

# North York Moors National Park Authority

## Delegated decision report

Application reference number: NYM/2024/0209

Development description: construction of dormer to rear roof slope to facilitate attic conversion

Site address: Oakmount, Thorpe Lane, Robin Hoods Bay

Parish: Fylingdales

Case officer: Miss Emily Jackson

Applicant: Ms & Mr Gray & Faichney

7 Laburnum Avenue, Robin Hoods Bay, Whitby, YO22 4RR

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	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1"><thead><tr><th>Document Description</th><th>Drawing No.</th><th>Rev. No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Location Plan</td><td>D12656-01</td><td>C</td><td>20 May 2024</td></tr><tr><td>South Elevation Dormer</td><td>D12656-08</td><td>B</td><td>20 May 2024</td></tr><tr><td colspan="4">Floor Plans and Elevations</td></tr></tbody></table>	Document Description	Drawing No.	Rev. No.	Date Received	Location Plan	D12656-01	C	20 May 2024	South Elevation Dormer	D12656-08	B	20 May 2024	Floor Plans and Elevations			
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3	GPMT10	All new windows in the development hereby permitted shall match those of the existing building in terms of appearance, materials, section, dimensions, glazing bar pattern, method of opening, external finish, reveals cills and lintels and shall be																

Condition number	Condition code	Condition text
		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.

#### Informative(s)

Informative number	Informative code	Informative text
1	MC INF01	All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and 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.
2	MC INF 13	Swift 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

Informative number	Informative code	Informative text
		voids. Guidance can be found on the <a href="#">Swift Conservation website</a> ; with additional swift box ideas from <a href="#">Action for Swifts</a> .

### Consultation responses

#### Parish

No Objection

#### Highways

No Objections

### Third party responses

None Received

### Publicity expiry

13 May 2024

Photograph showing southern (rear) roof slope of the property; this application seeks permission for the construction of a dormer on this roof slope to facilitate the conversion of an attic room.



Photograph looking east to neighbouring properties in which precedent for dormer window can be seen.



## Background

Oakmount is a three-storey semi-detached property situated along Thorpe Lane in Robin Hood's Bay, outside of the Conservation Area. The property is faced with pebbledash render under a rosemary tile roof with stormproof white uPVC fenestration elements. The property has been extended on the gable with a two-storey timber clad extension that forms the entrance hall to the property.

There is no former planning history for the property.

This application seeks permission for the construction of a dormer to the southern (rear) roof slope of the property to facilitate the conversion of the existing attic room into a third bedroom for the property. The proposed dormer would be of a catslide design with lead cheeks and roof with UPVC fenestration elements. The proposed dormer would measure 2 metres in width, 1.8 metres in height and have a depth of 3.5 metres.

This application has been heavily amended to omit a single storey wrap around extension and enlargement of the outshot to the north that was to be recommended for refusal on the grounds of poor design. Upon discussions, the applicants have decided to proceed with the application with only the dormer included and intend to submit a revised scheme for an extension at a later date.

## Main issues

### Local Plan

The most relevant policy 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

As seen upon neighbouring properties, the precedent for rear dormer windows to this row of houses has already been set.

With regard to Policy CO17, the proposal would accord with the 30% threshold. The previously constructed two storey gable extension accounts for an increase in total habitable floor space of 5%, whilst the proposed dormer would increase this figure to 8%.

The design of the dormer window is considered to be acceptable; the proposed dormer window would be of a smaller width than the window below, following the principles set out by Part 2 of the Authority's Design Guide: Extensions and Alterations to dwellings. Whilst the height of the dormer is taller than that of the window below is still felt to be of a subservient appearance that is unlikely to detract from the character or form of the host dwelling. The dormer would make use of in-keeping materials to match that of the host dwelling and other neighbouring properties.

It is not considered that the proposed dormer would have an adverse impact on neighbouring amenity and no objections to the proposal have been received.

### 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.

### 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 recommended changes to the proposal, so as to deliver sustainable development.