

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2022/0467

**Development description:** subdivision of existing house to create self contained holiday let together with alterations and construction of pitched roof to existing entrance, two dormer windows to front elevation, part single/part two storey link extension , stripping of render and fixing of an external insulation system and its rendering and first floor extension to outbuildings to form additional living accommodation to dwelling, construction of garage together with alterations to site entrance and car parking arrangement

**Site address:** 2 Seafield House, Robin Hoods Bay

**Parish:** Fylingdales

**Case officer:** Mrs Hilary Saunders

**Applicant:** Mr Martin Hall  
2 Seafield House, Robin Hoods Bay, Whitby, YO22 4PB

**Agent:** A L Turner + Associates  
fao: Mr Tony Turner, 1 Loring Road, Ravenscar, Scarborough, YO13 0LY

## 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	<p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Block plan</td><td>----</td><td>15/06/2022</td></tr><tr><td>Elevations 1 of 2 as proposed</td><td>2460:7</td><td>15/06/2022</td></tr><tr><td>Elevations 2 of 2 as proposed</td><td>2460:8A</td><td>25/08/2022</td></tr><tr><td>Ground floor plan</td><td>2460:5</td><td>15/06/2022</td></tr><tr><td>First and second floor plan</td><td>2460:6A</td><td>25/08/2022</td></tr><tr><td>Proposed garage</td><td>2460:9</td><td>15/06/2022</td></tr></tbody></table> <p>or in accordance with any min or variation thereof that may be approved</p>	Document Description	Document No.	Date Received	Block plan	----	15/06/2022	Elevations 1 of 2 as proposed	2460:7	15/06/2022	Elevations 2 of 2 as proposed	2460:8A	25/08/2022	Ground floor plan	2460:5	15/06/2022	First and second floor plan	2460:6A	25/08/2022	Proposed garage	2460:9	15/06/2022
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Document title

		in writing by the Local Planning Authority.
3	WPDR01	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H Schedule 2, Part 2, Classes A to C and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
4	RSUO00	<p>The accommodation hereby approved shall not be used for residential purposes other than for holiday letting purposes or as an annexe to be used only by members of the family or the occupier of the main dwelling currently known as 2 Seafield House, Robin Hoods Bay.</p> <p>The accommodation shall remain ancillary to the main dwelling and shall form and remain as part of a single planning unit with 2 Seafield House, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>For the purpose of this condition, 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year.</p>
5	GACS00	No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be of a style and luminance which minimises glare and light pollution. All bulbs should be shielded to prevent upward and minimise horizontal light spill and all lighting shall be installed to minimise its impact on neighbouring amenity. The lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.
6	HWAY17	Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.
7	MATS04	All new stonework and roofing tiles used in the development hereby permitted shall match those of the existing building, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar mix unless otherwise agreed with the Local Planning Authority.
8	MATS41	All new windows in the development hereby permitted shall match those of the existing building in terms of appearance, materials, section, dimensions, glazing bar pattern, method of opening, external finish, reveals cills and lintels and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning

		Authority.
9	MATS27	The external timber cladding of the building hereby approved shall be dark stained dark and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10	MATS56	The rooflights to be installed in the development hereby permitted shall be a conservation style rooflight unless otherwise agreed in writing with the Local Planning Authority.
11	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.
12	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.
13	MATS00	The frames of the solar panles hereby approved shall be coloured black unless otherwise approved in writing by the Local Planning Authority.
14	MISC00	The area of land within the application site, to the west of the existing dwelling and garage hereby approved, annotated as "paddock" on the submitted block plan does not form part of the domestic curtilage and no buildings or any other sturctures shall be situated on this land without the prior written approval of the Local Planning Authority.
15	MATS00	Prior to the application of the external insulation product, manufacturers details of the procut to be used shall be submitted to and approved in writng by the Local Planning Authiorty.

### 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	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 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.
4	RSU000	The site is in a position where the permanent occupation of the accommodation hereby permitted as a separate independent dwelling unit would be likely to be detrimental to the residential amenities of existing and future occupiers of the annexe/holiday accommodation and main dwelling in accordance with Policy UE4 of the North York Moors Local Plan.
5	GACS00	In order to comply with the provisions of Strategic Policy A and ENV4 of the North York Moors Local Plan which seeks to ensure that new development does not detract from the quality of life of local residents or the character of the locality, and so that development helps maintain the National Park's status as an international dark sky reserve.
6	HWAY00	In accordance with Policy CO2 of the North York Moors Local Plan and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity the development.
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 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.
8 -13	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.
14	MISC00	In the interests of the visual amenities of the locality and to comply with the provisions of Strategic Policy A of the North York Moors Local Plan which seeks to conserve and enhance the special qualities of the National Park.
15	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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**Informative(s)**

<b>Informative number</b>	<b>Informative code</b>	<b>Informative text</b>
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 Conservation Trust national helpline on 0845 1300 228.</p>
2	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  <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>Swifts</p> <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; <a href="https://www.swift-conservation.org/">https://www.swift-conservation.org/</a> with additional swift box ideas from Action for Swifts;</p>

### **Consultation responses**

#### **Parish**

No objections

#### **Highways**

No objections. The application site has an existing, adequate vehicular access and the proposals include adequate parking for the anticipated use.

