

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2024/0208

**Development description:** construction of first floor extension over existing side extension together with construction of single storey side extension

**Site address:** Chyne Cottage, Raw Lane, Raw

**Parish:** Fylingdales

**Case officer:** Jill Bastow

**Applicant:** Mr & Mrs P & J Dalton

Alder House, Humber View, Swanland, HU14 3ND

**Agent:** BHD Design Ltd

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	TM01	The development hereby permitted shall begin not later than three years from the date of this decision.									
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>Drawing No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Proposed Elevations</td><td>D12573-06 Rev.E</td><td>24 April 2024</td></tr><tr><td>Proposed Floor Plans</td><td>D12573-05 Rev.D</td><td>25 Mar 2024</td></tr></tbody></table>	Document Description	Drawing No.	Date Received	Proposed Elevations	D12573-06 Rev.E	24 April 2024	Proposed Floor Plans	D12573-05 Rev.D	25 Mar 2024
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Proposed Elevations	D12573-06 Rev.E	24 April 2024									
Proposed Floor Plans	D12573-05 Rev.D	25 Mar 2024									
3	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 Chyne Cottage shall take place without a further grant of planning permission being obtained from the Local Planning Authority.									

Condition number	Condition code	Condition text
4	GPMT03	All new external materials used in the development hereby permitted shall match that of the existing building including the colour, texture and finish and where these include stone and/or brick, the method of coursing and pointing.
5	GPMT23	The guttering to the development hereby permitted shall be directly fixed to the masonry by means of gutter spikes located within the mortar joint with no fascia boarding being utilised in the development and shall thereafter be so 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 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.
4	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.
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

Reason number	Reason code	Reason text
		and that the special qualities of the National Park are safeguarded.

## Consultation responses

### Parish

Insert

### Highways

No objection on the understanding that the garage and drive located on the opposite side of the road is under the control of the owners of Chyne Cottage.

### Third party responses

No comments received

### Publicity expiry

Advertisement/site notice expiry date: 26 April 2024

**Views of the front elevation of Chyne Cottage showing the existing single storey side extension above which it is proposed to provide a bedroom extension with cat-slide dormer window to the front elevation and a further single storey extension to the side**





NYM/2024/0208

## Background

Chyne Cottage lies within the hamlet of Raw to the northwest of Fylingthorpe and west of Robin Hoods Bay. Whilst it is not a listed building nor does it lie within a conservation area, the property being of traditional stone and pantile construction is an attractive cottage that contribute positively to the surrounding landscape. It occupies a slightly elevated position above the road with a small front garden and more extensive side garden to the west. On the opposite side of the road is a garage and parking space serving the property.

There is no history of planning applications relating to the property however aerial photographs and historical maps show that the property was extended to the side at some time between 1913 and 1952.

Planning permission is sought for a first floor bedroom extension above the existing single storey kitchen extension and a further single storey garden room extension. Pre-application advice was sought prior to the submission of an application and the scheme under consideration incorporates amendments suggested at pre-application stage.

## Main issues

### Local Plan

The most relevant policy of the Local Plan in the assessment of this application is Policy CO17 (Householder Development). This policy is supportive of proposals for extensions and alterations to existing dwellings provided that any extension is clearly subservient to the main part of the building and does not increase the total habitable floorspace by more than 30% unless there are compelling planning considerations in favour of a larger extension, and that the design and detailing complements the architectural form and character of the original dwelling.

### Discussion

The Authority's Planning Advice Note provides guidance on interpreting Policy CO17 and advises that the 30% figure is calculated based on existing 'habitable floorspace' of the main domestic dwelling as it was on 1 July 1948 (or if built after that date, as it was originally designed) excluding extensions erected after 1 July 1948. For the purposes of this application, based on the aerial photographs and historic maps, it is assumed that the kitchen extension was constructed prior to this date and as such is included in the calculation of existing habitable floor space.

The existing habitable floorspace is calculated to be approx. 72.5 sq.m (excluding the front porch). The proposed side extension and first floor extension above the kitchen would provide a further 25 sq.m of habitable floorspace resulting in a 34.5% increase, in excess of the 30% threshold set out in Policy CO17. Whilst this is in excess of the 30% threshold it is considered to be within a reasonable tolerance as some of the bedroom

floorspace extends under the eaves and is suitable for storage only and to reduce the size of the extension further would render the additional space impractical.

With regard to the design of the proposed extension, it is considered to retain the architectural hierarchy of the original dwelling and the detailing complements the architectural form and character of the original dwelling.

There are no immediate neighbours that might otherwise be affected by the proposals. In view of the above it is considered that the proposal accords with the Local Plan and 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.

#### **Explanation of how the Authority has worked positively with the applicant/agent**

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.