

**Item Number:** 14  
**Application No:** 21/01094/HOUSE  
**Parish:** Oswaldkirk Parish Meeting  
**Appn. Type:** Householder Application  
**Applicant:** Hodgins  
**Proposal:** Erection of first floor extension over existing single storey ground floor projection  
**Location:** 4 The Terrace Oswaldkirk Helmsley YO62 5XZ

**Registration Date:** 28 July 2021  
**8/13 Wk Expiry Date:** 22 September 2021  
**Overall Expiry Date:** 7 October 2021  
**Case Officer:** Emma Woodland **Ext:** 43324

#### CONSULTATIONS:

<b>Ellie Hook AONB Manager</b>	Comments
<b>Highways North Yorkshire</b>	No further comments
<b>Oswaldkirk Parish Meeting</b>	Comments
<b>Oswaldkirk Parish Meeting</b>	Concerns-requests a site visit
<b>Highways North Yorkshire</b>	No objection
<b>Ellie Hook AONB Manager</b>	Concerns

**Representations:** Ms Veronica Dunne, Mrs Samantha Kettlewell, Mr Chris Hamlin, Mr Mike Aherne, Mr Mathew Soal, Mrs Susan Aherne, Amanda Theobald, Helen Goodman, David And Helen Goodman, Ms Bridget Hannigan,

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#### Site:

4 The Terrace is located within the Oswaldkirk conservation area and as such, Ryedale District Council has a statutory duty to have special regard for the preservation or enhancement of the conservation area. The property is located within Development Limits and also with the Howardian Hills Area of Outstanding Natural Beauty. Whilst much of the conservation area is harmonious predominantly in part due to construction materials, variety of house design is something that positively contributes to the conservation area.

4 The Terrace is located on the southern side of a minor no through road that runs in an east-west direction on a natural terrace on the south-eastern side of the village. The Terrace is unusual in that it is a no through road but is quite densely developed with dwellings on both the north and south side of the road. Due to the natural topography, the houses on the northern side of the road are set in an elevated position and are much higher than those to the south. The building stock is quite varied mostly dating from the 19th and 20th centuries and consists of terraces of cottages, detached houses and semi-detached dwellings. 4 The Terrace, is the western half of a semi-detached dwelling likely to date from the mid 20th century. A similar pair of semi-detached dwellings is located adjacent to the development site further to the east. The property is set back from the road and due to the natural topography is set down at a lower level accessed by a sloping drive. The property is constructed from stone with a tile roof and has a single storey side extension which received Planning Permission in 1984. The property sits in a large plot with attached neighbours to the east and an agricultural field identified in the Local Plan as a Visually Important Undeveloped Area to the west. Neighbours to the north are located c.30m from No.4 in an elevated position.

4 The Terrace forms one half of 2 pairs of semi detached dwellings, likely contemporary with each

other, of very similar design towards the eastern end of the road. The properties make a positive contribution to the character of the conservation area in that they harmonise with the neighbouring stone and tile buildings, contribute to the variety of designs within the village and provide greenery in their gardens. Whilst the block of 4 properties contribute to the conservation area, it is considered that their apparent symmetry is not a reason in enough to prevent in principle change to the dwellings.

### **Proposal:**

The application proposes a first floor extension over the existing single storey side extension to create an additional bedroom and a family bathroom. The application has been revised to address design concerns. This includes the lowering of the ridge lines of the extension and the removal of the high level gable glazing to the first floor rear. The revised plans have been sent out for reconsultation which has now ended. The position of the proposal to the side of the dwelling will make it prominent from the street and clear public views will be possible.

The principle considerations are whether the proposal preserves the conservation area, will conserve the natural beauty and special qualities of the AONB and will complement the character of the main building.

### **Relevant Property History:**

84/00630/OLD-Construction of a garage and toilet as an extension to dwelling at 4 The Terrace, Oswaldkirk.

### **Policies:**

Local Plan Strategy - Policy SP12 Heritage  
Local Plan Strategy - Policy SP13 Landscapes  
Local Plan Strategy - Policy SP16 Design  
Local Plan Strategy - Policy SP20 Generic Development Management Issues  
National Planning Policy Framework

### **Appraisal:**

The proposal utilises the footprint of the existing single storey extension and no additional floorspace is proposed save for a very small kitchen extension to the rear (c.3m<sup>2</sup>). The mass of the extension has been broken up into 2 parts with a lower section closest to the principle dwelling giving way to a higher section on the western side of the property. The form of the extension is atypical in that it turns the direction of the roof and proposes a gable end onto an otherwise parallel ridge and eaves. The lower section continues the existing eaves and ridge direction of the principal dwelling, whilst the higher section turns 90 degrees giving a gable end onto the road frontage. The design is essentially traditional proposing pitched tiles roofs and stone walling to match the existing. Matching timber windows are proposed to the front elevation with larger windows to the rear. The ridge height of the existing principle dwelling is c.7.7m. The proposed ridge height of parallel section is c.6.12m and the proposed ridge height of the gable ended section is c.7.45m. The proposed gable width is c.4.15m with a proposed length of c. 7.35m.

