

Parish: Nether Silton
Ward: Bagby & Thorntons

Committee Date : 24 November 2022
Officer dealing : Ms Helen Ledger
Target Date: 18 November 2022
Date of extension of time (if agreed):
28 November 2022

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22/02194/FUL

Proposed attic conversion, 2 Dormer windows to the front elevation, and 3 Velux rooflights to the rear elevation.

At: Silton House, Lead Lane, Nether Silton Thirsk
For: Mr K Ashbridge.

The application is brought to Committee at the request of a Member of the Council.

1.0 Site, Description and Proposal

- 1.1 Silton House is a traditional property within Nether Silton's Conservation Area. It is constructed of local coursed stone with a slate roof and features white timber windows. It sits prominently, side-on to the roadside, facing the church and is attached to two smaller terraced cottages on its southern elevation. Several Grade II listed buildings surround the house to the east, south and west. The site falls within an article 4 designation shared with the North York Moors National Park, limiting permitted development rights.
- 1.2 This application seeks planning consent for the addition of two dormer windows to the front elevation, and three rooflights to the rear elevation.

2.0 Relevant Planning History

- 2.1 22/01606/FUL - Attic conversion and alterations to include new windows and new door canopy to the rear elevation - Refused, 24.08.2022

Reason 1: It is considered that the proposed development has a harmful impact on the character and appearance of the host building and the Nether Silton Conservation Area. This harm is considered to amount to less than substantial harm to the significance of the Conservation Area which is not outweighed by public benefit, contrary to Local Plan Policies E1 and E5, as well as guidance within the NPPF.

- 2.2 22/02209/FUL - Proposed widening of existing vehicular verge crossing - pending

3.0 Relevant Planning Policies

- 3.1 As set out in paragraph 2 of the NPPF planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The law is set out at Section

38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990.

Local Plan Policy S7: The Historic Environment

Local Plan Policy E1: Design

Local Plan Policy E2: Amenity

Local Plan Policy E5: Development Affecting Heritage Assets

National Planning Policy Framework

4.0 Consultations

- 4.1 The Siltons and Kepwick, Landmoth-cum-Catto Parish Council - object to the application for dormer windows in the front roof elevation as they would be out of character within the Article 4 conservation area. The roof slope is visible to everyone entering Nether Silton. This would have a significant negative impact on the street scene as well as this semi-detached property. Assumed that the roof will be replaced with like-for-like natural slates but if solar slate installation was considered the Parish Council would like more information.
- 4.2 Policy and Conservation officer - Noted that this property sits between two listed buildings and therefore how the proposal affects the setting of these buildings should also be taken into consideration, All Saints Church (Grade II) opposite the principle elevation and School Farm (Grade II) to the rear. Due to the location of the host dwelling its setting is considered to be of significance on numerous points, as it sits between two Grade II listed buildings, a central position within the Nether Silton Conservation Area, and bounds the North York Moors National Park. The Conservation Area is designed to ensure the retention of buildings and features which make a significant contribution to the character of the area and to ensure any new development enhances the area's character by virtue of high standards of design and use of traditional materials. Effort in the submissions presents other detail on dormer windows set within other villages on separate properties throughout the Hambleton District and the North York Moors National Park. Each planning application should be dealt with upon its own merits however.

The conservation area is designed to ensure the retention of buildings and features which make a significant contribution to the character of the area and to ensure any new development enhances the area's character by virtue of high standards of design and use of traditional materials. 197 of the NPPF states in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. In doing so this includes ensuring the desirability of new development makes a positive contribution to local character and distinctiveness. Although permitted development rights allow some works to the rear of the property which may have been contrary to planning policies. It is considered the introduction to dormer windows to the front elevation would result in harm to the character of area.

- 4.3 North York Moors National Park Authority - Objects to the application as it is considered that the proposed dormer windows would have a detrimental impact on the character of the joint Conservation Area and on the character and setting of the National Park. Dormer windows are not a feature of this village and would be out of keeping with the character of the area and detract from the character and appearance of the host dwelling.

- 4.4 Site notice posted, neighbours notified. Three public comments received, all objecting. The issues raised are summarised below;
- Supporting statements photo/artist impression misleading and smaller than they are, as the ridge of the dormers is the same height as the ridge line on the main roof.
 - Examples of other article 4 villages with dormers, were these installed before or after article 4 designation?
 - Overlooking of West view will indeed increase due to increase in height
 - No bat survey
 - No reason for planning dept to change their views, HDC should continue to resist this proposal
 - Not in keeping with any other property in the village. They would dominate the view as people arrive from the west of the village.
 - Seriously detrimental to the character of the village.

