

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0373

Development description: installation of replacement windows, doors and roof covering, installation of solar panels and rendering of garage together with erection of greenhouse, removal of store and alterations to outbuildings

Site address: 2 Lowcroft, Fylingthorpe

Parish: Fylingdales

Case officer: Mr A Muir

Applicant: Mr D Lowther

2 Lowcroft, Fylingthorpe, North Yorkshire, Whitby, YO22 4TS

Agent: BHD Partnership

fao: Mr Tim Harrison, Airy Hill Manor, Waterstead Lane, Whitby, YO21 1QB,

Director of Planning's Recommendation

Approval subject to the following:

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	PLAN00	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved.
3	GACS00	No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be Dark Skies compliant and no other lighting shall be installed on the site. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
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.

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.
Informative(s)		
Informative number	Informative code	Informative text
1	INFO0	<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.</p> <p>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	INFO0	<p>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: 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></p> <p>This is to protect the nocturnal wildlife and the quality of the dark night skies above the National Park in accordance with Policy ENV4 of the North York Moors Local Plan and to support the North York Moors National Park's Management Plan Objective 9 - "Increase the intrinsic darkness of the National Park International Dark Sky Reserve by expanding the current dark sky core zone by twenty percent by 2027'.</p>

Consultation responses

Parish Council

No objection.

Third party responses

None received

Publicity expiry

Site notice expiry date 04 July 2022



View of dwelling in foreground showing the covered porch entrance with outbuildings behind



View of outbuildings and the sharp rise in land levels. The rendered section is to be removed along with the roof over



Rear of garage showing location of proposed greenhouse



View showing the garage front

Background

2 Lowcroft is located on the northern edge of the village of Fylingthorpe off Church Lane opposite the junction of Raw Lane. The property is accessed from a private drive serving both No.'s 1 and 2 Lowcroft. The main dwelling is in the northern quarter of the site with the front elevation facing southeast. The outbuildings are in the western section and the garage centrally to the southeast boundary.

The dwelling is rendered under a pantile roof and currently benefits from an open porch set inside the front elevation. The outbuildings form an 'L' shaped range of former piggeries and a large, covered yard area. The piggeries now form domestic outbuildings. This building is constructed of brick and rendered block with a sheet roof over. The garage was previously the workshop for the applicant's father and is constructed of brick with profiled sheet over.

Planning permission was granted in 2011 for the existing single storey flat roofed extension with balcony above.

This application seeks planning permission for the installation of replacement windows, doors, replacement of roof coverings to the outbuildings and garage, installation of solar panels and the rendering of garage, the erection of a greenhouse, the removal of store and alterations to the outbuildings

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. Furthermore, the scale, height, massing, and form of the proposal should be compatible with surrounding buildings.

Policy CO17 states 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 be permitted where among other things, the form position and design of the new development does not detract from the character and form of the original dwelling or its setting in the landscape. This policy also states that any extension should be clearly subservient to the main part of the building and should not increase the total habitable floor space by more than 30% unless there are compelling planning considerations in favour of a larger extension. Incrementally extending small dwellings beyond their original size can have a detrimental impact on the character of an area and the mix of dwelling types needed to sustain balanced communities. Limiting the size of new extensions can avoid the loss of smaller more affordable dwellings in the National Park. Schemes which increase the total habitable floor space by more than 30% will not

be supported unless there are compelling reasons for a larger extension. In the case of existing outbuildings, the policy requires certain criteria to be met including, its purpose is incidental to the use of the main dwelling; any extensions should be proportionate and subservient to the main dwelling; the original structure must be worthy of retention and capable of improvement.

The proposed alterations are designed to improve the appearance of the site, provide some unity in its appearance and to provide for the applicant's needs.

The alterations to create a front porch for the dwelling are within the existing footprint and do not create any additional floor space. Therefore, the requirement not to exceed the 30% maximum of habitable floor space has been met. The alterations will be in keeping with the design of this modern bungalow and as such will not have a detrimental impact on its character or appearance.

The proposal for the outbuilding is to reduce the built form significantly in size leaving the original Grosmont brick 'L' shaped building and creating an additional area of garden space. The extension of the walls in part by 3 courses of brick and the reroofing in sheet material to give a pantile effect will not detract from the main dwelling. The proposal will ensure that the building remains subservient to the main dwelling.

The garage proposal to render the walls to match that of the dwelling will ensure that the entrance to the site is cohesive. The reroofing is maintenance and repair of the existing structure. The addition of solar panels to provide power for the dwelling is a benefit for the property and in broader terms will have a positive benefit on the environment through the reduction in CO2. The location of the solar panels is on the southeast roof slope of the garage directly opposite and approximately 10m away from the neighbouring property. The impact on the neighbour is minimal as the roof already exists and the panels will sit no more than 200mm above the profile.

The green house is to be located to the rear of the garage on the site of a previous greenhouse. The greenhouse is of a lightweight metal structure on dwarf walls set against the rear garage wall. The proposal will be seen as part of the existing garage and will not be detrimental to the character and appearance of the site overall.

Based on the above, it is considered the development would complement the character and appearance of the main dwelling and surrounding area and would result in no additional harm to neighbouring amenity. In addition, it will provide wider benefits in terms of generating green energy for the property

Therefore, this application is recommended for approval.

Pre-commencement conditions

None

Contribution to Management Plan objectives

Approval is considered likely to help meet Objective 9 which seeks to expand the dark sky core zone and Objective23 enabling residents to meet their needs.

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.