

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2023/0550

Development description: demolition of side extensions, construction of replacement single storey side extensions to create additional accommodation, construction of single storey rear extension with flue and siting of shepherds hut, potting shed, greenhouse for domestic purposes and siting of oil tank to side of dwelling, together with creation of pond (part retrospective)

Site address: East End Farm, East End, Egton

Parish: Egton

Case officer: Miss Megan O'Mara

Applicant: Mr and Mrs Jewel

309 Hub Two, The Innovation Centre, Vienna Court, Kirkleatham Business Park, Redcar, TS10 5SH

Agent: LJC Architectural Design

fao: Mr Gordon Henderson, 309 Hub Two, The Innovation Centre, Vienna Court, Kirkleatham Business Park, Redcar, TS10 5SH

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>Document/Drawing No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Amended Location Plan</td><td>N/A</td><td>17 May 2024</td></tr><tr><td>Amended Plans & Elevations</td><td>Drwg 02 Rev H</td><td>17 May 2024</td></tr><tr><td>Domestic Structures</td><td>Drwg 04</td><td>2 February 2024</td></tr><tr><td>Proposed Pond</td><td>Drwg 04</td><td>2 February 2024</td></tr></tbody></table>	Document Description	Document/Drawing No.	Date Received	Amended Location Plan	N/A	17 May 2024	Amended Plans & Elevations	Drwg 02 Rev H	17 May 2024	Domestic Structures	Drwg 04	2 February 2024	Proposed Pond	Drwg 04	2 February 2024
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3	PDR01	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking															

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		and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H; Schedule 2, Part 2, Classes A to F and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
4	MC00	The shepherds hut hereby approved shall be used for domestic purposes incidental to the occupation of the main dwelling on the site and for no other purpose. There shall be no alteration or conversion of the shepherds hut hereby permitted to form overnight accommodation.
5	MC00	The potting shed, greenhouse and chicken coop shall be used for domestic purposes incidental to the occupation of the main dwelling on the site and for no other purpose. There shall be no alteration or conversion of the structures hereby permitted to permanent residential accommodation.
6	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.
7	BCMT09	No work shall commence on the installation of any fenestration element in the development hereby approved until detailed plans showing the constructional details and external appearance of all external elements, including frames and glazing, have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate the overall fenestration design on a scale of not more than 1:20, the longitudinal and cross-sectional detailing including means of opening at a scale of not more than 1:5, and moulding details (i.e., frame, glazing bar) at a scale of not more than 1:2. The details submitted shall include the proposed colour of the windows and doors (and frames). All fenestration elements shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
8	GPMT21	No work shall commence on the installation of any rooflights in the development hereby approved until full details have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be fixed or top-hung metal conservation style and shall be installed in accordance with the approved details and

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		maintained in that condition in perpetuity.
9	GPMT20	External trickle vents shall not be incorporated into any new windows hereby approved and shall not be installed thereafter.
10	GPMT26	All rainwater and foul water goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity.
11	GPMT27	All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity.
12	GPMT05	The external surface of the roof of the potting shed and shepherds hut hereby permitted shall be coloured dark grey or black within 6 months of the date of this decision and shall be maintained in that condition in perpetuity.
13	MC00	The external timber cladding and timber structural frame of the potting shed hereby approved shall be stained dark brown within 6 months of the date of this approval and maintained as such in perpetuity.
14	MC00	The exterior of the shepherds hut hereby approved shall be painted or stained a dark colour within six months of the date of this decision and maintained as such in perpetuity.
15	MC00	No first floor or mezzanine shall be constructed within the extension hereby permitted.
16	MC00	The pond hereby approved shall not be used for any commercial purpose, including any sporting or shooting activities. No supplementary feeding (for example of ducks and gamebirds) shall be carried out within or around the edges of the wildlife pond hereby permitted, and there shall be no introduction of fish or ducks to the pond in order to ensure that the ecological value of the pond is maximised.
17	MC00	There must be no access or egress by any vehicles between the highway and the application site at East End farm until splays are provided giving clear visibility of 45 metres measured along both channel lines of the major road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 1.05 metres. Once created, these visibility splays must be maintained

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		clear of any obstruction and retained for their intended purpose at all times.
18	MC00	Details of biodiversity enhancements, such as bat/bird boxes shall be submitted and agreed in writing by the Local Planning Authority. The agreed details shall be maintained as such 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 UOR03	In order to enable the Local Planning Authority to control any future changes to the building which is in a location where the formation of a separate dwelling unit would not normally be permitted in line with Strategic Policies B and M of the North York Moors Local Plan and would be likely to adversely affect the amenities of existing and future occupiers of the site.
5	RSN UOR03	In order to enable the Local Planning Authority to control any future changes to the building which is in a location where the formation of a separate dwelling unit would not normally be permitted in line with Strategic Policies B and M of the North York Moors Local Plan and would be likely to adversely affect the amenities of existing and future occupiers of the site.
6	RSN	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York

