

North York Moors National Park Authority

Borough: Scarborough Borough Council (North)
Parish: Egton

Application No. NYM/2018/0377/FL

Proposal: construction of garden room extension to existing garage

Location: The Old Mill, Broom House Lane, Egton Bridge

Decision Date: 08 August 2018

Extended to:

Consultations

Parish - No objection but query why a garden room is being built on to a garage which incidentally has a chimney?

Forestry Commission - Refer to standing advice.

Advertisement Expiry Date - 27 July 2018.

Director of Planning's Recommendation

Approval subject to the following conditions:

1. **Standard Three Year Commencement Date**

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2. **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.

3. The development hereby permitted 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 use of the building hereby permitted to provide overnight guest accommodation or further alteration or conversion of the building to permanent residential accommodation. Any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.

4. **External Lighting - Submit Details**

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.

5. **Stonework to Match**

All new stonework used in the development hereby permitted shall match that of the existing building including the colour and texture of the stone and the method of coursing and pointing unless otherwise agreed with the Local Planning Authority.

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6. Natural Slate

The roof of the development hereby permitted shall be clad in natural slate to match the roof of the existing building in terms of materials, colour and course height and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

7. Flues to be Coloured Matt Black


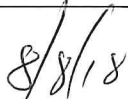
All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Informatives

1	<p>Bats 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>
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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. 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 NYM Core Policies B and J and would be likely to adversely affect the amenities of existing and future occupiers of the site.
4. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
- 5 & 6. 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.
7. 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

Egton Mill (formerly known as Mill Flats) is located in the centre of Egton Bridge in a prominent roadside position with the River Esk adjacent the rear boundary. The property is not listed but does lie within the village conservation area. The mill building is constructed from rock faced stone under a slate roof. Planning permission was granted in December 2001 for alterations and change of use to provide a single dwelling with residential annexe, together with the construction of a double garage and conservatory. However, in 2004 a further application was approved to reposition the garage at a new location on site, further from the main building. The double garage approved in 2004 has been completed.

This application follows a pre-application enquiry and proposes a garden room to be attached to the rear elevation of the existing garage, occupying an existing area of decking overlooking the River Esk. The garden room is proposed to be of lean-to construction and built of stone and slate to match existing development on the site. The proposed garden room measures approximately 3.6 metres deep by 6.2 metres wide (narrower than the garage elevation), the height at the front of the structure would be 2.8 metres. A pair of bi-fold doors are proposed in the garden-facing side elevation with four bi-fold doors placed off-centre in the rear (river facing) elevation. The doors are proposed to be dark grey powder coated aluminium.

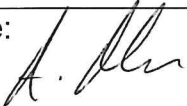
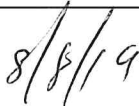
Main Issues

The relevant policies contained within the NYM Core Strategy and Development Policy Document to consider with this application are Development Policy 3 (Design), Development Policy 4 (Conservation Areas) and Development Policy 19 (Householder Development).

DP3 seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, orientation, layout and density of development preserves or enhances views into and out of the site and that the scale, height, massing, materials and design are compatible with surrounding buildings and do not have an adverse effect upon the amenities of adjoining occupiers. DP3 also requires a high standard of design detailing which complements the local vernacular (whether it is traditional or contemporary) and which takes into account the safety, security and access needs for all potential users of the development whilst incorporating good quality sustainable design and a satisfactory landscaping scheme.

DP4 seeks to ensure that development within or immediately adjacent to a Conservation Area either preserves or enhances the character and appearance or setting of the area and that the scale, proportions, design and materials respect the existing architectural and historic context with particular reference to traditional buildings, street patterns, the relationship between buildings and spaces and views into and out of the area.

DP19 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.

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At pre-application stage, alternative styles and materials were discussed with particular emphasis on reducing the 'domestic' appearance of the proposal. Although the application has been submitted as a matching stone structure, its design is relatively simple and avoids unnecessary or ornate detailing. The proportion of glazing is commensurate with the garden room use but not excessive. This balanced solid to void ratio helps to reduce the impact of the development in the wider conservation area as large expanses of glazing often cause reflections and draw the eye over long distances.



The Authority's Building Conservation Officer has assessed the proposal and confirmed no objection subject to the use of conditions to ensure materials match the host building.

The main property is run as a bed and breakfast establishment but the application does not specify the proposed use of the garden room. The existing decked area upon which the garden room is proposed is currently used for sitting and outdoor dining. As with most ancillary bed and breakfast uses, the facilities on site are shared by the owners and their guests. At the time of the case officer's site visit, the applicant enquired as to whether the proposed garden room (if approved) could be used by family members and guests. It is considered that the ancillary and domestic use of the proposed garden room would be acceptable in this location and to a certain extent would help reduce any noise disturbance or impact on the amenities of the neighbouring occupier currently experienced by the use of the outdoor seating area.

However, it is not considered acceptable for the use of the structure to provide overnight or letting accommodation. The garage to which it is proposed to attach is restricted by condition to domestic storage only and it is not permitted to use it for any commercial or residential use. The submitted plans do not show any internal link and consequently, the Authority is satisfied that the proposal does not undermine the garage permission or appear that the space will be combined to create a larger/single unit.

The Parish Council has no objection but has queried why the garden room is proposed to be attached to the garage and proposed to be fitted with a flue. Although no justification has been provided by the applicant to explain the chosen location, Officers consider that this position offers a good context and by reason of its physical attachment to an existing building, would not compromise the setting of the main Mill building or wider conservation area.

Provided the proposed development is used as a garden room (rather than overnight or letting accommodation) it is not anticipated to result in any significant or unacceptable harm to the amenities of neighbouring occupiers. The design of the structure is considered to be compatible with its location and appropriate for its position against a utilitarian building. The use of matching materials would complement the site and therefore it is considered to comply with Development Policies 3, 4 and 19 of the NYM CSDPD. Subject to the use of a condition restricting the use of the structure to ancillary domestic accommodation only and preventing further alteration or use as letting accommodation, approval is recommended.

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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.

Signature:	Date:
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