

Item Number: 14
Application No: 22/01064/HOUSE
Parish: Helmsley Town Council
Appn. Type: Householder Application
Applicant: Mr Crosby-Browne
Proposal: Erection of part two-storey/part single storey extension to rear elevation following demolition of existing conservatory, erection of single-storey extension to side elevation and replacement porch to front elevation
Location: 17 Station Road Helmsley North Yorkshire YO62 5BZ

Registration Date: 21 September 2022
8/13 Wk Expiry Date: 16 November 2022
Overall Expiry Date: 29 December 2022
Case Officer: Eleanor Hardie **Ext:** 43342

CONSULTATIONS:

Original scheme

Helmsley Town Council

Concerns

Reconsultation

Helmsley Town Council

No response received

Representations:

Ms Mandy Spink, Maria-Elena Calderon,

SITE:

17 Station Road is a detached two storey dwelling, located at the southern side of Helmsley and within the Helmsley Development Limits.

The dwelling is of red brick construction, under a clay pantile roof, featuring white, timber and uPVC windows and doors throughout.

The front elevation of the property features a brick and timber, dual pitched roof entrance porch, with a hipped roof, canted form bay window. The rear of the property currently benefits from a brick and uPVC lean-to conservatory.

By virtue of the dwellings historic and heritage value, it can be identified as a non-designated heritage asset which is further discussed within the appraisal section of the report.

PROPOSAL:

This application seeks permission for the erection of a part two storey, part single storey rear extension following the removal of the existing conservatory, the erection of a single storey side extension and the erection of a replacement porch to the front elevation.

The existing conservatory extends beyond the rear wall of the dwelling by 2.9 metres, with a length of 6.4 metres and is of lean-to construction measuring 3.1 metres to the highest point.

The single storey element of the rear extension would extend beyond the rear wall of the dwellinghouse by 5.4 metres and have a length of 6.6 metres. The extension would be of flat roof construction measuring 3.35 metres in height and would be constructed from red brick to match those used in the

host dwelling. The extension would feature dark grey, aluminium, crittall style windows and doors to the northern and western elevations.

The two storey element of the rear extension would extend beyond the rear wall of the dwellinghouse by 3.3 metres and have a length of 6.6 metres, spanning the entire length of the proposed single storey element. This element of the extension would be of dual pitched roof construction, resulting in an extension with an overall eaves height of 5.6 metres and a ridge height of 7.9 metres. This element of the extension would be finished with vertical, light grey, timber cladding and clay pantile roof tiles to match those used in the host dwelling. The rear elevation would feature two, dark grey, aluminium casement windows, with two rooflights to each roofslope.

The single storey side extension would extend beyond the side wall of the dwelling by 1.8 metres, have a length of 3.3 metres and be of flat roof construction measuring 3 metres to the highest point. The extension would be constructed of red brick to match those used in the host dwelling.

The proposed porch would measure 3.7 metres in length, 1.2 metres in depth and 2.9 metres in height. The porch would be constructed as a black timber entrance canopy with a pressed metal fascia.

HISTORY:

There is no planning history for this property.

POLICIES:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The relevant Development Plan policies for the determination of this application are:

The Ryedale Plan - Local Plan Strategy (2013)

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

Helmsley Plan

Policy H9 - Design

REPRESENTATIONS:

A brief summary of the position of statutory and non-statutory consultees is included on the front sheet of the report and issues raised are addressed in the relevant appraisal sections of the report. All consultation responses are available for Members to view in full on the public access webpage, and referred to in the report accordingly.

Helmsley Town Council raised concerns to the original scheme with the following comments:

- It is an overlarge development of the site
- It is an out of character development for the neighbourhood
- There is a large increase from the existing footprint of the property

- It will cause a loss of amenity to a neighbour and shading of their property
- The design of the windows is out of keeping and adds to a loss of privacy for the neighbour
- The materials are not consistent with those of neighbouring properties, in particular the proposed timber cladding instead of brick.

