

# North York Moors National Park Authority

## Delegated decision report

### Application number

NYM/2021/0426/FL

### Development description

construction of single storey extension

### Site address

Ellerbeck House, Priestmans Lane, Thornton le Dale

### Parish

Thornton Le Dale

### Case officer

Mrs Helen Stephenson

## Director of Planning's Recommendation

### Reason(s) for refusal

Refusal reason code	Refusal reason text
1.	By reason of scale, form, design and position of the proposed development, the proposal is considered to be contrary to Strategic Policy C and Policy CO17 of the Authority's Adopted Policies within the NYM Local Plan, together with the Authority's adopted Design Guide Part 2: Extensions and Alterations to Dwellings. These policies and guidance seek to ensure that new development achieves a high standard of design which is compatible with the scale and character of the host property and its setting. In this case, the proposal seeks to add a further addition to a modern extension projecting from the garage and consequently, its scale and design is not considered to reflect the character of the host building nor the linear form of the whole site.
2.	Taken together with the existing extensions, the proposal is considered likely to exceed the amount of new habitable floor area permitted under NYM Local Plan Policy CO17. Although the agent has submitted figures in support of the proposal, insufficient information has been provided within the application process to enable the Authority to make a full assessment of this issue and therefore it is not considered that part 3(a) of NYM Local Plan Policy CO17 has adequately been met.

## Consultation responses

### Parish

No objection.

### Forestry Commission

No response

### Third party responses

None received.

### Publicity expiry

Advertisement expiry date – 14 July 2021.



Main public view of Ellerbeck House taken from Priestmans Lane. The bridged access over Thornton Beck is shown in the centre with the extension approved in 2008 visible in the site. The current proposal relates to the rear elevation of that building.



## Background

Ellerbeck House is a large detached two storey property located on the west side of Priestmans Lane, Thornton Dale. The property is constructed from natural coursed stone under a pantile roof with timber windows and doors. It is set within large gardens and is within the conservation area and Article 4(2) Direction. Permission was granted in 2006 for a two storey extension to the property but this permission was not implemented. In 2008 permission was granted for the construction of a garden room extending from the garage with glazed link to the main house together with change of use of agricultural land to domestic curtilage. That permission has been completed. A further application for a single storey extension to the side (south facing gable) of the dwelling was approved in 2011 and has since been completed.

This application proposes the construction of a further garden room extension leading from the rear elevation of the 2008 permission extending from the garage. The proposed extension measures approximately 4.3 metres deep by 6 metres wide and is of flat roof design with a glazed lantern.

## Policy Context

The relevant NYM Local Plan Policies to consider with this application are Strategic Policy C (Quality and Design of Development) and Policy CO17 (householder Development).

SPC seeks to ensure that proposed development maintains and enhances the distinctive character of the National Park through appropriate siting, orientation, layout and density together with carefully considered scale, height, massing and form. Proposals should incorporate good quality construction materials and design details that reflect and complement the architectural character and form of the original building and/or that of the local vernacular.

Policy CO17 requires new development within the domestic curtilage to take full account of the character of the local area and special qualities of the National Park. Development will only be permitted where: the scale, form, position and design do not detract from the original dwelling or its setting; the development does not adversely affect residential amenity of neighbouring occupiers or that of the host property; the development reflects the principles set out in the Authority's Design Guide. In order to achieve a subservient extension, Policy CO17 states that extensions should not increase the total habitable floorspace by more than 30% (unless there are compelling planning reasons for a larger extension) and that the design detail complements the architectural form of the original dwelling. Existing extensions will be included in the 30% limit which in some cases will severely restrict the scope of further development.



## Main issues

The main issues to consider with this application are considered to be whether the proposal is of a size, scale design and in a position which reflect the characteristics of the host property and wider setting. Also to be considered is whether, in combination with existing extensions at the property, the proposal is of a size which does not increase the total habitable floorspace of the property by more than 30%.

## Position and Design

Although the proposed extension is positioned at the rear of the property and will not be visible from views into the site from Priestman's Lane, the site is within Thornton Dale Conservation Area and the relevant design considerations for development within a conservation area apply with equal force irrespective of whether a proposal is available to public view or not.

The proposed garden room is of flat roof design with a glazed lantern and would be extending from a modern extension. The existing extension was approved as a garden room extension attached to the garage and included a narrow link to the main dwelling. The 2008 proposal was subject to negotiations and the design was amended from a lantern roof structure to a garden room of a traditional pitched roof design in order to be compatible with the character of the main dwelling. Although the local planning policies have been updated since the previous application was determined, the general themes and aims of the adopted planning policies remain substantially the same. It is not therefore considered that a near-identical proposal to one which has previously been resisted can now be considered acceptable.

The proposal would risk over-development of the house and of particular concern is the location of the extension; extending from an existing extension. The Authority generally resists further development attached to extensions (reflecting the design principles established by the general permitted development order) as this can harm the character and setting of the principle dwelling. In this case, the proposal is set within the context of and has a closer association to the garage and ancillary areas rather than the house. It also extends into an area of recently extended curtilage (where development is also typically resisted), and would disrupt the linear form of the property. The substantial distance it would project forward of the principle elevation of the main dwelling is also likely to have a dominating effect.

The Authority's Building Conservation Officer has also assessed the proposal and has concluded that the proposed design is at odds with the age and design of the host property and also would be harmful to the conservation area. The Building Conservation Officer advises that roof lanterns were traditionally found on glasshouses associated with substantial, high status properties and would typically be associated with a walled garden or leading from the principal building. From a heritage point of view, it is not considered that a roof lantern extension is appropriate for this modern

property which has a generally traditional design ethos. Furthermore, the position of the proposed extension off an ancillary link is not considered appropriate.

### Size and Scale

Officers are concerned that the proposed size and scale of the proposed extension would, in combination with existing extensions, exceed the size limit imposed by Policy CO17, criterion 'a'. The application plans do not show the full floor plans of the property and therefore a request was made to the agent for calculations of the floor areas of the original dwelling, existing extensions and proposed extension.

The applicant's agent provided the figures requested but the calculations were not supported by up-to-date floor plans detailing which areas had been used. Using the archived planning files, Officers calculations did not match those of the agents and therefore, for the avoidance of doubt further information including full sets of accurately scaled floor plans were requested.

Unfortunately, further information in this respect has not been received and it is not therefore considered that the application demonstrates beyond doubt that the proposal complies with the limit imposed by Policy CO17 on new floor area.

### Summary

Notwithstanding the lack of clarity regarding the floor area of the extension, the design and position of the proposal is not considered to accord with Local Plan policies SPC and CO17 which require developments to be compatible with the character and appearance of the host property and wider setting. The proposal is of a similar design to a previously unsuccessful scheme and there has not been any material change in the detail of local planning policies to allow the Authority to arrive at a more positive recommendation.

By reason of its design, position and size the proposal is considered to be at odds with the ancillary character of the building it would attach to and would result in overdevelopment and harm to the character of the host property, contrary to the requirements of SPC and CO17. Refusal is therefore 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 identifying matters of concern with the proposal and raising those with the Applicant's Agent. However, amended details have not been forthcoming and in view of the site history and the requirements of the adopted Local Plan Policies, it has not possible to negotiate a satisfactory way forward within the timeframe allowed and due to the conflict which has been clearly identified within the reason for the refusal, approval has not been possible.

