

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2022/0499

**Development description:** conversion of outbuilding to form holiday let with associated parking and garage to serve Oak Tree House

**Site address:** Oak Tree House, Egton Bridge

**Parish:** Egton

**Case officer:** Miss Lucy Gibson

**Applicant:** Mr & Mrs S & J Money

Oak Tree House , Broom House Lane , Egton Bridge, Whitby, North Yorkshire, YO21 1XE,

**Agent:** BHD Partnership

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

## Director of Planning's Recommendation

Approval subject to the following:

### Condition(s)

Condition number	Condition code	Condition text														
1	TIME01	<p>Standard Three Year Commencement Date</p> <p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p>														
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 rowspan="2">Proposed plans</td> <td>D12238-06 Rev B</td> <td></td> </tr> <tr> <td>D12238-07 Rev B</td> <td></td> </tr> <tr> <td></td> <td>D12238-08 Rev A</td> <td>27 June 2022</td> </tr> <tr> <td>Drainage details</td> <td>N/A</td> <td>19 July 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 plans	D12238-06 Rev B		D12238-07 Rev B			D12238-08 Rev A	27 June 2022	Drainage details	N/A	19 July 2022
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	D12238-08 Rev A	27 June 2022														
Drainage details	N/A	19 July 2022														
3	MISC00	<p>A copy of the European Protected Species Licence including all annexes and appendices, or confirmation that works can be conducted under a low-impact species licence, must be provided to the Authority and acknowledged in writing before any works can commence on any buildings that are covered under the licence.</p>														
4	RSU000	<p>Use as Holiday Accommodation Only</p> <p>The dwelling unit hereby approved shall not be used for residential purposes other than holiday letting purposes and shall remain as part of a single planning unit associated with the existing dwelling known as Oak Tree House, Egton Bridge. 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	RSU000	The garage and storage area hereby permitted shall be used for domestic storage incidental to the occupation of the main dwelling on the site and for no other purpose. There shall be no alteration or conversion of the area hereby permitted to permanent residential accommodation. Any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.
6	MISC00	All works must comply with section 9 of the Bat, Breeding Bird and Barn Owl Survey by MAB Ecology dated July 2022 covering mitigation and compensation actions required.
7	WPDR01	Withdrawal of all PD Parts 1 & 2 and 14 Classes A to I  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.
8	MATS00	No work shall commence on the installation of any replacement or new windows (including glazing) in the development hereby approved until detailed plans showing the constructional details of all window frames to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross-sectional detailing including means of opening. The window frames shall be installed in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9	MATS00	No work shall commence on the installation of any roof lights in the development hereby approved until full details of the proposed roof lights have been submitted to and approved in writing by the Local Planning Authority. The roof lights shall be conservation style roof lights and shall be installed in accordance with the approved details and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

10	MATS00	No work shall commence on the installation of any door in the development hereby approved until detailed plans showing the constructional details and external appearance of all external doors and frames (including glazing) have been submitted to and approved in writing by the Local Planning Authority. All doors shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
11	MATS00	No work shall commence to stain/paint the windows and doors in the development hereby approved until details of the paint colour/finish of the windows and doors has been submitted to and approved in writing by the Local Planning Authority. The work shall be completed in accordance with the approved details within six months of being installed and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
12	MATS00	The roof of the development hereby permitted shall be clad with traditional, handmade natural red clay pantiles and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
13	MATS00	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.
14	MATS00	The lintels and cills of all new windows hereby approved, together with any replacement lintels and cills, shall be of natural or reclaimed stone to match the existing in terms of dimension, tooling, shape, geology, colour and texture and shall be maintained in that condition in perpetuity
15	MATS72	The rainwater goods utilised in the development hereby permitted shall be coloured black or a dark green and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
16	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 lighting fixtures should be shielded/fully cut off 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.
<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 NYM Strategic Policy A and NYM Strategic Policy C, which seek to conserve and enhance the special qualities of the NYM National Park.
3	MISC00	In order to comply with the provisions of NYM Strategic Policy E which seeks to protect species protected under national and international legislation.
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 site in accordance with Policy UE4 of the North York Moors Local Plan.
5	RSU000	In order to enable the Local Planning Authority to control any future changes to the building which is in a location where the formation of a separate dwelling unit would be likely to adversely affect the amenities of existing and future occupiers of the site and to accord with the provisions of CO17 of the North York Moors Local Plan.
6	MISC00	To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with NYM Strategic Policy E which seeks to conserve and enhance the quality and diversity of the natural environment.
7	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 NYM Strategic Policy C and NYM Strategic Policy A, which seek to enhance and conserve the special qualities of the NYM National Park and secure high-quality design for new development.

8-15	MATS00	For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy C 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.
16	GACS00	In order to comply with the provisions of NYM Strategic Policy A which seeks to ensure that new development does not detract from the quality of life of local residents and in accordance with Local Plan Policy ENV4 which seeks to protect dark night skies.