The occupier of the property to the east, 19 Station Road, submitted a comprehensive objection to the application which is summarised as follows:

- The nature of the development of Station Road and Ashdale Road together with the use of traditional materials, patterns of fenestration, original design intent and its place within local and national social history gives the area and the buildings within it some heritage value and create a sense of place
- The scale and massing of the proposed first floor extension is overbearing and oppressive and will create a sense of dominance over the outside space
- Concerns about shading and impact on amenity
- Loss of light and an established right to light to the greenhouse
- The design of the first floor extension is at odds with the host building and the local environs and dominates this elevation
- The use of timber boarding is an incongruous addition and the angular shape of one of the window openings pays no reference to the existing building or environs
- The angular window will be tricky to screen and such shaped windows often lead to increased light spillage
- The design as a whole is “off the peg” and similar to others designed by the architect for urban environments and not compatible with the character of the market town of Helmsley or typical of Ryedale as a whole
- The rear of numbers 17-21 of Station Road are highly visible to the northeast from the public highway Ashdale Road
- The design and access statement is misleading in some respects; the rooms may not be as large as desired by the applicant but the building has been functioning as a three bed family home for almost 100 years
- The extra space the first-floor extension achieves only provides for a third 2nd floor bathroom, a dressing room and an enlargement to the third bedroom. This is not a growing family needing more space, this is a commercial venture
- The design and access statement states that the existing building has been unoccupied for some time as to suggest the proposals will bring a building back into use. The building was previously a private domestic long-term rental, the previous tenancy was not renewed in anticipation of the house being put on the market, which it subsequently was. The property was then purchased by the current owners (the application) who intend to use the property as a holiday let/second home and not a principal residence

Comments were also received from the occupier of the property to the rear of the application site, 24 Ashdale Road, which stated the following:

“I have no objection to this application. However, I would like there to be some kind of privacy screen at the fence line to give my patio and the proposed bedroom some privacy? This would best be achieved by using pleached or espaliered trees”

Following receipt of revised plans and a subsequent reconsultation, further comments were received from the occupier of 19 Station Road, which stated the following:

“We note that the revisions comprise the alteration of a rear window shape and the cladding from black to light grey. The window opening change is welcome, however, the cladding change only has a negligible impact on the suitability of design compared to the original proposals. The cladding will be less striking, but still incongruous as a building material for the area and the building. It is disappointing that the applicants have made no attempt to address the other numerous concerns raised by ourselves and the parish council, such as the overbearing and oppressive nature of the proposal, the impact on light to our greenhouse, general impacts on amenity of our land, concerns about design, form

and scale and respecting the host dwelling, etc all detailed previously. We therefore maintain our objection, for the reasons outlined in our previous comments.”

Helmsley Town Council and 24 Ashdale Road provided no further comments following the reconsultation.

APPRAISAL:

The main considerations within the determination of this application are:

- i. Heritage and Design
- ii. Impact on neighbouring amenity
- iii. Other matters

Heritage and Design

17 Station Road is located on the north side of Station Road, set back from the road by approximately 10 metres. The dwelling is constructed of red fletton brick, under a clay pantile roof. To the front elevation, the property features a canted bay window with a hipped, pantile roof and a small, dual pitched, brick and glazed porch. To the rear, the property benefits from a lean-to brick and uPVC conservatory.

The two properties to the east of the application site are attractive, double fronted dwellings, of red brick construction, featuring two bay windows to the front elevations with a clay pantile canopy spanning the bay windows and central entrance doors. The dwelling to the west of the application site is of stone construction, featuring a hipped, clay pantile roof and a small, hipped roof front elevation extension.

The dwellings on Station Road were constructed in the inter-war period with plots sold to individuals and builders to self-build, which has resulted in dwellings of slightly different designs and detailing. There is a sense of homogeneity to the street as a result of the way it has been developed, with many of the dwellings of red brick construction, featuring hipped or dual pitched roofs, with fenestration detailing of similar styles, scales and in similar positions to their neighbours.

By virtue of the historic and heritage value of the property, the dwelling can be identified as a non-designated heritage asset.

Policy SP16 (Design) of the Ryedale Plan – Local Plan Strategy states that:

“To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including:

- *The grain of the settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings*
- *The type, texture and colour of materials, quality and type of building techniques and elements of architectural detail”*

Policies SP16 and SP20 (Generic Development Management Issues) of the Ryedale Plan – Local Plan Strategy state that:

“Extensions and alterations to existing buildings will be appropriate and sympathetic to the character and appearance of the host building in terms of scale, form and use of materials (...)”

Policy H9 (Design) of the Helmsley Plan states that *“all new development should respect the existing settlement character, patterns and layouts and the principles of building design to ensure that the historic character and local distinctiveness of the built environment is maintained and the landscape of the National Park is conserved and enhanced.”*

Paragraph 130 of the NPPF makes it clear that development should be sympathetic to local character and history, including the surrounding built environment.

Paragraph 202 of the NPPF requires that “*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*”.