On the clear understanding that this application will be conditioned to remain ancillary to the main residence, there are no highway objections to the application.

#### **Third party responses**

None received

#### **Publicity expiry**

Site notice expiry date – 25 July 2022

Rear elevation of property with outbuildings extended and converted and dormer windows to match existing on neighbouring properties.



Gable end of dwelling looking towards vehicular access



Proposed timber garage to be located in position of the parked car.



## Background

2 Seafield House is located on the northern edge of Robin Hoods Bay, just above the station public car park and outside the Conservation Area boundary.

Pedestrian and vehicular access is taken off Whitby Road along the northern edge of the site with internal car parking for five cars.

The property consists of a mainly two storey house with a third storey (attic space) over approximately one third of the footprint. There is a range of redundant, single storey outbuildings set towards the south and at right angles to the house with gardens and a grass paddock to the south and west of the buildings.

The original external stonework to the walls of the has been mainly covered by render, although the outbuildings to the rear are stone and pantile.

This proposal is for the conversion and extension of existing outbuildings into habitable accommodation, including altering and extending the attached outbuildings and the addition of dormer windows at the rear, to match the adjacent dwelling, to create an independent holiday letting unit from existing internal letting rooms within the dwelling. It is also proposed to re-rendering the rendered parts of the house, with an external insulation scheme, along with the erection of a detached timber garage, and re-arrangement of existing car parking.



In terms of additional habitable floorspace, the original = 212.55m<sup>2</sup>, additional proposed = 54.3m<sup>2</sup> , resulting in a 25% increase in habitable floorspace.

## **Main issues**

### **Local Plan**

Strategic Policy C- Design - seeks to maintain and enhance the distinctive character of the National Park, and states that development will only be supported where it is of a high quality design; incorporates good quality construction materials and design details that reflect architectural character and form of the original building or the local vernacular; the siting, orientation, layout and density complement existing buildings; the scale, height, massing and form are compatible with surrounding buildings and not have an adverse impact upon the amenities of adjoining occupiers; sustainable design and construction techniques are incorporated; there is a good quality landscaping and planting scheme; local wildlife and biodiversity is enhanced; provision is made for adequate storage, cycling facilities and car parking are provided and the proposal ensures the creation of an accessible, safe and secure environment for all potential users.

Strategic Policy J - Tourism and Recreation - seeks to support such development where it is consistent with the principles of sustainable tourism, does not lead to unacceptable harm to the local landscape character or an ecological or archaeological asset; provides opportunities for people to increase their awareness, understanding and enjoyment of the special qualities of the National Park; is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape; any accommodation is used only for short term holiday stays; it does not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way.

Policy CO17 - Householder Development - seeks to ensure 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 only be permitted where the scale, height, form, position and design do not detract from the character and form of the original dwelling or its setting in the landscape; does not adversely affect the residential amenity of neighbouring occupiers and reflects the principles outlined in the Authority's Design Guide.

In the case of extensions and alterations to the existing dwelling, any extension should be clearly subservient to the main part of the building and should not increase the total habitable floorspace by more than 30% unless there are compelling planning considerations in favour of a larger extension; the design and detailing should complement the architectural form and character of the original dwelling.

In the case of new outbuildings, the outbuilding should be required for purposes incidental to the residential use of the main dwelling; any new or extended outbuilding should be proportionate in size and clearly subservient to the main dwelling; new outbuildings should be located in close proximity to existing buildings.

## **Material Considerations**

The proposed extensions and alterations to the existing range of outbuildings would improve the appearance of the host building, through their renovation. The proposed dormer windows have been reduced in scale to be in keeping with the scale of the neighbouring properties.

The proposed timber clad garage would be sited close to the host dwelling and set against the backdrop of trees and would not be visually intrusive in the immediate or wider landscape. It is recommended that a condition is attached to prevent this garage building being used as any form of accommodation, particularly as a shower would be incorporated within this building.

The proposed subdivision of the property to provide a small holiday let would not result in a significant increase in activity levels and there are no objections from the Highway Authority.

The proposed external insulation scheme where the dwelling is already rendered would not harm the character and appearance of the dwelling if a shallow system is utilised.

In view of the above, the proposals are in accordance with the policies outlined above and approval is recommended.

## **Pre-commencement conditions**

N/A

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

Approval (Amendments Requested and Received)

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including reduction in size of dormer windows, so as to deliver sustainable development.