installed on the site. All lighting shall be installed to minimise its impact on neighbouring amenity. The lighting shall be installed in accordance with the above and shall</p>															

		be maintained in that condition in perpetuity.
5	MATS15	<p>Natural Clay Pantiles to be Used</p> <p>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.</p>
6	MATS72	<p>Black Coloured Rainwater Goods</p> <p>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.</p>
7	MATS70	<p>Guttering Fixed by Gutter Spikes</p> <p>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.</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	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 and Policy CO17 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 and to maintain a suitable mix of housing types within the National Park.

4	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.
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 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.
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 the appearance of the development is 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 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	With reference to condition no 4 above, further advice and guidance in relation to suitable external lighting fixtures is available on the Authority's website: https://www.northyorkmoors.org.uk/discover/dark-skies/dark-skies-friendly-lighting or by contacting the Authority at planning@northyorkmoors.org.uk < mailto:planning@northyorkmoors.org.uk >
2	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).
3	MISCINF01	Bats

		<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>
4	MISCINF12	<p>Birds</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 http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx. Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.</p> <p>If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</p>
5	INFO0	<p>Swift (Apus apus)</p> <p>Swift 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; https://www.swift-conservation.org with additional swift box ideas from Action for Swifts; http://actionforswifts.blogspot.com</p>

Consultation responses

Parish

Original plans- This application has been considered by councillors and in exercise of my delegated powers I would confirm Council objects to the application as submitted. The extension is not subservient to the donor property (the floor area of the extension is nearly two thirds of the donor property's ground floor), its design is not in keeping with the area of the donor property and the materials to be used are not in the tradition of the materials used to construct the donor property. The proposed extension does absolutely nothing to respect the form and character of the donor building. the applicant has not put forward any compelling reasons to justify the need for such a large extension.

Council objects to the application as submitted on the grounds it does not accord with Local Plan Policy CO17 (Householder Development) by virtue of size, design, detailing and materials.

Amended plans- In exercise of my delegated powers I would confirm the amendments of 25/3/22 and 8/4/22 have been considered. While the use of a pitched roof is much preferred to the original flat roof and the design and material are now more in common with the area, concerns remain as to the large size of the extension. The applicant has still not put forward any compelling reasons to justify the need for such a large extension.

Highways

None received

Third party responses

None received

Publicity expiry

Advertisement/site notice expiry date: 29 March 2022



This photograph shows the side elevation of Darncombe Farm and the existing fully glazed lean-to garden room extension.



This photograph shows the front elevation of Darncombe Farm and the timber and pantile porch, which is included in this scheme for retrospective planning consent.

Background

Darncombe farm is a rendered and pantiled 2 storey detached dwelling located in an elevated position to the south of the small hamlet of Darncombe. The dwelling has extensive views to the side and rear facing a valley of dense forest, looking towards Langdale End. There is a large pantiled outbuilding to the west of the dwelling.

The site has no planning history.

As originally submitted, this application proposed a large flat roof single storey extension to the side elevation of the dwelling to replace an existing lean to fully glazed garden room. This proposed extension featured an offset internal room with black powder coated sliding doors to the south elevation and a large glass window and glass handrail to the east elevation. Another feature proposed was a flat, overhanging canopy roof with a EPDM covering, extending 8.5m x 8m.

Following an objection from the Parish Council in relation to the scale, design, materials and detailing of the original plans and concerns from the Authority's Planning Officers, amendments were sought to reduce the size of the extension and to amend the design of the scheme.

The amended scheme now proposes a single storey side extension with a pitched pantiled canopy roof. The extension has been reduced in size, measuring 6.5m x 7m and is stepped back from the front and rear elevation of the host dwelling. The scheme also features the use of limestone for the extension frame with vertical oak slat detailing, together with the same bi fold doors and glazed window as featured in the original plans.

This application also seeks retrospective consent for the timber and pantile porch to the front elevation.

Main issues

Local Plan

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

Strategic Policy C relates to the quality and design of development within the National Park. The policy 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 it is important that side extensions are narrower in gable width than the main building, with a lower roof height. This retains the architectural integrity of the original building but also ensures that the extension is subservient to the main house. For similar reasons, side extensions should not be as wide as the main building frontage and should not project forward of the main building.

Discussion

The main issues are considered to be whether the amended proposal is of a size, scale, design and floor area which is respectful of the host property, neighbouring amenities and wider context, in accordance with the above policy requirements.

The scale of the amended scheme has been reduced by 2m in length and 1m in width and is therefore now considered to comprise an extension subservient to the host dwelling.

The design of the amended scheme is considered to complement the form of the host dwelling and surrounding area by virtue of the pitched pantile roof and reduced scale of the extension. The extension would now be 3m narrower than the width of the host dwelling and would be stepped back from the rear and front elevation. It was advised that the Authority would prefer for the extension to be further stepped back from the principal elevation however the agent informed that there are limitations with the internal space due to the width of the chimney breast.

The orientation of the internal space of the extension would be skewed in relation to the predominant views to the rear of the property, with the pitched roof canopy above. As such, the internal garden room would increase the habitable floor space by 15% and would therefore be within the limits of the NYM Policy CO17.

Further to this, the amended design, and the use of traditional materials such as stone, pantiles and vertical oak slats would complement the local vernacular and would therefore be more in line with Policy CO17 and Part 2 of the Authority's Design Guide.

The local Parish Council objected to the original plans on the grounds that the proposal would be contrary to Policy CO17 in relation to its size, design, detailing and materials. It is felt that the amended scheme addresses some of the Parish Council's concerns as the size has been reduced and the design, detailing and materials are more characterful. The re-consultation comments received from the Parish Council in response to the

amended plans do not expressly state that they uphold their original objection, but rather they still have some concerns regarding the size of the extension and that compelling justifications had not been provided by the applicant/agent. The agent has since put forward some justifications for the proposed size of the extension including amenity requirements for the family and the need for solar shading, which is mitigated by the overhanging canopy roof.

It is also understood that there are concerns from the Authority's Ecology team regarding the proposed large, glazed façade to the east elevation and how this could disrupt patterns of nocturnal life. As such, a condition restricting the use of up-lighting on the development hereby permitted and an informative detailing the uses of solar control films and electronically controlled blinds has been applied. Further to this, it is considered that the design of the overhanging canopy roof would also help to diminish some of the internal light spillage.

Overall, it is considered that the scheme comprises an extension of a more modern design with the use of traditional detailing and materials that would complement the character of the host dwelling and surrounding local area.

Whilst the size of the extension would appear to be large due to the overhanging canopy roof, it is considered that the scheme would still appear to be subservient to the host dwelling. Further to this, it is also considered that there will be no additional impact on neighbouring amenity due to the isolated location of the dwelling.

As such, this scheme is considered to comply with Strategic Policy C and Policy CO17 of the NYM Local plan and therefore, approval is recommended.

Pre-commencement conditions

N/A

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.