

# North York Moors National Park Authority

Borough: Scarborough Borough Council (North)  
Parish: Eskdaleside-Cum-Ugglebarnby

Application No. NYM/2018/0345/FL

**Proposal:** construction of replacement conservatory

**Location:** Cliff Cottage, Ugglebarnby

**Decision Date:** 03 August 2018

**Extended to:**

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## Consultations

**Parish** - No objection.

**Highways** - No objection.

**Site Notice Expiry Date** - 24 July 2018.

## Director of Planning's Recommendation

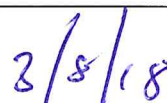
**Approval** subject to the following conditions:

- Standard Three Year Commencement Date**  
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
- Strict Accordance With the Plans/Specifications or Minor Variations**  
The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
- Stonework and Roofing Tiles to Match**  
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.
- No work shall commence on the construction of the conservatory hereby approved until detailed plans showing the final design of the structure (i.e. proportion of stonework to glazing) together with constructional details of all doors and window frames to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross sectional detailing including means of opening. The structure shall be installed in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

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**Informatives**

1.	<b>Coal Referral Area</b> The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 08457626848 or at <a href="http://www.groundstability.com">www.groundstability.com</a>
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**Reasons for Conditions**

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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.
4. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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.

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**Background**

Cliff Cottage is situated on the very edge of the settlement known as Ugglebarnby, close to Sleights near Whitby. The property is constructed of natural stone under a slate roof and is traditional in appearance albeit with oversize replacement windows in uPVC. The property has been extended at the rear resulting in a twin pitched property with a valley gutter between the original dwelling and later extension. The property has had a number of unsympathetic alterations made to it but overall, the dwelling is still considered to retain much of its traditional character. To one side (and obscured by the garden boundary treatment) is a standard uPVC conservatory (pentagon shape on plan). At the other side, following a grant of planning permission issued in 2011 a flat roof garage has been replaced with a two storey side extension (set well back from the front elevation) providing an integral garage at ground floor and bedroom at first floor.

This application seeks full planning permission for the construction of a replacement conservatory using natural materials to match the host property. The proposal is to construct a slightly larger lean-to structure measuring 5 metres by 4.5 metres (a 1.5 metre increase in projection). The structure is shown at 2 metres to eaves and an overall ridge height of 2.5 metres. The roof plan shows the insertion of 3no. rooflights and the end elevation is characterised by six full height glazed doors. The applicant has stated that the oak framed structure will be constructed on dwarf stone walls up to 90cm but no details of the glazing pattern in the side elevations has been submitted.



**Policy Context**

The relevant NYM Local Development Framework policies are Development Policy 3 (Design) and Development Policy 19 (Householder Development), together with the advice contained within Part 2 of the Authority's adopted Design Guide.

Development Policy 3 of the NYM Local Development Framework seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, layout and density of development preserves or enhances views into and out of the site; that the scale, height, massing, materials and design are compatible with surrounding buildings; that the standards of design details are high and complements that of the local vernacular; good quality sustainable design and construction techniques are incorporated; that there is satisfactory landscaping and that the design takes into account the safety, security and access needs for all potential users of the development.

Development Policy 19 of the NYM Local Development Framework states that proposals for extensions or alterations to dwellings, or other development within the domestic curtilage will only be supported where the scale, height, form, position and design does not detract from the character of the original dwelling and its setting; the development does not adversely affect the amenities of neighbouring occupiers, or that of the existing dwelling and that annexe accommodation is ancillary to the main dwelling and will remain under the control of the occupier of the main dwelling.

The design Guide states that the use of conservatories on small and simple vernacular buildings can have a detrimental effect upon their character, particularly where an elaborate style or inappropriate materials are proposed.

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A modest simple conservatory of timber and glass construction is likely to be more acceptable in the National Park than an 'off-the-peg' prefabricated design of uPVC construction with elaborate detailing. In some cases a garden room with tiled roof rather than glass or polycarbonate roof may be more in keeping with the smaller and simpler vernacular buildings.

**Main Issues**

The main issues are considered to be whether the siting, design and scale of the proposed conservatory is compatible with the host property and its wider setting and whether the proposal would affect residential amenity.

Albeit a larger structure, the proposed conservatory is of a much more sympathetic design. The replacement of a uPVC structure with a bespoke feature constructed of materials to match the host property is welcomed and can only enhance the general appearance of the property.

In terms of the wider impact, the property's garden is well screened from the adjacent road and there are no neighbouring properties to the rear or side in the direction of the proposed extension. Consequently, officers are satisfied the proposal will not result in any overlooking or over development of the site.

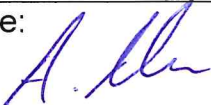
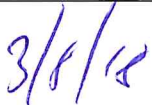
The plans submitted with the application do not detail the fenestration pattern of the side elevations so it is recommended that this aspect of the proposal is reserved by condition.

The Parish Council and Highway Authority have each registered no objection to the application and no other representations have been submitted.

The proposal is considered to be of a size, scale, design and materials which are compatible with the host property and its setting. The replacement of an 'off-the-peg' uPVC structure with the oak framed conservatory is in line with the adopted Design Guidance and consequently, in view of the above, approval is recommended.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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