

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0771

Development description: construction of two storey extension to provide kitchen, office, treatment rooms and retreat bedroom; creation of natural cold water swimming pool with decking and erection of garden store/potting shed, together with change of use of agricultural land to form extension to curtilage (part retrospective)

Site address: The Tree Relaxation Retreat, Daleside Road, Rosedale East

Parish: Rosedale East Side

Case officer: Mrs Jill Bastow

Applicant: The Tree Relaxation Retreat

fao: Mr Edward Harpin, Rosedale East, Pickering, YO18 8RH

Agent:

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text						
1	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.						
2	PLAN01	<p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table border="0"> <thead> <tr> <th>Document Description</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Location Plan</td> <td>30 Nov 2022</td> </tr> <tr> <td>Proposed Extension, Alterations, Swimming Pool and Shed</td> <td>2 Dec 2022</td> </tr> </tbody> </table> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p>	Document Description	Date Received	Location Plan	30 Nov 2022	Proposed Extension, Alterations, Swimming Pool and Shed	2 Dec 2022
Document Description	Date Received							
Location Plan	30 Nov 2022							
Proposed Extension, Alterations, Swimming Pool and Shed	2 Dec 2022							
3	GACS00	No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The proposed lighting shall be of a style and luminance (typically a warm white bulb of 3000k or less and no more than 500 lumens) 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.						
4	MATS12	The rendered finish of the walls to the extension hereby approved shall match the existing render in colour and texture and thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority. Such rendering and colouring is to be completed no later than one month after the development hereby permitted being first brought into use.						
5	MATS17	The roof of the extension hereby permitted shall be clad in natural slate to match the roof of the existing building in terms of materials, colour and course height and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.						

6	MATS41	All new windows in the extension 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.
7	MATS55	No work shall commence on the installation of any rooflights in the extension hereby approved until full details of the proposed rooflights have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be conservation style rooflights and shall be installed in accordance with the approved details and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8	MATS00	The external timber cladding of the shed hereby approved shall either be allowed to weather naturally or shall be stained dark brown/black and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9	MATS19	The external surface of the roof of the shed hereby permitted shall be coloured and thereafter maintained dark grey and shall be maintained in that condition in perpetuity unless otherwise be agreed in writing with the Local Planning Authority.
10	LNDS01	Prior to the development being brought into use details of a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of a native hedge along the south west boundary with the adjacent field and shall specify plant species, sizes and planting densities. The approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason(s) for condition(s)

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	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.
4	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 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.
5	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 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.
6	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.
7	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.
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 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.

9	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 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.
10	LNDS00	In order to comply with the provisions of Strategic Policy C of the North York Moors Local Plan which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and helps to intergrate the development into the surrounding landscape.

Informative(s)

Informative number	Informative code	Informative text
1	MISCINF02	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

Consultation responses

Parish

No comments received

Highways

No objection

Yorkshire Water

No comments received

Environmental Health

No objection

Natural England

No comments to make

Environment Agency

No comments received

Fire and Rescue Service

No objection

Third party responses

No comments received

Publicity expiry

Advertisement/site notice expiry date: 2 December 2022

View of the front and side elevation of The Tree Retreat from Daleside Road showing the location of the proposed side extension



View of the proposed site of the natural cold water swimming pool from Daleside Road



View of the proposed site of the potting shed (between the swing and transformer post and against the rear fence)



Background

The Tree Retreat 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 access via the single track lane leading to Craven Garth Farm to the side. To the rear is a modest car park and a converted stone outbuilding used as managers accommodation. The associated curtilage extends principally to the side (to the south east) alongside Daleside Road towards The Old Chapel which is now also under the same ownership and provides additional bedroom accommodation and studio space as part of The Tree Retreat.

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. Planning permission was refused in 2008 for the construction of a detached residential annexe on the site of an outbuilding but in September 2013 planning permission was granted for alterations and extension to the outbuilding to form modest staff accommodation. A material amendment was granted to that permission in November 2016 for a slightly larger rear extension along with a proposal for the installation of solar panels and again in December 2017 for 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.

The shed, wood pellet store and yurt were all granted permission in December 2012 and the greenhouse in October 2015 along with the installation of replacement double glazed powder coated aluminium windows, solar panels and a replacement sewage treatment plant.

This application seeks a permission for a two storey side extension to the main building to provide an enlarged kitchen, office and treatment rooms; an open air natural cold water swimming pool; and a potting shed together with an extension to the curtilage. This latter element is retrospective as there has been an encroachment of the curtilage into the adjacent field over the past few years.

Main issues

Local Plan

The relevant policies of the Local Plan in the determination of this application are considered to be Strategic Policy C (Quality and Design of Development); Strategic Policy J (Tourism and Recreation); Policy ENV4 (Dark Night Skies); and Policy UE1 (Location of Tourism and Recreation Development). Also of relevance are the criteria of Policy CO19 (Extensions to Domestic Curtilages) when assessing the impact of the extension to the curtilage of this business.

Principle

Strategic Policy J and Policy UE1 both support tourism and recreation development to enable visitors to increase their enjoyment of the National Park within the open countryside where, in the case of new build development, it is for the expansion of an existing recreation or tourism business; the proposal is functionally dependant and subservient to the existing business; and the proposal cannot be accommodated within an existing building.

There is no objection in principle to the proposed extension to provide improved kitchen facilities, office space and treatment room to support the expansion of this established relaxation retreat centre under Policy UE1. The provision of a natural cold water swimming pool for guests and a potting shed so that produce can be grown on site for the retreat guests is also acceptable as a form of expansion of the existing business.

Design and Landscape Impact

The proposed extension has been designed to reflect the architectural character and form of the host building and, with its stepped façade and lower ridge height, will be visually subservient to the host building in accordance with Strategic Policy C which seeks to ensure high quality design that makes a positive contribution to the local environment.

The proposed shed has been amended in terms of its design and siting since the original submission so that it has more the appearance of a small agricultural shed rather than a domestic summerhouse or garden room and would be physically and visually associated with the curtilage of The Tree Retreat and the other ancillary buildings, such as the brick store in the corner of the car park to the chapel. The original position in front of the attractive stone wall to the former chapel was considered to detract from the landscape setting of the former chapel and historical boundary between the chapel and the pastoral landscape beyond.

With regard to the extension of the curtilage into the surrounding agricultural land, a search of the historical planning records for the site along with the aerial photographs and historical maps indicates that this took place some time around 2014/15 without the benefit of planning permission. This application seeks to regularise matters. Whilst Policy CO19 relates to extensions to domestic curtilages, the principles of ensuring there is no adverse impact on the local character and no harm to the amenities of neighbouring residents are applicable to this retrospective proposal.

The new boundary line to the extended curtilage runs parallel in a northwest to southeast direction to the original boundary and Daleside Road rather than an irregular shape and is not viewed as a harmful intrusion not the open countryside. However the

boundary treatment at present, a post and wire fence, does little to enhance the landscape setting of the business and the associated outbuildings and structures are clearly on view in the wider landscape. As such whilst the principle of the extended curtilage is considered acceptable, a condition requiring the boundary treatment to be enhanced with a native hedgerow is recommended to help soften the wider landscape impact as required by Strategic Policy C and Policy C019.

There is no objection to the proposed natural cold water swimming pool, which would be sited within the extended curtilage closely associated with other structures and would not be unduly prominent or visually detrimental in the wider landscape.

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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.