

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(North)
Parish: Fylingdales

Application No. NYM/2018/0578/FL

Proposal: Construction of replacement conservatory to rear

Location: Eustace House, Raw

Decision Date: 25 October 2018

Extended to:

Consultations

Parish – Objected – The parish Council objected to the development on the grounds that the proposed conservatory was not a like for like replacement and that the proposed conservatory was larger than the previous.

Site Notice/Advertisement Expiry Date – 3 October 2018

Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2.	PLAN02	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.	MATS00	All new window frames, glazing bars and door frames shall be of timber construction and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Informative(s)

1.	MISC 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.
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Reason for Condition(s)

1.	RSN TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	RSN PLAN01	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.	MATS02	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.

Background

Eustace House is a detached property located within the Flyingdales Parish in Raw, near Robin Hood's Bay. Situated on the road from High Normanby to Church Lane, the dwelling has a separate car port for which permission was granted in 1986.

A painted timber conservatory is located to the rear of the property with arched glass windows. The proposed development seeks to replace this conservatory with a larger timber framed conservatory with fold aside doors and fibre glass roof. The proposed development will be 4.3m x 3.7m, an increase from the original dimensions of 2.7m x 2.4m.

The site is sloping and closest neighbour is significantly higher ground level.

Main Issues

Development Policy 3 of the NYM Local Development Framework affirms that to maintain and enhance the distinctive character of the National Park, development will only be permitted where the siting, orientation, layout and density preserves or enhances views into and out of the site, spaces about and between buildings and other features that contribute to the character and quality of the environment. Furthermore, the Authority seeks a high standard of design detailing whether traditional or contemporary, which reflects or complements that of the local vernacular.

Development Policy 19 of the NYM Local Development Framework states that proposals for development within the domestic curtilage of a dwelling will need to take full account of the landscape character and architectural character of settlements and will only be supported where the scale, height, form, position and design of new development does not detract from the character and form of the original dwelling or its setting in the landscape. It advises that annexe accommodation should be provided through either extensions to the existing dwelling or through the conversion of outbuildings.

Flyingdales parish council have objected to the proposal on the grounds that the replacement structure is not like for like in appearance and is larger in size than the existing conservatory. However, these are the reasons that planning permission is required, but do not constitute objections on material planning grounds

The objection also states that there is a lack of information surrounding the materials to be used in the proposed development. However, the materials are clearly listed and detailed within the submitted plans.

The nearest neighbour is at significantly higher ground level and the extension would therefore not have an overbearing impact or result in overlooking issues and add the bit form background re aesthetic improvement.

In view of the above, it is considered that the proposal would be in accordance with both DP3 and DP19 and approval is recommended.

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 confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.