

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2023/0532

Development description: alterations to fenestration and doors and construction of pitched tiled roof to conservatory

Site address: The Old Surgery, Mount Pleasant South, Robin Hood's Bay

Parish: Fylingdales

Case officer: Miss Emily Jackson

Applicant: Mrs J Copley

The Old Surgery, Mount Pleasant South, Robin Hood's Bay, Whitby, YO22 4RG

Agent: N/A

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	PL02	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	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.

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.

Consultation responses

Parish
No Objection

Natural England
None

Third party responses

None Received

Publicity expiry

15th September 2023

Photograph showing existing conservatory to rear of the property; flat roof proposed to be replaced with a pitched pantile roof in addition to alterations to fenestration. No alterations are proposed to the base/footprint of the conservatory.



Background

The Old Surgery is a single storey detached bungalow located in the north of Robin Hoods Bay, outside of the Conservation Area. The property is located on the southern side of Mount Pleasant South, a residential street consisting of a mixture of dwelling types, with three storey dwellings on the northern side and bungalows, mostly of a single storey, on the southern side.

The property is constructed of red brick with a pantile roof and features white PVC Storm-proof windows and PVC doors. Permission was granted in August 2002 for the construction of a flat roof conservatory with red brick base and PVC frame on the rear elevation of the property. There is no other planning history for the property that would impact this application.

This application seeks permission to replace the existing perspex flat roof of the conservatory at the rear of the property with a pitched roof of pantile construction, in addition to alterations to the conservatory's fenestration. The replacement roof would be of a ridge and gable design and would measure 2.4 metres to the eaves, with a height to the ridge of 3.8 metres. It is not proposed for the footprint of the conservatory to be enlarged in any way.

Main issues

Local Plan

The most relevant policies contained within the North York Moors 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

Under Policy CO17 the proposed changes to the roof material (from glazed to pantile) would mean that the conservatory should now count towards the increase in total habitable floorspace threshold, however, given that the application only relates to changes to the design of the roof, with no increase in footprint proposed, it has not been considered necessary to calculate the increase in total habitable floor space in this instance.

As set out in Part 2 of the Authority's Design Guide: Extensions and Alterations to Dwellings, flat roof extensions can detract from the character and form of the host dwelling. As such, the proposal to replace the flat roof of the conservatory with a pitched pantile roof would be considered an enhancement to the appearance of the existing conservatory and host dwelling.

The proposal would utilise materials that match that of the host dwelling and has been designed to reflect the roofline of similar properties within the surrounding area. The height of the ridge of the proposed conservatory roof (3.8m) would sit below the ridge line of the main dwelling (4.1m) to ensure that the extension remains to appear subservient to the host dwelling. As such, the proposed alterations to the roof are considered to be acceptable.

There are no concerns surrounding the proposed alterations to the fenestration of the conservatory.

It is not considered that there would be an impact on neighbouring amenity, or issues of overshadowing as a result of the proposal. No objections have been received.

Conclusion

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

Public Sector Equality Duty imposed by section 149 of the Equality Act 2010

The proposal is not considered to unduly affect any people with protected characteristics.

Pre-commencement conditions

Not Applicable.

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.