

North York Moors National Park Authority

Plans list item 1, Planning Committee report 19 May 2022

Application reference number: NYM/2022/0178

Development description: demolition of single storey extension, construction of replacement single and two storey extensions and alterations to existing garage to form additional living accommodation

Site address: South View, Mill Lane, Church Houses, Kirkbymoorside

Parish: Farndale East

Case officer: Mrs Jill Bastow

Applicant: The Farndale Estate fao: Mr R Lucas, Estate Office, The Cottage, Church Houses, Farndale, YO62 7LF

Agent: Bramhall Blenkharn Leonard fao: Mr Mark Bramhall, Bramhall Blenkharn Leonard, Unit 13, The Maltings, Malton, YO17 7DP

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text
1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2.	PLAN01	The development hereby permitted shall not be carried out other than in strict accordance with the following documents: Document Description, Document No., Date Received Proposed Drawings, 1473_AR50_01F, 18 Mar 2022 Proposed Site Plan, 1473_AR10_02A, 18 Mar 2022 or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

3.	WPDR04	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 shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
4.	MATS03	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.
5.	MATS15	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.
6.	MATS60	All new window frames, glazing bars, external doors and door frames shall be of timber construction, painted to match the existing windows and doors and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
7.	MATS46	The external face of the frame to all new windows shall be set in reveals to match those of the existing windows and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8.	MATS54	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.
9.	MATS72	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.
10.	MATS70	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.

11.	MISC01	No work shall commence to clear the site in preparation for the development hereby permitted until details of a programme of works to mitigate the impact of the development on any bats at the site have been submitted to and approved in writing by the Local Planning Authority. The programme shall include at least two bat activity surveys for the outbuilding and at least one for the main cottage, undertaken between mid-May to September, with at least one survey of each building being undertaken between mid-May and August, along with a written scheme of mitigation measures. The work shall not be carried out otherwise than in accordance with the details so approved.
12.	HWAY24	<p>Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:</p> <ul style="list-style-type: none"> i. on-site parking capable of accommodating all staff and sub-contractors' vehicles clear of the public highway; ii. on-site materials storage area capable of accommodating all materials required for the operation of the site. <p>The approved areas shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.</p>

Informative(s)

Informative number	Informative code	Informative text
1.	MISCINF01	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.
2.	MISCINF12	<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. Further information on wildlife legislation relating to birds can be found on RSPB's website.</p> <p>If advice is needed, please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</p>
3.	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; with additional swift box ideas from Action for Swifts.</p>
4.	MISCINFO2	<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.</p>

