

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
Parish: Newholm-Cum-Dunsley

Application No. NYM/2018/0593/FL

Proposal: construction of replacement front porch and alterations to dormer windows together with construction of detached garden room

Location: Manor Cottage, Mires Lane, Newholm

Decision Date: 14 November 2018
Extended to:

Consultations

Parish -

Highways - The proposals are not expected to have any significant impact on the highway network, therefore there are no local highway authority objections to the proposed development.

Site Notice Expiry Date – 24 October 2018

Others – I Williams, Ty Hanes, Newholm

I have no objections to the proposed alterations being made.

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.	PLAN01	The development hereby permitted shall not be carried out other than in strict accordance with the following documents: <table border="1"><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Proposed Plans and Elevations</td><td>D11373-03D</td><td>14 November 2018</td></tr></tbody></table> or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.	Document Description	Document No.	Date Received	Proposed Plans and Elevations	D11373-03D	14 November 2018
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Proposed Plans and Elevations	D11373-03D	14 November 2018						
3.	RSUO00	The summer house hereby permitted shall be used for domestic purposes incidental to the occupation of the main dwelling on the site and for no other purpose including overnight accommodation. There shall be no alteration or conversion of the building hereby permitted to permanent residential accommodation and any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.						
4.	MATS04	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.						
5.	MATS60	All new window frames, glazing bars, external doors 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.						

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Informative(s)

1.	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.	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 special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx . Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf . If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk .

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.	RSN RSUO04	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 be likely to adversely affect the amenities of existing and future occupiers of the site and to accord with the provisions of NYM Development Policy 19.
4.	RSN MATS01	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.
5.	RSN 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.

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Background

Manor Cottage, Mire Lane, is a stone and pantile property located at the edge of the road on a back lane in Newholm. The dormers currently on the property were the result of an approval in 1993 which replaced earlier rooflight. This file states that the rooflights replaced earlier dormers, however there are no details of these on the file.

This application is for the construction of a replacement front porch and alterations to the dormer windows to lower their cill level slightly. Within the rear garden an existing mono-pitched garden shed will be replaced with a pitched roof building, set a little further away from the neighbouring property than the current structure.

The size and location of the proposed porch would mean that the proposed structure would be permitted development as would the drop in the level of the cills, however since it has been included on the planning application design improvements have been suggested to the applicant which would help to improve the appearance of the building.

The main point to be considered under this application is therefore the proposed garden shed which requires planning permission as it exceeds the height restrictions for permitted development.

Main Issues

Development Policy 19 of the LDF 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.

The summerhouse proposed under this application replaces an existing monopitch building located closer to the neighbouring property which is much higher on the boundary due to the roof construction. The proposed building is of a similar size footprint, however it is located further to the north away from the property's gable and will also have less impact upon it due to the pitched roof design.

The neighbour has stated that they have no objection to the application and therefore the proposal is considered to accord with the requirements of Development Policy 19 and therefore 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.