



## Appeal Decision

Site visit made on 13 May 2015

by **Peter D Biggers** BSc Hons MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 03/06/2015

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### **Appeal Ref: APP/Y2736/D/15/3005888**

**Hulver Bank Farm, Starfitts Lane, Kirbymoorside, North Yorkshire YO62 7JF.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr and Mrs Paul and Erika Hardaker against the decision of Ryedale District Council.
  - The application Ref 14/01307/HOUSE, dated 27 November 2014, was refused by notice dated 16 January 2015.
  - The development proposed is construction of two storey extension to east side of existing dwelling.
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### **Decision**

1. The appeal is allowed and planning permission is granted for construction of two storey extension to east side of existing dwelling at Hulver Bank Farm, Starfitts Lane, Kirbymoorside, North Yorkshire YO62 7JF in accordance with the terms of the application, Ref 14/01307/HOUSE dated 27 November 2014, and the plans and documents submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
  - 2) The development hereby approved shall be carried out in strict accordance with the following approved plans: Drawing Nos 1, 2, 7, 8, 9, 10, 11.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
  - 4) Notwithstanding condition No 2, no development shall take place until full details of the proposed windows, French windows and rooflight, have been submitted to and approved in writing by the local planning authority. The design of the windows and French windows should match the style, materials, finish, methods of opening and glazing bar pattern of the existing. Development shall be carried out in accordance with the approved details.

### **Main Issues**

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area of Starfitts Lane and the Fringe of the Moors Area of High Landscape Value.

### **Reasons**

3. Hulver Bank Farm sits in an elevated position on Starfitts Lane. The house is 2
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storey in a traditional design with a symmetrical south front and constructed in stone under a red pantile roof. It has wide sweeping views southwards, the implication of which is that the house is visible in inward views over a large area. The land continues to rise slightly northwards to the rear of the house which, together with the landscaped boundary, means that from the north the house is more contained within the landscape.

4. The *National Planning Policy Framework* (the Framework) attaches great importance to seeking a high quality of design. Policy SP16 and SP 20 of the *Ryedale Plan – Local Plan Strategy* (LPS) is consistent with the Framework in encouraging a high quality of design, local distinctiveness and requiring development to respect the character and context of the immediate locality and the wider landscape. In addition policy SP13 seeks to ensure development is sensitive to the landscape character of the Fringe of the Moors Area of high Landscape Value (AHLV).
5. The principle of extending the property on the same footprint has been accepted with permission being granted in 2014 (Ref 14/00670/HOUSE). The issue therefore is whether the addition of the second storey would be appropriate.
6. The addition to the main house would extend for about 3.5 metres which is less than half the total length of the existing house. The ridge of the extension would be slightly lower than the main ridge and the south front of the extension would be slightly inset from the front of the main house. Whilst the visual relationship between the existing house and its extension would be improved by a greater degree of subservience, the design, in terms of scale and massing, would have a sufficient degree of subservience to respect the symmetry of the south front and the character of the original house.
7. It has been put to me that the cumulative impact of the extension together with the earlier extensions would be detrimental to the character of the house. However it would be the north facing elevation where this cumulative impact would be most apparent. The north elevation, by contrast to the south, has an asymmetrical arrangement of windows and offshot extensions. It is clear from the floor plans and the east elevation, although not from the drawing of the north elevation, that the monopitch roof between the north wall of the main house and the offshot extensions is proposed to continue along the face of the new extension which would improve the appearance by better integrating the rear extensions.
8. In most respects the extension would match the design of the existing house but, although the drawings state in the notes that the windows and doors are intended to match the existing, the drawn elevations show different detailing to windows and French Windows particularly in respect of glazing patterns.
9. The *Planning Practice Guidance* (the Guidance) does allow the imposition of a condition to control a minor modification to the submitted design provided the condition would not modify the development to the extent that it would be substantially different to that applied for. Inasmuch as the overall built form of the extension would remain exactly the same a condition to require submission of details of all fenestration would be acceptable. By this means the Council would have the ability to ensure that the fenestration in the extension would be in keeping with the original house.
10. It has been put to me that the development would fail to integrate with the locally important Fringe of the Moors Area of High Landscape Value. I acknowledge that

locally the landscape character is one of wide extensive views in which Hulver Bank Farm is prominent however the house in its original form and given its positioning is a statement building in the landscape rather than being 'integrated' with it. In that context and given that the extension would not be inappropriate to the character of the house, I am not persuaded that the proposal to extend the farm house would be detrimental in the context of the landscape setting.

11. With the detailed control over the fenestration the development would not adversely impact on the character and appearance of the host property, the surrounding area of Starfitts Lane and the AHLV and would not be in conflict with either the Framework or LPS policies SP13, SP16 or SP20.

### **Conditions and Conclusions**

12. I have considered the conditions suggested by the Council against the advice in the *Planning Practice Guidance* (the Guidance) and for their clarity. A condition requiring development to be carried out in accordance with the submitted plans is necessary for the avoidance of doubt and in the interests of proper planning. A condition requiring matching materials to be used on the external surfaces of the building should also be imposed to protect the character and appearance of Hulver Bank Farm in its rural setting. In addition, because of the inconsistency between the drawn plans and the stated intention for windows and doors to match the existing, referred to above, there is a need to attach an additional condition. This would request submission of details for all windows and doors to ensure that the fenestration of the extension would indeed match the existing and thereby ensure that the character and appearance of Hulver Bank Farm would not be adversely affected.
13. I have considered all the matters before me and for the reasons given above the appeal should be allowed and permission granted for the extension subject to the conditions above.

*P. D. Biggers*

INSPECTOR