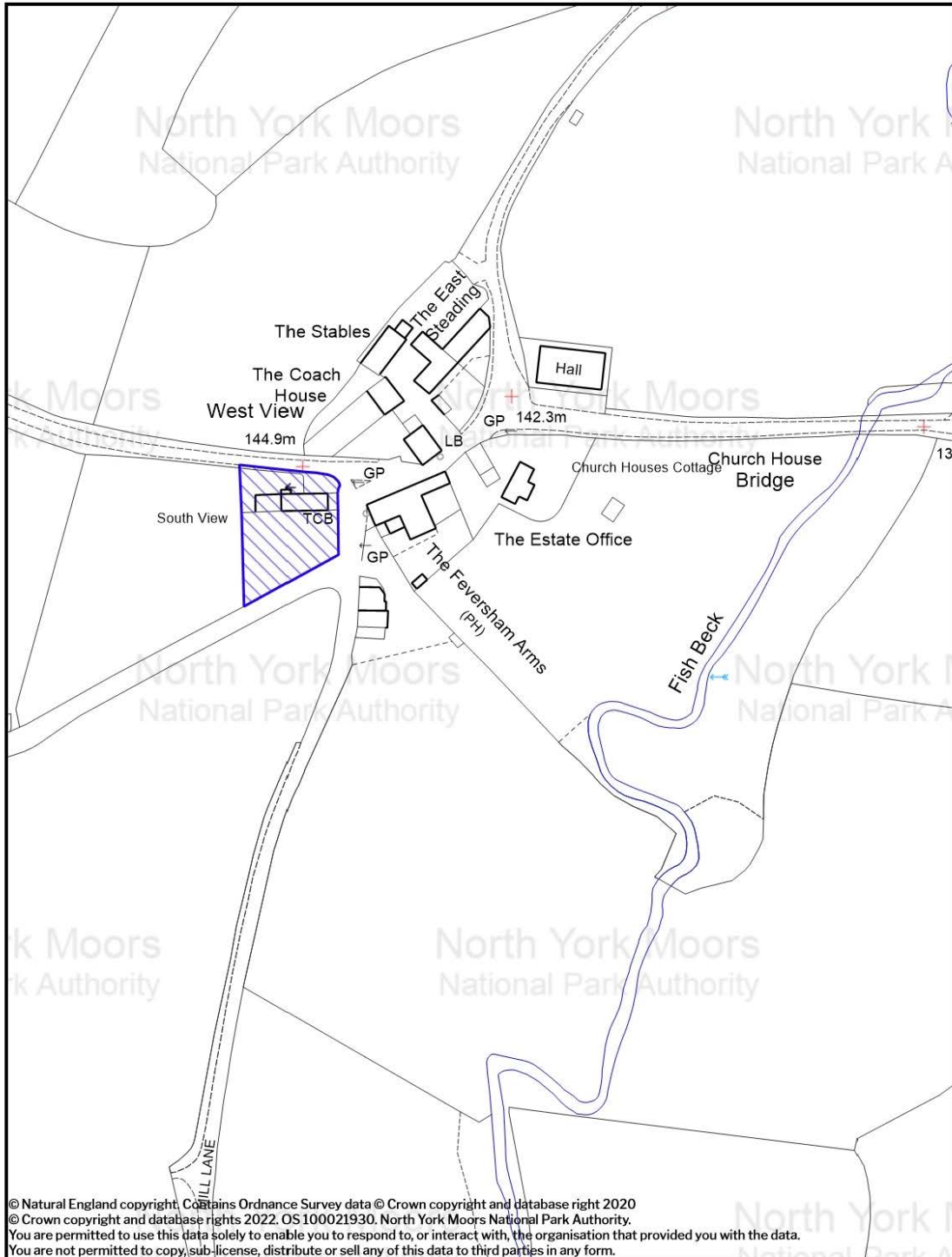
Map showing application site



North York Moors National Park

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Scale: 1:1500



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Photo showing the north elevation of South View with the grassed parking area



Photo showing the north elevation of South View with the single storey out-shut to be replaced with two storey gabled extension and single storey cat slide extension



Consultation responses

Parish

No comments received

Highways

Object as the existing publicly maintained highway extends from Daleside Road up to the face of the existing building where the parking spaces are proposed. The existing elevations drawing submitted with the application identifies this area as "existing parking area". This is incorrect as the area is presently grass verge. As the applicant does not control this land, he would be unable to undertake the works as proposed or utilise the area as dedicated parking. Consequently, recommend refusal for the following reason:

- The Planning Authority considers that in the absence of adequate on-site parking space the proposed development would be likely to result in vehicles being parked outside the site on the County Highway to the detriment of the free flow of traffic and road safety.

Third party responses

Mr Peter Mawson, Long Causeway, Farndale

Wishes to make the following comments:

- Can it be assumed that this project will produce a holiday let property? If so, is adequate off road parking provision provided? Two standard car parking spaces won't be sufficient for such a large house and the likelihood of visitors with large SUV or performance vehicles. The development should not obstruct access around to and up Dale Side Road and on up into Farndale East.
- Where will construction related vehicle parking and equipment storage be located so as not to obstruct access to Dale Side Road?

Consultation expiry

7 April 2022

Background

South View occupies an elevated position at the western end of the hamlet of Church Houses, immediately to the west of the Feversham Arms. The property, built of coursed and squared local sandstone under a pantile roof, is linear in form, running east -west parallel to Daleside Road with the main two-storey dwelling at the western end and the attached outbuildings (garage, utility and boiler rooms) at the eastern end. It occupies a substantial plot with extensive gardens to the south yet is positioned close to Daleside Road to the north.

Planning permission is sought to replace the existing single storey out-shut to the north elevation with a two-storey double pitched extension along with single storey lean-to extensions to either side.

At ground floor the extensions would provide an entrance porch/boot room, utility room and en-suite bathroom to the ground floor bedroom; at first floor the extension would facilitate the rearrangement of the internal accommodation to provide three en-suite double bedrooms. It is also proposed to convert the adjoining domestic outbuildings into additional living space by extending the kitchen into the garage and providing a study in place of the storeroom. The plant room at the eastern end of the range will be retained.

Main issues

Local Plan

Strategic Policy C (Quality and Design of Development) seeks to maintain and enhance the distinctive character of the National Park with a set of detailed criteria to be complied with. It requires proposals to be of a high-quality design that will make a positive contribution to the local environment and to 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 (Householder Development) requires the scale, height, form, position and design of any extension to not detract from the character and form of the original dwelling or its setting in the landscape and to reflect the principles outlined in the Authority's Design Guide. In addition, it requires that any extension should be clearly subservient to the host dwelling and should not increase the total habitable floorspace by more than 30% unless there are compelling planning considerations in favour of a larger extension. It also requires the design and detailing to complement the architectural form and character of the original dwelling and any new roofline to respect the form and symmetry of the original dwelling.