Reason number	Reason code	Reason text
	GPMT01	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.
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.
8	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.
9	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.
10	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.
11	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.
12	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

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		the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
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14	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.
15	RSN MISC00	In order to comply with Policy CO17 to ensure that the varied mix of housing stock is preserved within the National Park.
16	RSN MISC02	In order to comply with the provisions of Strategic Policy H of the North York Moors Local Plan which seeks to protect species protected under national and international legislation.
17	RSN MHC-05	In the interests of highway safety.
18	RSN MISC02	In order to comply with the provisions of Strategic Policy H of the North York Moors Local Plan which seeks to protect species protected under national and international legislation.
Informative(s)		
Informative number	Informative code	Informative text
1	MC INF 12	Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to

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		<p>special penalties. An up-to-date list of the species in Schedule 1 is available from the Gov.UK web site. Further information on wildlife legislation relating to birds can be found on the Royal Society for the Protection of Bird's web site.</p> <p>If advice is needed, please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</p>
2	MC INF01	<p>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.</p>
3	MC INF 13	<p>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 voids. Guidance can be found on the Swift Conservation website; with additional swift box ideas from Action for Swifts.</p>

Consultation responses

Highways

No objections – recommended condition for visibility splays.

Environmental Health

No objection.

Third party responses

No responses.

Publicity expiry

Advertisement/site notice expiry date: 26 September 2023

This photo shows the dwelling as existing.



This photo shows the dwelling as existing, clearly showing the hierarchy of the existing buildings.



The photo shows the land to the side of the dwelling, with the potting shed and site of the proposed greenhouse and oil tanks.



Background

East End Farm is a traditional farmhouse with adjoining outbuildings and is an attractive and well-preserved example of this type of architecture within the National Park.

Typical of the local vernacular, the dwelling is of stone construction with a slate roof and the outbuildings under pantile. The site also comprises a range of traditional stone and pantile outbuildings and a larger modern workshop/storage building.

This application seeks planning permission for the demolition of the existing adjoining outbuildings to allow for a replacement single storey, stepped extension. The application also includes the siting of shepherd's hut for domestic purposes and potting shed (both retrospective), erection of a greenhouse and siting of oil tank to side of dwelling and the creation of pond.

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.

Discussion

The scheme has been amended since the application was originally submitted, with a significant reduction in the scale and revised design of the proposed extension. It is considered that in its amended form, the proposed extension is sympathetic to the host dwelling and retains the hierarchy of the original adjoining outbuildings. The proposed materials are in keeping with the local vernacular and it is not considered that the development would have a detrimental impact on the host dwelling or character of the surrounding area.

Policy CO17 states that any extension should be clearly subservient to the main part of the building and should not increase the total habitable floorspace by more than 30% unless there are compelling planning considerations in favour of a larger extension. The proposed extension is approximately 35%, however this is considered to be acceptable given that the existing adjoining building could be converted into additional ancillary

accommodation without planning permission. Permitted development rights have been removed in line with policy to ensure that the dwelling is not overdeveloped. It has also been conditioned that a first floor/mezzanine is not added to the higher element of the extension (as it appears that this would be possible) to ensure that the 30% limit is not exceeded significantly and to preserve the mix of housing stock within the National Park.

The applicants added a number of domestic outbuildings to the application, as they had previously been unaware that permission was needed. The structures are relatively minor; however, they are all located outside of the original domestic curtilage or to the side of the dwelling, which is why planning permission is needed. All structures are in relatively well screened locations and located within close proximity of the dwelling, so are unlikely to be detrimental to the wider landscape. They have been conditioned accordingly to ensure that they remain ancillary to the main dwelling and are not used for anything other than domestic purposes.

Finally, the application also includes the creation of a pond on land to the rear of the dwelling. It is not considered that the proposed pond would result in a harmful landscape impact, however the Authority's Ecologist had requested a condition to ensure that ducks and fish are not introduced to the pond in order that the wildlife is maintained. It has also been conditioned that the pond is not to be used for commercial shooting purposes.

In view of the above, it is considered that the scheme, in its amended form, complies with the Authority's adopted policies and as such, 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 recommended changes to the proposal including reduction in scale and amended design, so as to deliver sustainable development.