Paragraph 203 of the NPPF requires that “*the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application...a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*”.

The proposed rear extension is considered to be acceptable in scale, with the pitched roof form reflective of the form and character of the host dwelling. The ridge height of the extension would be set down from that of the host dwelling by approximately 0.2 metres, with the eaves height matching that of the host dwelling. The flat roof form of the single storey element is also considered to be acceptable. The form and scale is therefore considered acceptable, and ensures that the proposal will remain subservient to the host dwelling.

The design of the first floor element of the rear extension has been amended since the original scheme. The scheme initially proposed a black timber cladding, with one of the first floor windows being of an angular design. It was considered that the cumulative impact of the fenestration detailing and black cladding resulted in a statement northern elevation, not reflective of the quiet and distinguished nature of the host dwelling. As a result, the proposal has been simplified with the angular window amended to a simple rectangular window and a natural timber cladding proposed.

The single storey element of the rear extension would be constructed of red brick, similar to that used in the construction of the host dwelling, with modern fenestration detailing.

The rear extension is proposed to be of a modern, contemporary design and whilst dwellings in the surrounding area are of a traditional local vernacular, the use of a contemporary design approach is considered acceptable in principle. The contemporary design approach would clearly identify the extension as a modern addition and would ensure that the host dwelling retains its identity and historical character.

Whilst timber cladding is not predominantly used within the locality, it is considered that this type of cladding can often look attractive when paired with a red brick built property, particularly if the proposed development is of a modern form and design. On this basis, the use of the timber cladding is considered acceptable in terms of design, however a condition is proposed requiring the submission of exact details of the cladding including texture and finish.

Some views of the rear of the dwelling are achievable from Station Road and the site is also visible from Ashdale Road, with views available across the rear of a number of the properties fronting Station Road. The revised design, with a natural timber cladding which will silver over time, is not considered to result in a proposal which would be visually prominent or one which would have a detrimental impact on the street scene.

The proposed single storey side extension is considered to be minor in scale, of a simple flat roof form. This extension would be constructed of red brick to match those used in the host dwelling which is considered acceptable.

The proposed porch would extend beyond the front wall of the dwelling by 1.2 metres, with a length of 3.7 metres and a height of 2.9 metres. The porch would be constructed with black timber posts and a pressed metal fascia. This contemporary design is considered acceptable and would be simple in its form.

The proposed works will result in an overall additional footprint of approximately 23 square metres. It is considered that the collective appearance of the property as a result of the proposed works will not be unsympathetic to the character and appearance of the host dwelling.

The proposed development will result in a contemporary, modern appearance, which is considered to respect the context of its surroundings and one that is sympathetic to the host dwelling and area. On this basis, the proposed development is considered to comply with Policies SP12 (Heritage) and SP16 (Design) of the Ryedale Plan – Local Plan Strategy and Policy H9 (Design) of the Helmsley Plan.

Impact on neighbouring amenity

Whilst there are neighbours to both sides and the rear of the dwelling, it is not considered that the proposed works would result in material harm to neighbouring amenity.

There would be no windows installed to the side elevations of the rear extension at first floor level and the proposed rooflights would be installed approximately 3 metres above floor level, therefore it is not considered that the extension would result in any direct overlooking or loss of privacy of the neighbouring properties to the east and west.

However, it is considered that if any first floor windows were installed within the eastern or western elevations of the extension in the future, that it could result in an unacceptable loss of privacy for the occupiers of the neighbouring properties. As such, it is considered appropriate to include a condition restricting the formation of openings to the eastern and western elevations of the rear extension at first floor level, to ensure the privacy of future occupants.

The occupier of 24 Ashdale Road has requested that a privacy screen be installed on the rear boundary of the application site to provide privacy to the patio and proposed bedroom.

The existing property features two windows at first floor level on the rear elevation. Two windows are proposed to be installed in the rear elevation of the two storey extension at first floor level, with the two storey element of the extension approximately 14 metres from the rear boundary of the site. Given the orientation of the dwellings in relation to one another and the distance from the proposed extension to the rear boundary, it is not considered that these windows would result in any increased level of overlooking of the property to the rear, 24 Ashdale Road, over and above what is already experienced from the existing first floor windows.

Concern has been raised regarding the rear extension having an overbearing presence on 19 Station Road. Considerable consideration has been given to the material issue of whether the proposed rear extension would contribute to potential overshadowing, loss of light and an overbearing presence that could lead to harmful impacts upon residential amenity.