As stated in the submitted Design and Access Statement, due to a previous extension to Number 4 the symmetrical arrangement of the property has already been altered. The Design and Access Statement details that the previous extension has a separate access and has been previously used independently and that the current proposal seeks to unify the property into 1 single living space. The submitted Design and Access Statement makes reference to the varied nature of properties within the conservation area and gives examples of varied roof forms and designs. It states that the application site is a much larger plot than its immediate neighbour (1353sqm and 615sqm respectively).

It is acknowledged that the form of the extension which 'turns the roof' is atypical, however the proposed design responds to the particular site specific circumstances and builds off the existing extension footprint. It is considered that the mass of the proposal has been successfully broken down

and that the scale of the extension is subordinate to the principle dwelling. The use of traditional vernacular materials and facade detailing to match the principle dwelling is sympathetic to the host property. It is acknowledged that there will be a change to the streetscape within the conservation area however the conservation area includes a variety of properties and roof forms to include gable end on, parallel ridge and prominent dormer windows. The application site is large (1353 sqm) and it is considered that the extension is proportionate to the scale of the property.

The properties to the north are c. 30m distant from the proposed extension and there are existing first floor windows in the principal dwellinghouse on the development site. The submitted site sections demonstrate the elevated position of properties on the northern side of the road and detail the impact of sight lines of the development. Whilst the right to a view is not a planning consideration, the submitted information demonstrates that the proposal will not have a significant impact on the amenity of the occupants of neighbouring properties. In addition, it is considered that due to distance, existing windows and topography that there will be no additional overlooking or overshadowing impact caused by the proposal.

### **Other Matters Raised Including Consultation Responses:**

Consultation responses received on the initial proposals included objections from neighbours regarding the design of the proposal, over development of the site and loss of views and light. In addition, letters of support from neighbours have also been received. Since consultation on the revised plans, letters both of support and objection have been received. The Parish Council initially requested that a Planning Officer visit the site which has been undertaken. The Parish Council have responded to the revised plans and state that opinions are still divided however their vote on the matter resulted narrowly in support of the application. An early request from the Parish Council for a Local Needs Occupancy Condition be attached to the property has been withdrawn. In any event, the Ryedale Plan suggests that Local Needs Occupancy Conditions may be appropriate for 'New Market Housing' in non service villages and its use is not considered to be appropriate in this case. The AONB Manager has also been consulted on the revised plans and notes the removal of the uncharacteristic high level gable glazing to the rear. They have expressed concerns regarding the change in roof direction but have not objected to the proposal.

NYCC Highways have no objections

It is acknowledged that the proposal has prompted both letters of support and letters of objection and has split opinion. The proposal for the application site will alter the streetscape and visually unbalance the paired dwellings however it is considered that the presence of 4 similar properties in close proximity is not enough of a justification to restrict future development of any of the dwellings. The design has been well considered, based on the particular context of the existing dwelling, justified by analysis of the conservation area and wider local context and is proportionate. It is considered that the proposal will preserve the conservation area, be sympathetic to the host dwelling and conserve the special qualities of the AONB. It therefore complies with Policies SP12, 13, 16 and 20 of the Ryedale Plan and the NPPF and Members are requested to approve the application.

### **RECOMMENDATION:                      Approval**

1            The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2            The development hereby permitted shall be carried out in accordance with the following approved plan(s):.

Reason: For the avoidance of doubt and in the interests of proper planning.

3            Before the walling up of the facing material or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the

exterior of the building to include sills and lintels the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP16 of the Local Plan Strategy

- 4 Prior to the walling up of the facing material, the developer shall construct on site for the written approval of the Local Planning Authority, a one metre square free standing panel of the external walling and mortar to be used in the construction of building. The panel so constructed shall be retained only until the development has been completed

Reason: To preserve the conservation area and comply with Policy SP12 of the Ryedale Plan

- 5 Prior to the installation of the new front windows, details of all front windows including cross sections showing material, means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure an appropriate appearance and to comply with the requirements of Policy SP12 of the Ryedale Plan