

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2023/0337

**Development description:** construction of conservatory

**Site address:** Mill House, Green Gates Lane, Low Hawsker

**Parish:** Hawsker-Cum-Stainsacre

**Case officer:** Miss Emily Jackson

**Applicant:** Mr M Tindale

Mill House, Green Gates Lane, Low Hawsker, Whitby, YO22 4LE

**Agent:** Spectrum Design

fao: Mr W. Henderson, 12 Willow Close, Saltburn, TS12 1PB

## Director of Planning's Recommendation

Approval subject to the following:

### Condition(s)

Condition number	Condition code	Condition text												
1	TM01	The development hereby permitted shall begin not later than three years from the date of this decision.												
2	PL01	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table><thead><tr><th>Document Description</th><th>Drawing No.</th><th>Rev. No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Proposed Elevations (Amended)</td><td>--</td><td>A</td><td>23rd June 2023</td></tr><tr><td>Proposed Floor Plan (Amended)</td><td>--</td><td>A</td><td>23rd June 2023</td></tr></tbody></table>	Document Description	Drawing No.	Rev. No.	Date Received	Proposed Elevations (Amended)	--	A	23rd June 2023	Proposed Floor Plan (Amended)	--	A	23rd June 2023
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Document title

3	GPMT03	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.
4	PDR02	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 to the property known as Mill House, Low Hawsker shall take place without a further grant of planning permission being obtained from the Local Planning Authority.

**Reason(s) for condition(s)**

Reason number	Reason code	Reason text
1	RSN TM01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2	RSN PL01	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	RSN GPMT01	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.
4	RSN PD01	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 and Policy CO17 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 and to maintain a suitable mix of housing types within the National Park.

## Consultation responses

Parish  
None

## Third party responses

None Received

## Publicity expiry

Advertisement/site notice expiry date – 7<sup>th</sup> July 2023

Photograph showing front elevation of Mill House, Low Hawkser



Photograph showing north-eastern elevation of Mill House, Low Hawkser; conservatory to be constructed on side north-eastern elevation as seen in photograph.



## Background

Mill House is a mid-19th century, three-storey dwelling with single-storey link adjoined to the former windmill in Low Hawsker. The property occupies an elevated corner plot at the northern end of Green Gates Lane, a residential street just west of the A171. The property is constructed of a grey render under a red pantile roof and features white PVC windows and doors to the front and rear, in addition to two flat roof dormer windows added to the front elevation of the property in approximately 1970. There is no previous planning history for the property.

This application seeks permission to construct a single storey conservatory on the northeastern elevation of the property. It is proposed for the extension to be constructed with a grey rendered finish, white PVC windows and doors and a red pantile gable roof to match the host dwelling. The extension would measure 4 meters x 4 meters with a height to the eaves of 2.3 meters and a ridge height of 3.6 meters.

It is noted that the above proposal represents an amended scheme from that initially submitted following concerns from officers that the initial proposal would not appear in keeping with the character and form of the host dwelling. As such, changes have been made to alter the proposed roof material from slate to red pantile, and changes to the conservatory roof design from a hipped roof to a gable roof. Following these changes, officers are now satisfied that the proposal is of an appropriate design that is in-keeping with the original dwelling and wider streetscape.

## Main issues

### Local Plan

The most relevant policies contained within the North York Moors National Park Authority Local Plan 2020 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 considering appropriate siting, orientation, layout and density of proposals in addition to appropriate scale, height and massing and form. Proposals should utilise good quality materials and be of a high-quality, sustainable design that reflects and complements the architectural character and form of the original building and/or that of the local vernacular.

Policy CO17 seeks to ensure that development within the domestic curtilage of dwellings should take full account of the character of the local area and the special qualities of the National Park. Development will only be permitted where: the scale, height, form, position and design of new development do not detract from the character and form of the original dwelling and its setting; the development does not adversely affect the amenity for the existing and neighbouring occupiers; and that the development reflects the principles of the Authority's design guide. In the case of extensions and alterations to the existing dwelling, extensions should be 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.

### Material Considerations

With regard to Policy CO17, the proposed extension would be compliant with the 30% threshold, accounting for a total increase in total habitable floor space of 12.6%. However, as the proposal would be sited on the side elevation of the property, to ensure the property does not become overdeveloped to the rear under permitted development in the future, a condition has been applied to remove permitted development rights for extensions under Part 1 Class A from the property.

The proposal would utilise appropriate materials that reflect the character and appearance of the original dwelling and its setting. Whilst Mill House is sited in an elevated position that is somewhat prominent in the surrounding streetscape, following amendments, the conservatory would be of a simple ridge and gable design, clearly subservient to the host dwelling and follows the principles set out in Part 2 of the Authority's design Guide: Extensions and Alterations to Dwellings. As such, it is not considered that there would be an adverse impact on the setting of the host dwelling or wider streetscape as a result of the proposal.

Upon assessment, it is not considered that there would be an impact on neighbouring amenity as a result of the proposal as the windows of the conservatory would for the most part be screened by an existing boundary wall and mature hedge located on the northern and western boundaries of the site to prevent overlooking.

### Conclusion

For the reasons outlined above, the proposal meets the aims of Strategic Policy C and Policy CO17 of the NYMNPA Local Plan 2020 and as such, approval is recommended.

### Pre-commencement conditions

N/A

### 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 changes to the roof design and material, so as to deliver sustainable development.