

# North York Moors National Park Authority

## Delegated decision report

**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 Blenkarn Leonard

**fao:** Mr Mark Bramhall, Bramhall Blenkarn Leonard, Unit 13, The Maltings, Malton, YO17 7DP

## Director of Planning's Recommendation

Approval subject to the following:

Document title

### 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	<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>Proposed Drawings</td> <td>1473_AR50_01F</td> <td>18 Mar 2022</td> </tr> <tr> <td>Proposed Site Plan</td> <td>1473_AR10_02A</td> <td>18 Mar 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	Proposed Drawings	1473_AR50_01F	18 Mar 2022	Proposed Site Plan	1473_AR10_02A	18 Mar 2022
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Proposed Drawings	1473_AR50_01F	18 Mar 2022									
Proposed Site Plan	1473_AR10_02A	18 Mar 2022									
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	HWAY16	The extension hereby approved shall not be occupied until the related parking facilities have been constructed in accordance with the approved drawing 1473_AR10_02A. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
12	HWAY00	<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> <ol style="list-style-type: none"> <li>1. the parking of contractors' site operatives and visitor's vehicles;</li> <li>2. areas for storage of plant and materials used in constructing the development clear of the highway.</li> </ol> <p>The approved areas shall be kept available for their intended use at all times that construction works are in operation.</p>
13	MISC02	The development hereby permitted shall be carried out in accordance with the mitigation measures set out in section 7.0 Mitigation and Compensation of the submitted Bat Survey dated May 2022 by Wold Ecology and a copy of the European

		Protected Species licence or Bat Mitigation Class licence, including any conditions or annexes appended to it, method statements and required mitigation, shall be submitted to the Local Planning Authority and acknowledged in writing prior to any actions permitted under the licence taking place.
<b>Reason(s) for condition(s)</b>		
<b>Reason number</b>	<b>Reason code</b>	<b>Reason text</b>
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 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 and Policy CO17 of the which seeks to limit the size of new extensions so as to avoid the loss of smaller more affordable dwellings in the National Park.
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 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.
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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	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.
12	HWAY00	In accordance with Policy CO2 of the North York Moors Local Plan and to provide for appropriate on-site vehicle parking and storage facilities in the interests of highway safety and the general amenity of the area.
13	MISC00	To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with Strategic Policy H of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.

## Informative(s)

Informative number	Informative code	Informative text
1	MISCINF01	<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>
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  <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>
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</p>

		<p>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>
4	MISCINF02	<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: <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p>

## Consultation responses

### Parish

No comments received

### Highways

No objection and recommend conditional approval

### 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?

### Publicity expiry

Advertisement/site notice expiry date: 7 April 2022



Photo showing the north elevation of South View with the proposed 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



## 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

South View is an existing three-bedroom dwelling, and planning permission is not required to extend the living accommodation into the adjoining domestic outbuildings thereby enlarging the habitable floorspace. The proposed extensions 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. There is no off-street parking provided at present but the proposals whilst increasing the habitable floorspace do also include 3 off-street parking spaces accessed off Daleside Road. It is accepted that these will be tight and that depending on the size of vehicle, may only accommodate 2 however this is still an improvement on the existing situation.

### 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.

### Pre-commencement conditions

Condition 12 is a pre-commencement condition and has been agreed in writing with the applicant/agent.

### 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.