

North York Moors National Park Authority

District/Borough: Ryedale District
Parish: Rosedale East Side

Application No. NYM/2016/0710/FL

Proposal: variation of condition 2 (material amendment) of planning approval NYM/2013/0391/FL to allow an increase in footprint of extension together with installation of 2 no. solar panels to existing building (part retrospective)

Location: The Orange Tree, Rosedale East

Decision Date: 21 November 2016

Consultations

Parish -

Natural England - No comment.

Site Notice Expiry Date - 10 November 2016.

Director of Planning's Recommendation

Approval subject to the following conditions:

1.	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 Alterations and Extension to Provide Staff Accommodation</td><td>N/A</td><td>20 September 2016</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 Alterations and Extension to Provide Staff Accommodation	N/A	20 September 2016
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Proposed Alterations and Extension to Provide Staff Accommodation	N/A	20 September 2016						
2.	RSUO00	The accommodation hereby approved shall not be occupied as a separate independent dwelling and shall remain ancillary to the use and operation of the main property known as The Orange Tree and shall form and shall remain as part of the curtilage of this property as a single planning unit and shall be used only for members of staff employed by The Orange Tree.						
3.	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.						
4.	MATS00	All new window frames, glazing bars, external doors and external door frames shall be of timber construction, painted in a colour to be approved by the Local Planning Authority. The work shall not be carried out otherwise in accordance with the approved details within six months of the date of installation and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.						

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5.	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.
6.	MISC00	No work shall commence on the installation of the underground pellet store hereby approved until full constructional/installation details have been submitted to and approved in writing by the Local Planning Authority. The pellet store shall then be implemented in accordance with these details.

Informatives

1. MISCINF 01	<p>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 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 Natural England's contact details: Natural England, Government Team (West), Government Buildings, Otley Road, Leeds, LS16 5QT, Tel: 0300 060 4230. Further information is also available from the Bat Conservation Trust national helpline on 0845 1300 228.</p> <p>There may be opportunities for providing bat roosts in the restored building which would fit with the environmental philosophy of The Orange Tree, details available at: http://www.bats.org.uk/pages/accommodating_bats_in_buildings.html</p>
2. MISCINF 02	<p>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 www.groundstability.com</p>

Reason for Conditions

1.	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.
2.	RSU009	The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to NYM Core Policies B and J.
3.	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.

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4 & 5.	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.
6.	GACS05	In order to 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 National Park and ensure that new development is of a high quality and respects the character of the locality.

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Background

The Orange Tree is an established guest house and relaxation centre located approximately 3km north of the main settlement of Rosedale Abbey. The property is a fairly simple and traditional ridge and gable two storey property under a slate roof with an off-white rendered finish. The property occupies a corner plot facing Daleside Road with the side elevation facing a single track lane leading to Craven Garth Farm. To the rear of The Orange Tree is a modest car park with the majority of the associated curtilage extending to the side (to the south east) and fronting Daleside Road

Briefly, its planning history comprises its conversion from Post Office to guest house in 1989 and in 2005, whilst continuing the guest house use; beauty and relaxation facilities were introduced for guests. This was considered to be ancillary to the guest house use and therefore, did not require any further planning consent. Permission was refused in 2008 for the construction of a detached residential annexe on the site of an outbuilding.

Full planning permission for the erection of a shed, wood pellet store and yurt was granted in December 2012. The shed is proposed to be located towards the rear of the site, adjacent to the field boundary but to the side of the main property. The proposed pellet store is to be situated between an existing stone built store and an existing summer house style building which is behind the main property and parallel with the rear boundary wall. The yurt is completed and situated in the front corner of the garden between the side boundary of mature evergreen hedge and the dry stone wall (front) boundary.

Full planning permission for alterations and extension to the stone built store to the rear of the main property to form modest staff accommodation together with the creation of an underground pellet store was granted in 2013 and works have commenced on the implementation of this scheme. During a routine monitoring visit, it was apparent that the modest extension approved to the rear of the building was under construction and exceeded the dimensions originally proposed and approved. Consequently, this application for the variation of the original plans to retain the dimensions of the part-built extension has been submitted together with a proposal for the installation of solar panels.

The approved lean-to extension measured approximately 4.3 metres by 1.5 metres, positioned centrally on the rear wall. The revised proposal measures approximately 5.1 metres by 1.8 metres.

Main Issues

The relevant NYM Local Development Framework policy is Development Policy 8 (Conversion of Traditional Unlisted Rural Buildings) together with the advice contained within Part 4 of the Adopted Design Guide.

DP8 seeks to permit the conversion of traditional unlisted rural buildings which are situated within an existing group, for an employment use, short term self-catering holiday accommodation, residential annexe to an adjacent existing dwelling or long term/permanent residential letting units for local occupancy, where the building is of architectural or historic importance and makes a positive contribution to the character of the area, is structurally sound, is of sufficient size to accommodate the proposed use without the need for significant alterations or extensions, is compatible in nature, scale and levels of activity with the locality, is of a high quality of design and does not require changes to the buildings curtilage or new vehicular access or parking areas.

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The Design Guide recognises that the conversion of traditional rural buildings is guided on the one hand by the original structure and on the other, the requirements of the new use. A balance must be struck between facilitating the new use and maintaining the character of the building. In general it is considered that the building should be capable of accommodating the new use without the need for significant extensions or alterations to the original fabric of the building. Insensitive and inappropriate conversions are often characterised by extensions, excessive or regular window openings, introducing porches, conservatories and alterations to the roof.

The form and design of the proposed extension remains as the original approval, this variation only relates to a modest increase in footprint. The proposed increase in size is not considered to significantly or unacceptably alter the appearance of the building; the proposed extension remains clearly subservient to the host building and is compatible in terms of design and materials.

The installation of 2no. solar panels is also considered to have a minimal impact on the external appearance of the building by virtue of the dark roofing tiles.

No comments have been submitted in connection with the application and 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.

A. Sam
21 November 2016

