

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2023/0580

Development description: variation of condition 2 (material amendment) of planning approval NYM/2021/0595/FL to allow alterations to fenestration, door position, rooflights and addition of flue together with removal of condition 4 which requires a solar control film to be applied to the glazing

Site address: Bugle Cottage, Egton

Parish: Egton

Case officer: Miss Megan O'Mara

Applicant: Mr & Mrs McAndrew, Bugle Cottage, Egton, Whitby, YO21 1UT

Agent: Bell Snoxell Building Consultants Limited, fao: Louis Stainthorpe, Mortar Pit Farm, Sneatonthorpe, Whitby, YO22 5JG

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text															
1	TM10	The development hereby permitted shall be commenced before the 28 October 2024.															
2	PL01	The development hereby permitted shall be carried out in accordance with the following approved plans: <table border="1"><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Ground Floor Plan</td><td>Sheet no 5 Rev B</td><td>31 August 2023</td></tr><tr><td>First Floor Plan</td><td>Sheet no 6 Rev B</td><td>31 August 2023</td></tr><tr><td>Proposed Elevations</td><td>Sheet no 7 Rev B</td><td>31 August 2023</td></tr><tr><td>Proposed Elevations</td><td>Sheet no 8 Rev B</td><td>31 August 2023</td></tr></tbody></table>	Document Description	Document No.	Date Received	Ground Floor Plan	Sheet no 5 Rev B	31 August 2023	First Floor Plan	Sheet no 6 Rev B	31 August 2023	Proposed Elevations	Sheet no 7 Rev B	31 August 2023	Proposed Elevations	Sheet no 8 Rev B	31 August 2023
Document Description	Document No.	Date Received															
Ground Floor Plan	Sheet no 5 Rev B	31 August 2023															
First Floor Plan	Sheet no 6 Rev B	31 August 2023															
Proposed Elevations	Sheet no 7 Rev B	31 August 2023															
Proposed Elevations	Sheet no 8 Rev B	31 August 2023															

		Revised Window Details Quotation doc. 15 October 2021 Proposed Stables ST10 28 July 2021
3	MCOO	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.
4	MCOO	There shall be no commercial use of the stable hereby permitted and it shall be used only for the horses kept for hobby/domestic purposes ancillary to the occupation of the property known as Bugle Cottage and for no other purpose unless a separate grant of planning permission has first been obtained from the Local Planning Authority.
5	MCOO	The external timber cladding of the stable building hereby approved shall be stained dark brown or left to weather naturally and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
6	MCOO	No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
7	GPMT27	All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity.

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 GPMT02	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.
4	RSN MISC00	In order to comply with Policy CO20 of the North York Moors Local Plan which seeks to ensure that proposals for stables are well related to a domestic curtilage and to enable the Local Planning Authority to control any commercial use of the stables which could give rise to conditions detrimental to the special qualities of the National Park and the residential amenities of adjoining occupiers which would be contrary to Strategic Policy A of the Local Plan.
5	RSN GPMT02	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.
6	RSN AC01	In accordance with Policy ENV4 which seeks to protect dark night skies.
7	RSN GPMT02	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.

Consultation responses

No responses

Third party responses

No responses

Publicity expiry

Advertisement/site notice expiry date: 10 October 2023

Background

Bugle Cottage is a relatively modern property of stone and pantile construction and is located within the Egton Conservation Area. The property has been heavily altered with flat roof extensions on the rear, together with the construction of a sunroom.

Planning permission was granted to replace the existing sunroom on the same footprint, together with the construction of a pitched roof on an element of the existing flat roof to create a glazed gable on the rear of the dwelling. Permission was also granted for the replacement of the existing windows in the main dwelling, together with the erection of a stable building within the domestic curtilage.

This application seeks approval for variations to the originally approved scheme. These include alterations to the approved fenestration, position of rooflight and introduction of a flue. The application also seeks to remove condition 4 which requires a solar control film on the glazing.

Main issues

Local Plan

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.

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.

Discussion

The proposed amendments to the approved scheme are not considered to be detrimental to the quality of design or the appearance of the host dwelling. The proposed variation to the fenestration, rooflight and introduction of the flue are relatively minor and will not harm the surrounding conservation area.

In regard to the removal of condition 4, the Authority is supportive of this given that an appropriate product does not exist on the market. The condition was applied at the time it was thought such a product did exist.

In view of the above, the proposed variations are supported and the application is recommended for approval.

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.

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.