

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0307

Development description: construction of rear ground floor extension together with roof terrace

Site address: Hawksgarth House, High Hawsker

Parish: Hawsker-Cum-Stainsacre

Case officer: Mr A Muir

Applicant: Mr and Ms Stark
Hawksgarth House, High Hawsker, North Yorkshire, Whitby, YO22 4LH

Agent: W2 Property Design Ltd
fao: Mr Kevin Williams, 14 Prospect Field, Hawsker, Whitby, YO22 4LG

Director of Planning's Recommendation

Approval subject to the following:

Document title

Condition(s)

Condition number	Condition code	Condition text									
1	TIME01	Standard Three Year Commencement Date The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.									
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>Proposed Plans</td> <td>0015 Rev A</td> <td>09.06.2022</td> </tr> <tr> <td>Proposed Elevations</td> <td>0015 Rev A</td> <td>09.06.2022</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	Proposed Plans	0015 Rev A	09.06.2022	Proposed Elevations	0015 Rev A	09.06.2022
Document Description	Document No.	Date Received									
Proposed Plans	0015 Rev A	09.06.2022									
Proposed Elevations	0015 Rev A	09.06.2022									
3	GACS00	No external lighting shall be installed in the development hereby permitted. Any variation to this will require a new grant of planning consent from the Local Planning Authority.									
4	MATS00	All new external materials used in the development hereby permitted shall match that of the existing building including the colour and texture and finish and where these include stone and/or brick, the method of coursing and pointing in the local tradition.									
5	MATS11	Render Details No work shall commence on the construction of the walls of the development hereby permitted until details of the texture and paint colour of the render, including samples if so required, have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority. The rendering and painting shall be completed no later than one month after the development hereby permitted being first brought into use.									

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 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	GACS00	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 North York Moors Local Plan Strategic Policies A and C, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development that does not detract from the quality of life of local residents; in accordance with 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 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.
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.

Informative(s)

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</p>

		Conservation Trust national helpline on 0845 1300 228.
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Consultation responses

Parish

Object to the application on the grounds that the roof terrace would create privacy issues for surrounding properties. Council has no objections to the extension portion of this application.

Third party responses

None received

Publicity expiry

Site notice expiry date 20 May 2022



View from rear garden



View from public area to rear of property with indication of elevation change

Background

The application site is the southern half of a pair of semi-detached properties located the main street through High Hawsker. It is of a typical stone under pantile roof design over design for the area and period of construction, although untypical of the area it is over three storeys and not two. The property benefits from an existing off shut which is of an unusual design for the area, being in the form of a “ski slope” where the eaves is at ground floor level and the roof rising to the eaves of the second floor. This extension predates 1st July 1948. The property is set back from the highway by way of a pocket garden to the front. The overall site tapers from front to rear along the south eastern elevation and as a result the rear boundary is narrower than the front boundary. A public footpath leading from the main street adjacent to the south eastern elevation of the property leading to the A171.

The original application sought planning permission for the erection of a rear ground floor extension with hipped roof over to the main dwelling; the removal of part of the “ski slope” roof and the installation of a first floor roof terrace together with a n extension to the off shut. This application has now been amended and the rear extension to the main dwelling now has a lean-to roof over and connects into the off shut; the roof terrace has been omitted and there is now a slight kick in the roof to enable the creation of the extension top the off shut. Both extensions are to be rendered and as such a condition in relation to the colour has been attached. The lean-to extension measures 4 metres deep and 6metres long with an eaves height of 3 metres and ridge of 5 metres; the off shut extension measures 2.8 metres wide (at narrowest point) and 2 metres deep with an eaves height of 2.1 metres and ridge of 2.9 metres. The habitable space created is 24.7 sqm.

Main issues

Local Plan

The relevant policies contained within the NYM Local Plan are SPC (Quality and Design of Development) and Policy CO17 (Householder Development).

SPC (Quality and Design of Development) seeks to maintain and enhance the distinctive character of the National Park and is supportive of developments which are: of a high quality of design; incorporate good quality construction materials and design details that reflect and complement the host building or local vernacular; respectful of existing views and spaces around buildings; of a scale, height, massing and form which is compatible with surrounding buildings and land uses; in the case of conversions, the design detailing must respect the architectural form and character of the building; incorporate sustainable design and construction techniques including making provision to reduce energy use and use energy from renewable sources; include a good quality landscaping scheme and provision to improve biodiversity; provision is made for adequate storage and where the proposal ensures the creation of an accessible, safe and secure environment for all users.

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 floor space 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.

The proposed extension would be located at the rear of the dwelling with the lean-to between the neighbours boundary to the north west and existing off shut. Whereas the slight extension to the off shut has its shortest side along the south east boundary. The extensions sit well within the site and in relation to the host property. Although extending the built form along the neighbouring boundary by 4 metres, the proposal is not considered to result in unacceptable harm to the amenities of neighbours based on the nature and size of these properties.

The removal of the first floor terrace was subject to objections by the Parish Council and also those of Officers in that it had a detrimental impact upon the amenities of the neighbours on either side. The removal of this terrace has overcome the objections of the Parish Council and Officers.

The dwelling has previously been extended by way of the off shut, however the Authority's historic mapping shows this to have been constructed before 1930 and as such prior to 1st July 1948. No other alterations have been made. No information or measurements were submitted by the applicant with regards to how the extension would comply with the Policy CO17 requirement that extensions should result in no more than a 30% increase in size of habitable floorspace. The calculation of the extension should count the off shut in the original floorspace. Measured from the plans the floor space of the new extensions is around 24.7 square metres, with the floor space of the main house being around 158 square metres over three floors. This would equate to a total extension of 16% in habitable floorspace, hence the proposal is considered policy compliant in respect of that aspect of Policy CO17.

Consequently, and on balance, it is considered that the current proposal is subservient given the proportions of the original main house and the design is compatible with this property. Therefore, the proposal is considered acceptable under the requirements and aims of Local Plan Policy CO17.

The extension is of an appropriate scale and design in keeping with the character of the host dwelling and those objections received as part of the consultation process have been overcome through a re-design. The proposal is considered to comply with the above planning policies and consequently, 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.