

North York Moors National Park Authority

Borough: Scarborough Borough Council
Parish: Eskdaleside-Cum-Ugglebarnby

Application No. NYM/2017/0518/FL

Proposal: construction of conservatory, pitched roof to existing utility and replacement garage

Location: Foss Way, Ugglebarnby, Sleights

Decision Date: 14 September 2017

Consultations

Parish - No objection.

Highways - No objections. Although the proposed garage is larger than the original, it is located more conveniently for access. The property has a constructed access which will not be adversely affected by either the larger garage or additional conservatory.

Site Notice Expiry Date - 31 August 2017.

Others - David Edwards, Fosshill Farm, Ugglebarnby - No objection. I am the owner of the only property that can directly view the proposed improvements. Foss Way is owned by a young local family who are making reasonable and in my view acceptable improvements to their home.

Director of Planning's Recommendation

Approval subject to the following conditions:

| 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>Location Plan</td><td>ML/02/a</td><td>20 July 2017</td></tr><tr><td>Pro. Layout Plan</td><td>ML/04/b</td><td>31 July 2017</td></tr><tr><td>Plans as Existing & Proposed</td><td>ML/01/d</td><td>31 July 2017</td></tr><tr><td>Garage Plans as Proposed</td><td>ML/06/b</td><td>31 July 2017</td></tr><tr><td>Garage Plan and Section</td><td>ML/05/b</td><td>31 July 2017</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 | Location Plan | ML/02/a | 20 July 2017 | Pro. Layout Plan | ML/04/b | 31 July 2017 | Plans as Existing & Proposed | ML/01/d | 31 July 2017 | Garage Plans as Proposed | ML/06/b | 31 July 2017 | Garage Plan and Section | ML/05/b | 31 July 2017 |
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| Location Plan | ML/02/a | 20 July 2017 | | | | | | | | | | | | | | | | | | |
| Pro. Layout Plan | ML/04/b | 31 July 2017 | | | | | | | | | | | | | | | | | | |
| Plans as Existing & Proposed | ML/01/d | 31 July 2017 | | | | | | | | | | | | | | | | | | |
| Garage Plans as Proposed | ML/06/b | 31 July 2017 | | | | | | | | | | | | | | | | | | |
| Garage Plan and Section | ML/05/b | 31 July 2017 | | | | | | | | | | | | | | | | | | |
| 3. | RSUO04 | The development hereby permitted shall be used for domestic storage 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 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. | | | | | | | | | | | | | | | | | | |

Signature:



Date:

13 September 2017



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| 4. | MATS00 | All new stonework and roofing tiles used in the garage and first floor extension 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. | MATS41 | All new windows in the development hereby permitted shall match those of the existing building in terms of appearance, materials, section, dimensions, glazing bar pattern, method of opening, external finish, reveals cills and lintels and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority. |
| 6. | MATS72 | The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority. |

Informative

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| 1. | MISC INF01 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. |
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Reason for Conditions

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| 1. | TIME01 | To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended. |
| 2. | 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. | 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 to 6. | 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

Foss Way is a relatively modern detached property of stone and pantile construction, located in a small cluster of properties to the north of the main part of UGGLEBARNBY near WHITBY. Architecturally, the property is quite plain and comprises the principle two storey dwelling with a modest single storey flat roof element attached to the east facing gable and a hexagonal conservatory attached to the west facing (side) gable elevation. The window pattern and style on the road facing elevation being particularly irregular. Vehicular access is provided to the west of the dwelling and leads to a small single garage located to the rear of the dwelling and immediately adjacent the side and rear boundaries. The main garden amenity space is provided to the side (east) and front (north) of the dwelling and is well screened from the road by vegetation and mature trees. As a result of the screening and site levels, the property can only be glimpsed from the adjacent road. It has neighbours in quite close proximity to the south-west (Foss Hill Farm) and west (The Piggery).

This application seeks full planning permission for the construction of a first floor extension over the existing flat roof structure to provide roof storage which can be accessed from bedroom 3, the construction of a modest glazed garden room under pitched pantile roof at the rear together with a replacement garage of larger size and more conveniently positioned to allow better vehicular access.

The first floor extension is proposed to be constructed of coursed stone to match the host property with a first floor gable window and single rooflight in the front (south facing) elevation. The rear garden room measures approximately 3.4 metres wide with a projection of 2.8 metres, height to eaves of 2.3 metres and overall ridge height of 3.5 metres.

Finally, the proposed garage is generally rectangular on plan but with a slight distortion to follow the irregular shape of the site boundary. The applicants currently encounter difficulty in accessing the existing garage due to the constraints of the site and have sought to rectify this problem with the current design. The proposed garage is a relatively simple ridge and gable design, constructed of materials to match the host property. It includes a small lean-to open store/log store on the north elevation and has a first/mezzanine floor, served by rooflights.

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) and Development Policy 19 (Householder Development), together with the advice contained within Part 2 of the Authority's adopted Design Guide

DP3 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.

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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.

The Authority's adopted Design Guide is used to add further detail to the development policies and forms part of the Local Development Framework. It therefore carries statutory weight and is a material consideration in the determination of planning applications.

Part 2 of the Authority's adopted Design Guide (Extensions and Alterations to Dwellings) states that it is important that side extensions are narrower in gable width than the main building and with a lower roof height. This retains the architectural integrity of the original building but also ensures that the extension is subservient to the main house. For similar reasons, side extensions should not be as wide as the main building frontage and side extension which project forward of the main building are unlikely to be acceptable.

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. 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.

The proposed extensions to the main house are considered to be of scale, nature and design which are compatible with its character and location. The construction of a pitched roof over the existing flatroofed accommodation is considered to be a significant enhancement and by virtue of its lower ridge height, the extension would still read as a subservient addition in compliance with DP19 and Part 2 of the adopted Design Guide. On the basis the property does not have any neighbours to the east; the proposal (which includes a first floor side window) will not result in the loss of residential amenity.

Although it is unusual for a property to have two conservatory/garden room structures, the design of the rear garden room included in this application is superior to the existing side conservatory. It is positioned at the rear of the dwelling and by reason of its modest proportions; it complies with the current permitted development allowances. The structure therefore does not require planning permission.

Finally, the proposed replacement garage, although of larger proportions and located in quite a tight site, is considered acceptable in this location. The revised design and proportions create a much more functional space which will ease the pressure for parking and storage at the site. Despite being positioned immediately adjacent the site boundary, the garage is not anticipated to result in harm to neighbouring amenity as it is simply replacing a similar structure.

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The neighbour concerned has in written to confirm they have no objection to the proposals.

The Highway Authority has no objection stating that, although the proposed garage is larger than the original, it is located more conveniently for access. The property has a constructed access which will not be adversely affected by either the larger garage or additional conservatory.

The Parish Council has also confirmed no objection to the development and there being no other representations submitted, approval, in accordance with Development Policies 3 and 19 of the NYM CSDPD 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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