The two storey element would extend beyond the rear wall of the dwellinghouse by 3.3 metres and it is acknowledged that the new extension as a whole will increase the massing on the application site. By virtue of the position of 17 Station Road within its plot and its relationship with the property to the east, the proposal is considered to result in some overbearing effects. Whilst an alteration to the roof form to a hipped roof may reduce overbearing effects to some degree, given the visibility of the rear of the site from Ashdale Road, this is not considered to be appropriate in design terms for this property.

It is also considered that the proposal would lead to some limited additional shadowing in contrast to the present situation as indicated on the sun studies. The submitted sun studies indicate that the proposed rear extension would result in a slight additional overshadowing of the neighbouring property's garden at around 3pm in late June. The study also indicates that there would be some additional loss of light to the rear garden of the neighbouring property at 3pm in late September.

It is acknowledged that the proposal would result in some further light reduction to the rear garden of 19 Station Road. The properties on this side of Station Road have north facing rear gardens and given the orientation and positioning of the application site and neighbouring property, light to the rear garden of the objectors property has already been compromised.

The neighbouring property, 19 Station Road, currently benefits from an outbuilding sited on the western boundary of the site, therefore amenity space immediately to the rear of the dwelling is provided within the site by at least 3 metres and is somewhat limited by this outbuilding. The majority of the amenity space for this dwelling is further north within the garden, with a covered seating area provided with the north-eastern corner of the site. As a result of the buildings within the rear garden of 19 Station Road, amenity space is some distance from the rear elevation of the application site.

The properties are located within the built up area of Helmsley, with dwellings set within relatively small plots. It is therefore considered that the cumulative impact of the proposed development is not overbearing in its context within the built up area of the town and that the resulting dwelling is not considered to represent overdevelopment of the plot.

Given the current impacts the application site has on the neighbouring amenity of 19 Station Road, it is not considered that the proposal would significantly increase the impact on amenity to a detrimental level.

The proposed side extension and porch are not considered to have any impact on neighbouring amenity, given the scale and positioning on the site in relation to the neighbouring dwellings.

It is therefore considered, on balance, that the proposal would not result in a detrimental impact on neighbouring amenity in terms of an overbearing presence, overlooking or loss of light. On this basis, the proposed development is considered, on balance, to comply with Policy SP20 (Generic Development Management Issues) of the Ryedale Plan – Local Plan Strategy.

Other matters

The occupier of 19 Station Road has raised concerns regarding an established right to light for greenhouses. The matter of established rights to light is a property law matter and outside of planning control.

The objection also makes reference to the proposed use of the dwelling as a holiday let/second home. The use of a single private dwellinghouse as a holiday let does not amount to a material change of use in the majority of cases. Whether the use of a dwellinghouse for commercial letting as holiday accommodation amounts to a material change of use is a question of fact and degree and will depend upon the particular characteristics of the use as holiday accommodation. Should the applicants wish to use the dwelling as a holiday let it is suggested that they make contact with the Local Planning Authority and provide details of the proposed use, where the LPA will be able to advise if the proposed use would amount to a material change of use and therefore require the submission of an application for planning permission.

Conclusion

The proposed development is considered to be of a proportionate and acceptable design, and it is not considered that it would give rise to a significant detrimental impact on neighbouring amenity. The proposed development is considered to meet the relevant policy criteria set out in Policies SP12 (Heritage), SP16 (Design), SP19 (Presumption in Favour of Sustainable Development) and SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy, the Helmsley Plan and the NPPF. On this basis approval is recommended subject to the following conditions.

RECOMMENDATION:

- 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 plans:

As Proposed Drawings, drawing number 3-05, Rev 4, scanned to file 12.01.2023

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

- 3 The materials of the development hereby approved shall be in accordance with the details included in the Planning Application Form/Plans unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy

- 4 All new brickwork required to complete the development hereby approved, shall match the brickwork used in the construction of the original dwelling.

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

- 5 Prior to the commencement of any building works associated with the development hereby permitted details and samples of the timber cladding to be used on the exterior of the two storey rear extension and front porch 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 Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 6 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) no further windows or any other openings shall be created within the eastern and western (side) elevations of the two storey rear extension hereby approved at first floor level.

Reason: To protect the privacy of adjoining properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy

- 7 Unless otherwise agreed in writing by the Local Planning Authority, notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) no further rooflights or any other openings shall be created within the eastern or western elevation roofslopes of the two storey extension hereby approved, unless the bottom cill level is at a position higher than 1.8m above the finished floor level.

Reason: To protect the privacy of adjoining properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy