

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0523

Development description: variation of condition 2 (material amendment) of planning approval NYM/2021/0508/FL to allow the installation of air source heat pump to side of garage and alteration to the layout of the garage to include WC and plant room

Site address: Ivy Cottage, High Street, Egton,

Parish: Egton

Case officer: Miss Victoria Flintoff

Applicant: Mr G Withers

Lake Farm, Thornden Lane, Rolvenden Layne, Cranbrook, TN17 4PR

Agent: BHD Partnership

fao: Mr Neil Duffield, 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	TIME15	Variation of Condition (insert) The development hereby permitted shall be commenced before the 03 November 2024.
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: Document Description Document No. Date Received

		Proposed Floor Plans & Elevations D12063-03 (Rev L) 14 Nov 2022 or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3	MATS03	Stonework to Match 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.
4	MATS30	Doors - Details of Construction to be Submitted All doors shall be installed in accordance with the details approved under application NYM/2022/0430 and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
5	GACS07	External Lighting - Submit Details The lighting shall be installed in accordance with the details so approved under application NYM/2022/0430 and shall be maintained in that condition in perpetuity.
6	RSU000	The integral garage permitted is not to be converted into additional living accommodation without a separate grant of planning permission.
7	WPDR04	Withdrawal of PD Part 1 Class A - Extensions Only (insert) 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 extensions to the (insert) hereby permitted shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
8	ARCH01	Archaeological Interest Requiring Prior Notice The developer shall (a) give not less than ten working days notice in writing of commencement of works to the archaeologist nominated by the Local Planning Authority and no works shall commence on site until the ten working day notice period has expired and (b) shall afford safe access within the site to the nominated archaeologist at all reasonable times and allow the archaeologist to observe any excavations and record finds and features of archaeological interest.

9	MISC00	Use of Equipment Ceasing If the use of the air source heat pump hereby approved permanently ceases, it shall be removed from the site within 6 months of that cessation and the yard and wall shall, as far as practical, be restored to their condition before development took place.
10	MISC00	The air source heat pump hereby approved should be screened with a suitable timber panel as shown on the approved plans and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
11	MATS00	The exterior casement of the air source heat pump hereby approved shall be coloured to match the existing stonework and maintained in this way in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

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	MATS01	For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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.
4	MATS02	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.
5	GACS01	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	RSU000	In order to enable the Local Planning Authority to control any future changes to the building in order that development accords with the provisions of Policy CO17 of the North York Moors Local Plan.
7	WPDR01	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.
8	ARCH01	In order that any remains of archaeological importance can be adequately investigated and recorded before any development takes place on the site and to comply with Strategic Policy I and Policy and Policy ENV10 of the North York Moors Local Plan which seeks to conserve and enhance the historic assets and cultural heritage of the National Park.
9	MISC00	To ensure that the development does not result in an unacceptable adverse impact on the special qualities of the National Park in accordance with the provisions of Policy ENV8.
10	MISC00	In order to comply with the provisions of Strategic Policy A of the North York Moors Local Plan which seeks to conserve and enhance the landscape of the National Park.
11	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	MISCINFO1	Bats All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and

		<p>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 http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx. Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.</p> <p>If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</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 website; https://www.swift-conservation.org/ with additional swift box ideas from Action for Swifts; http://actionforswifts.blogspot.com/search/label/nestbox%20design</p>

Consultation responses

Parish

No objections

Highways

There is still expected to be adequate parking provision for the two bedroomed dwelling. Therefore, there are no local highway authority objections to the proposed development.

Publicity expiry

24 November 2022

Proposed Location of Air Source Heat Pump



Background

Ivy Cottage is a traditional, modest dwelling of stone and pantile construction in a central and prominent location in the main built-up area of Egton. Adjoining the property is a Grade II listed thatched cottage. Ivy Cottage is within the Conservation Area of Egton where there is an Article 4 direction in place, removing certain permitted development rights. Until recently the property had no planning history until 2021 when permission was granted for the demolition of the existing garage and conservatory to be replaced with a single and two storey extension together with replacement front porch for which this application is a variation (NYM/2021/0508/FL). Conditions 6 and 7 were approved 27 July 2022. Another application shortly after sought the conversion of the outbuilding to a home office which was approved on 04 February 2022.

This application is a variation of condition 2 (material amendment) of planning approval NYM/2021/0508/FL to allow the installation of an air source heat pump to the side of the garage and an alteration to the layout of the garage to include a WC and plant room to house the associated equipment for the air source heat pump.

Main issues

Policy Context

The relevant policies for this application include Strategic Policy C, Policy CO17, Strategic Policy I, Policy ENV11 and Policy ENV8.

Strategic Policy C relates to the quality and design of development within the National Park. The policy seeks to ensure that proposed development maintains and enhances the distinctive character of the National Park through appropriate siting, orientation, layout, and density together with carefully considered scale, height, massing and form. Proposals should 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. Sustainable design will be supported where proposals incorporate measures to minimise waste and energy use and where appropriate energy is generated from renewable sources.

Policy CO17 states that development within the domestic curtilage of dwellings should only be permitted where the scale, height, 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. The policy also states that the development should reflect the principles outlined in the Authority's Design Guide.

Strategic Policy I relates specifically to development affecting the Historic Environment. The policy states that all developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park through the conservation and, where appropriate, enhancement of the historic environment. 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.

Policy ENV11 relates specifically to Historic Settlements and the Built Heritage. The policy states that development affecting the built heritage of the North York Moors should reinforce its distinctive historic character by fostering a positive and sympathetic relationship with traditional local architecture, materials, and construction. High standards of design will be promoted to conserve and enhance the built heritage, settlement layouts and distinctive historic, cultural, and architectural features.

Policy ENV8 considers that development proposals for the generation of renewable energy will be considered where it is of a scale and design appropriate to the locality and contributes to meeting energy needs within the National Park. It must also respect and complement the existing landscape character type as defined in the North York Moors Landscape Assessment and does not result in an unacceptable adverse impact on the special qualities of the National Park. Provision should be made for the removal of facilities and reinstatement of the site, should it cease to be operational. The Authority will seek to ensure that proposals aimed at meeting this policy will not have an unacceptable visual impact and the same considerations will be given as for any other renewable energy proposal. In some exceptional circumstances the Authority may consider that the requirement cannot be met without unacceptable visual or other impact and in such cases the requirement may be varied. The National Park Authority is supportive of small-scale renewable energy developments which contribute towards meeting domestic, community or business energy needs within the National Park, if there is no significant environmental harm to the area concerned or the National Park as a whole.

Material Considerations

Ivy Cottage is a traditional property, reflective of the local vernacular and as such is considered to contribute to the surrounding conservation area. The two-storey extension and new porch was approved following suggested amendments and has now been completed to the specification proposed. The current application seeks to install an air source heat pump to the side of the extension and includes a change of plan in the garage as on site it was apparent that the garage could not be used to store vehicles as was the original intention. The plans show that the garage now includes a WC and storage for the associated air source heat pump equipment. As per condition 6 the garage should not be used as additional living accommodation.

In order to reduce the visual impact on the property, the character of the conservation area and view from the highway, a fence panel has been proposed to screen the air source heat pump from the street whilst still allowing enough space for future maintenance. Furthermore, the applicant has agreed to have the casement coloured to match the stonework so that the unit doesn't stand out against the new stone extension. These measures seek to conserve the character of the National Park and

complement the architectural character of the local vernacular and therefore meet the criteria of Strategic Policy C and Policy C017. The colouration also helps to reduce any impact on the historic environment as required by Strategic Policy I and Policy ENV11 by fostering a positive and sympathetic relationship with traditional local architecture whilst meeting the need for other forms of energy generation (Policy ENV8). The scale and design of the unit is deemed acceptable which respects the existing landscape character and results in minimal impact on the special qualities of the National Park. Provision should be made for the removal of facilities and making good of the stonework, should it cease to be operational.

Conclusion

In conclusion, the installation of the air source heat pump along with the screening methods shown and colouration of the pump casing are deemed acceptable in terms of the above policies and as such the proposal is recommended for approval.

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 recommended changes to the proposal including minor design details to better screen the air source heat pump from the highway, to conserve the character of the building and conservation area.