

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/0871/FL

Development description: construction of single storey extension (revised scheme to NYM/2021/0426/FL)

Site address: Ellerbeck House, Priestmans Lane, Thornton-Le-Dale,

Parish: Thornton Le Dale

Case officer: Mrs Helen Stephenson

Applicant: Mr David Calam

Ellerbeck House, Priestmans Lane, Thornton-Le-Dale, Pickering, YO18 7RT

Agent: Peter Rayment Design Ltd

Woodbine Cottage, Westgate, Thornton Le Dale, Pickering, YO18 7SG,

Director of Planning's Recommendation

Approval subject to the following:

Conditions

Condition number	Condition code	Condition text
1.	TIME01	<p>Standard Three Year Commencement Date</p> <p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p>
2.	PLAN02	<p>Strict Accordance With the Plans/Specifications or Minor Variations</p> <p>The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.</p>
3.	WPDR00	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Class A (or any order revoking and re-enacting that Order), no extensions to the property known as Ellerbeck House shall take place without a further grant of planning permission being obtained from the Local Planning Authority.</p>
4.	GACS00	<p>No loose material (e.g. gravel, soil, rubble, sand etc.) used in the construction of the development hereby approved shall be stored within 10 metres of the watercourse (Thornton Beck), unless a Construction Environmental Management Plan (CEMP) is submitted to the Local Planning Authority and approved in writing in advance of works commencing on site. The CEMP will set out the measures to be used to prevent any pollution of the watercourse occurring.</p>
5.	GACS00	<p>No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be of a style and luminance which minimises glare and light pollution. All lighting fixtures should be shielded/fully cut off to prevent upward and minimise horizontal light spill and all lighting shall be installed to minimise its impact on neighbouring amenity. The lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.</p>

6.	MATS04	<p>Stonework and Roofing Tiles to Match</p> <p>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.</p>
7.	MATS60	<p>Windows and Doors - Timber</p> <p>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.</p>
8.	MATS72	<p>Black Coloured Rainwater Goods</p> <p>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.</p>

Reasons for conditions

Reason number	Reason code	Reason text
1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	PLAN00	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan, which seek to conserve and enhance the special qualities of the National Park.
3.	WPDR00	In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with Strategic Policies A and C and Policy CO17 of the North York Moors Local Plan, which seek to enhance and conserve the special qualities of the National Park, secure high quality design for new development and to maintain a suitable mix of housing types within the National Park.

4.	GACS00	To avoid pollution of watercourses and to comply with the provisions of Policy ENV7 of the North York Moors Local Plan, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.
5.	GACS00	In order to comply with the provisions of NYM Strategic Policy A which seeks to ensure that new development does not detract from the quality of life of local residents and in accordance with Local Plan Policy ENV4 which seeks to protect dark night skies.
6 to 8.	MATS00	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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.

Informatives

Informative number	Informative code	Informative text
1.	MISCINF01	<p>Bats</p> <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 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.</p>

Consultation responses

Parish

No objection.

Third party responses

Name

None received

Publicity expiry

Advertisement expiry date: 15 December 2021.



View of application site from the garden. The proposed garden room will extend from the rear elevation of the link over the patio area; in the position of the glazed doors.



View of application site from the garden. The proposed garden room will extend from the rear elevation of the link over the patio area.

Background

Ellerbe House is a large detached two storey property located on the west side of Priestman's 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.

An application was refused in July 2021 for a garden room extension of lantern roof design leading from the rear elevation of the 2008 permission extending from the garage.

This application is a revised scheme proposing a garden room extension of similar proportion and in the same position but with a more traditional pitched roof design to complement the host dwelling.

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 revised pitched roof design is considered to be compatible with the character of the main dwelling and consistent with the design used for previous extensions. The use of matching materials ensures the development would complement the existing architectural character of the dwelling and would therefore accord with Policy CO17 and the advice contained within Part 2 of the adopted Design Guide.

Although the position of the previous extension i.e. extending from an existing extension, was raised as an area of concern previously, the revised design is considered to blend with the host property and therefore, the likelihood of the structure dominating the main property is much reduced. The proposed extension would preserve the original elevation of the dwelling and would create a courtyard style garden.

The Authority's Building Conservation Officer has advised that there are no objections to the proposal and confirmed that the design is an improvement on the original scheme.

Size and Scale

Officers were concerned that the previous scheme would, in combination with existing extensions, exceed the size limit imposed by Policy CO17, criterion 'a)' but full floor plans of the property were not provided to enable calculation to be made.

However, this application confirms that the original dwelling has a floor area of 283.63 square metres. 30% of this figure is approximately 85.1 square metres and existing extensions amount to 65.5 square metres leaving an area of 19.6 square metres available. The proposed extension is 18.9 square metres and consequently, the revised application is considered to comply with the specific size requirements of NYM Local Plan Policy CO17.

Summary

The Parish Council has not commented on the application and no third party representations have been made. The Authority's Ecologist has requested a condition be added to ensure the storage of construction materials is accommodated in excess of 10 metres from Thornton Beck and if this is not possible for a Construction Environmental Management Plan to be submitted and agreed prior to works commencing.

The revised scheme is considered to address the previous concerns and represents a high standard of design which complements the character of the host property and wider Conservation Area. For the reasons above, approval is recommended.

Pre-commencement conditions

Condition 4 is a pre-commencement condition and has been agreed in writing with the applicant's agent by e-mail received 07 December 2021.

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.