The National Planning Policy Framework at paragraph 130 advises that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Principle

In line with Policy CO17 and the Householder Extensions Planning Advice Note the existing habitable floorspace of the main domestic dwelling has been calculated based on the extent of the main domestic dwelling as it was on 1 July 1948 excluding any extensions erected after then or attached outbuildings. As such the internal habitable floorspace of the original dwelling extends to approx. 118 sq.m.

The property has not previously been extended although this application proposes to convert the attached garage and store into additional living accommodation. Under the 30% threshold in Policy CO17 when calculating habitable floorspace domestic outbuildings that have been 'converted' into additional living space are not included in

the calculations of either the original floorspace of the dwelling or the extended floorspace.

Therefore, excluding the floorspace of the garage and store to be converted from all calculations, the total increase in floorspace based on the proposed extensions amounts to 33.8 sq.m which equates to a 28.6% increase and within the threshold of Policy CO17.

Design

Policy CO17 requires any extension to be clearly subservient to the host dwelling and requires the design and detailing to complement the architectural form and character of the original dwelling with any new roofline respecting the form and symmetry of the original dwelling. In the justification to the policy, it also advises that extensions to traditional buildings in particular should respect and sustain the historical significance, character and appearance of the original building through sensitive design.

The Authority's Design Guide is generally not very supportive of front extensions as they can be unduly prominent and intrusive particularly where the street has a uniform building line. However, in this location South View occupies a detached position relative to the rest of the properties in Church Houses and as such there is no uniform building line. Furthermore, the principal elevation is considered to face south over the garden with the north elevation facing Daleside Road where the extensions are proposed having much more the appearance of a rear elevation. Therefore, it is considered that the proposed two and single storey extensions to the north elevation would not harm the character or appearance of the principal elevation of the property and would sit comfortably on the north elevation where the land rises and they would be cut into the bank thereby reducing the visual impact in the wider landscape.

The proposed two storey extension would have a narrow gable with a steep roof pitch such that the ridge would be lower than that of the host building ensuring the extension will be subservient to the original form. The single storey extensions to either side also follow design principles for traditional lean-to extensions and will also appear subservient to the host building. Sensitive treatment of the fenestration throughout the scheme is proposed with the use of painted timber sliding sash windows to retain character of the historic cottage.

It is therefore considered that the scale, height, form and design of these extensions and alterations would be not detract from the character and form of the original dwelling or its setting in the landscape and would reflect the principles outlined in the Authority's Design Guide.

Residential amenity

There are no immediate neighbours that otherwise might be affected by the proposed alterations and extensions. Furthermore, given the generous gardens it is not considered that there would be any loss of amenity to existing/future occupiers of the property.

Highway safety

The Highway Authority have objected to the application on the grounds that adequate on-site car parking has not been provided. The grassed area immediately in front of the garage provides two parking spaces and the agent has proposed enlarging this and surfacing with flags and cobbles to provide three parking spaces. However, the Highway Authority advise that this is publicly maintainable highway land that cannot be considered as forming part of private parking for the property.

The Highway Authority have advised that it is not unusual for title deeds to show ownership extending into the highway however, this ownership usually only relates to the sub soil below the depth of the highway. The majority of freehold on which there is a highway maintainable at the public expense are not owned by Highway Authorities however, a freehold owner of land on which there are highway rights cannot obstruct or interfere with such public rights.

The agent is considering whether parking can be provided elsewhere within the site and Members will be updated at the meeting. However, it is noted that this is an existing three-bedroom dwelling, and that planning permission is not required to extend the living accommodation into the adjoining domestic outbuildings thereby enlarging the habitable floorspace. The proposals would add a further bedroom and whilst this may generate additional traffic to the property, this is unlikely to be significant to cause a highway safety issue.

Conclusion

It is considered that the proposed extensions are sympathetic to the host property in terms of scale, massing, form, materials and design detailing and would not cause an unacceptable reduction in amenity either for the existing dwelling or for neighbouring properties. The proposals therefore comply with the principles in the Authority's Design Guide and the design criteria of Policy CO17. The proposals will result in an increase in habitable floorspace of 28.6% which is in accordance with the 30% threshold of Policy CO17.

With regard to the objection raised by the Highway Authority it is noted that this is currently a three-bedroom property, and that the addition of a further bedroom would not generate a significant increase in traffic to the property to warrant refusal on the grounds of insufficient parking.

Pre-commencement conditions

Condition 11 is a pre-commencement condition and has been agreed in writing with the applicant/agent.

Contribution to Management Plan objectives

Approval is considered likely to help meet Policy E3 which seeks to ensure that new development does not have a detrimental impact on the landscape of the National Park and Policy C10 which seeks to ensure that all new development is of a high-quality design.

Explanation of how the Authority has worked positively with the applicant/agent

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.