### Informative(s)

Informative number	Informative code	Informative text
1	INFO0	With reference to condition no. 16 above, further advice and guidance in relation to suitable external lighting fixtures is available on the Authority's website: <a href="https://www.northyorkmoors.org.uk/discover/dark-skies/dark-skies-friendly-lighting">https://www.northyorkmoors.org.uk/discover/dark-skies/dark-skies-friendly-lighting</a> or by contacting the Authority at <a href="mailto:planning@northyorkmoors.org.uk">planning@northyorkmoors.org.uk</a> < <a href="mailto:planning@northyorkmoors.org.uk">mailto:planning@northyorkmoors.org.uk</a> >
2	MISCINF01	<b>Bats</b>  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.
3	MISCINF12	<b>Birds</b>  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

		<p>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>
4	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; <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>

## Consultation responses

### Parish

No comments received

### Highways

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

#### Mr Strange – Vega-Mara, Broom House Lane, Egton Bridge.

I have read through the application and fully support it. It has been very well thought through and will enhance the use of the property. Egton Bridge is a very nice village and this proposal will help to ensure that the building is maintained to a high standard whilst still supporting our local wildlife.

### Publicity expiry

Advertisement/site notice expiry date- 18 August 2022





This photograph shows the front elevation of the main dwelling and attached outbuildings at Oak Tree House, Egton Bridge.



These photographs show the rear elevation of the outbuildings at Oak Tree House and the existing parking space to the rear.

## Background

Oak Tree House is a traditional 3 storey detached house of stone and slate construction with attached outbuildings. The dwelling sits within a large garden and is located within the Egton Bridge Conservation Area and Esk Valley. The attached outbuildings are two storey and one and half storey respectively with traditional stone walls and red clay pantile roofs. Both the dwelling and the outbuildings make a positive contribution to the character and appearance of the Egton Bridge Conservation Area.

The outbuildings have a long planning history with various different uses, including stable and garage to craft shop.

This application seeks planning permission for the conversion of outbuildings to form holiday let with associated parking and garage to serve Oak Tree House.

## Main issues

### Local Plan

The most relevant policies contained within the North York Moors Local Plan to consider in relation to this application are Strategic Policy C (Quality and Design of Development), Strategic Policy J (Tourism and Recreation), Policy UE4 (New Holiday Accommodation within Residential Curtilages) and Strategic Policy I (The Historic Environment).

Strategic Policy C 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 and the scale, height, massing and form are compatible with surrounding buildings and do not have an adverse impact upon the amenities of adjoining occupiers.

Strategic Policy J seeks to support 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 and any accommodation is used only for short term holiday stays.

Policy UE4 states that the development of new holiday accommodation within a residential curtilage will only be permitted where it makes use of an existing building which is of architectural or historic interest and makes a positive contribution to the character of the surrounding area; it would not detract from the character or appearance of the locality; it is of an appropriate scale; and there is no unacceptable harm in terms of noise and activity on the amenity of the neighbourhood.

Strategic Policy I seeks to ensure that developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park and that development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area.

This application comprises a sensitive scheme to convert the redundant barn/outbuilding at Oak Tree House to a holiday let unit, in line with pre application advice. The outbuilding is considered to be of architectural and historic interest, is reflective of the local vernacular and makes a positive contribution to the character of the surrounding area.

The conversion would include a garage and storage space at ground floor level for use by the applicants, together with the installation of double timber garage access doors to the rear. The remaining space would be converted to a two-bedroom holiday let. The conversion scheme is considered to be sympathetic to the host building and surrounding conservation area as the original openings will be utilised and replaced with appropriate traditional timber windows and doors. Three roof lights to the rear roof elevation are proposed, however the addition of three small, conservation style roof lights are considered to be appropriate, and the overall scheme is supported by the Authority's Building Conservation Officer.

The proposed parking to the rear comprises the creation of 2 further parking spaces and associated turning area, surfaced in gravel to match the existing drive. These proposals are supported by the Local Highways Officer.

The applicant has confirmed that the foul drainage will be connected to a package treatment plant which is already installed at the property.

The application is supported by a detailed Bat, Breeding Bird and Barn Owl Survey which includes a mitigation summary and method statement. These are in line with SPJ and are supported by the Authority's Ecologist. However, a copy of a European Species Protection License will be required before works can commence and this has been agreed in writing with the applicant.

To conclude, it is considered the proposed works would conserve and enhance the appearance of the dwelling and wider Conservation Area. Oak Tree House has no immediate neighbours and so it is unlikely that the proposed holiday let will have a harmful impact on any residential dwellings. Further to this, sufficient and appropriate parking has also been proposed to serve the holiday let and main dwelling.

As such, the application is considered to accord with the principles of SPC, SPJ, SPI and Policy UE4.

### Pre-commencement conditions

Condition 3 is a pre-commencement conditions and has been agreed in writing with the applicant/agent.

### Contribution to Management Plan objectives

Approval is considered likely to help meet Objective 11 which seeks to ensure that our historic environment is better understood and conserved. It is also considered likely to meet Objective 20 which increases opportunities for residents and visitors to travel sustainably in the National Park.

### 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.