

North York Moors National Park Authority

District/Borough: Ryedale District
Parish: Rosedale East Side

Application No. NYM/2017/0767/FL

Proposal: Variation of condition 1 (material amendment) of planning approval NYM/2016/0710/FL to allow alterations to windows and door, installation of solar panels and siting of air source heat pump

Location: The Orange Tree, Rosedale East

Decision Date: 25 December 2017

Consultations

Parish -

Environmental Health Officer -

Natural England – No objections.

Site Notice Expiry Date – 20 December 2017

Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	PLAN01	The development hereby permitted shall not be carried out other than in strict accordance with the following documents: <table><thead><tr><th>Document Description</th><th>Date Received</th></tr></thead><tbody><tr><td>Proposed Alterations and Extension to Provide Staff Accommodation</td><td>30 October 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	Date Received	Proposed Alterations and Extension to Provide Staff Accommodation	30 October 2017
Document Description	Date Received					
Proposed Alterations and Extension to Provide Staff Accommodation	30 October 2017					
2.	RSU000	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.				

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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.
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.	<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.	<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>

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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.	RSUO09	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.
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 traditional ridge and gable two-storey white rendered property under a slate roof. It 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

The planning history for the site comprises, in brief, its conversion from a Post Office to a guest house in 1989 and then in 2005, whilst continuing the guest house use, the 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. Planning permission was refused in 2008 for the construction of a detached residential annexe on the site of an outbuilding then planning permission for the erection of a shed, wood pellet store and yurt was granted in December 2012.

Planning permission was granted in September 2013 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. A material amendment was made to that permission in November 2016 which planning permission was granted for a slightly larger rear extension along with a proposal for the installation of solar panels.

This application seeks a further material amendment to the approved plans to allow the repositioning of the door and windows to the front elevation and an increase in the number of solar panels across the rear roof slope along with the siting of an air source heat pump to the rear elevation.

Main Issues

The relevant Core Strategy and Development Policies Document (CSDPD) policy is Development Policy 8 (Conversion of Traditional Unlisted Rural Buildings) together with the advice contained within Part 4: The Re-Use of Traditional Rural Buildings of the adopted Design Guide.

The principle of the conversion, alteration and extension of the store to provide staff accommodation has been established by the original granting of planning permission in 2013 which is extant as works have commenced.

The form and size of the store will remain as approved but the fenestration detailing to the front elevation will change. The proposal rearranges the position of the door to be more central with a window to either side rather than offset to the side. These alterations will still utilise existing openings so as to preserve the simple utilitarian character of the original building. Furthermore the installation of a further 6 no. solar panels is also considered to

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have a minimal impact on the external appearance of the building by virtue of the dark roofing tiles, and the air source heat pump will be discretely located to the rear elevation hidden from view by the tone boundary wall.

In view of the above, it is considered that the proposal complies with the relevant policies of the Core Strategy and Development Policies Document (CSDPD) and 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.

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