5.0 Analysis

- 5.1 The main considerations are; i) impact on heritage assets, ii) design and character of the local area and iii) residential amenity

Impact on Heritage assets

- 5.2 Paragraph 197 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 5.3 The Local Plan echoes national policy and requires the protection and enhancement of the high-quality historic environment whilst facilitating development in a way that respects and strengthens the distinctive character of the landscape and the form and setting of settlements, (policy S1 part e). Policy S7 maintains assets are conserved in a manner appropriate to their significance. Development which will help in the management, conservation, understanding and enjoyment of the historic environment is supported. Policy E5 - Development Affecting Heritage Assets requires; a proposal will only be supported where it ensures those features that contribute to the special architectural or historic interest of a listed building or its setting are preserved.
- 5.4 The host dwelling is a large, two storey property which sits between two Grade II listed buildings and is set within a prominent central position in the village and the Conservation Area. The juxtaposition of the host dwelling means the front elevation faces All Saints Church, a 19thC stone-built church noted for its unusual, chamfered bellcote along with its church yard. The side elevation faces onto Lead Lane and the rear elevation faces onto School House, the other Grade II listed building. It is noted that part of the village is within the North York Moors National Park, although

this is the case the village as a whole has its own identity with uniform materials and building techniques with a uniformed character.

- 5.5 The planning statement sets out photographs from other villages with buildings that include dormer windows. It is accepted that there may be villages within the National Park and Hambleton District where dormer windows have been introduced over the years and even form the predominant character; but importantly each application should be dealt with on its own merits and indeed this is echoed within the paragraphs of the NPPF. The character of the area should be preserved, and this should also be coupled with the setting of listed buildings. The introduction of dormer windows to the front elevation would result in diverting away from the simplistic form of the roofscapes in the village, which is one of the principles of conservation designation.
- 5.6 With this in mind as set out in paragraph 199 of the NPPF, the proposed introduction of dormer windows to the roof of the front elevation would amount to less than substantial harm to the significance of the Conservation Area. This is further contrary to paragraph 206 of the NPPF which states Local Planning Authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. It is considered that the dormer windows do not preserve those elements of the setting that make a positive contribution to the area nor the surrounding listed buildings.
- 5.7 Having identified less than substantial harm to the significance of the Conservation Area the development can only be approved if sufficient public benefit can be identified. In this case, the dwelling is of substantial size and it is not considered necessary to form dormers in order to continue the use as a dwelling. The benefits arising from the scheme are considered to be purely private. As such it is concluded that the development results in less than substantial harm to the significance of the Conservation Area which is not off-set by public benefit.
- Design and local character
- 5.8 Policy E1 requires all development to be of a high quality and for it to achieve a satisfactory relationship with adjacent development. Proposals should respect and contribute positively to local character. All development should be of a high quality, integrating successfully with its surroundings in terms of form and function, including respecting and contributing positively to local character, identity and distinctiveness in terms of form, scale, layout, height, density, visual appearance, visual relationships, views and vistas.
- 5.9 This property sits in a prominent position along the main Nether Silton thoroughfare 'Lead Lane'. The introduction of dormers in this instance are considered to fail to meet the requirements of policy E1 design. None of the roof slopes in this area feature dormers or any significant alterations, the local vernacular is traditional in Nether Silton and the principle roof slopes across the village remain uncluttered. Elevation plans show the ridge of the dormers would be as high as the current roof ridge, giving a cumbersome massing, looking bulky and out of character. It is considered that dormers to the front elevation would amount to harm to the character of the dwelling and less than substantial harm to the significance of the surrounding conservation area, which is not outweighed by any public benefit. The glazed cheeks to the sides of the dormer are a relatively modern approach to a

dormer in this very traditional setting, further impacting design and setting of the host dwelling. The proposal is therefore contrary to the requirements of paragraph 202 of the NPPF, as well as Local Plan policies E1 and E5.

Amenity

- 5.10 Policy E2 requires all proposals to provide and maintain a high standard of amenity for all users and occupiers of the development, as well as users of neighbouring land and buildings.
- 5.11 The planning statement describes the dormers having glazed cheeks, meaning views will be possible to the front and side from inside the attic conversion. This means it will be possible to look down from the elevation into the gardens on the attached cottages of west view to the south. The height is likely to feel oppressive and some loss of amenity is noted. However, the proposed dormers are not considered to result in significantly more overlooking than the first-floor windows and on balance the proposals are considered to comply with Policy E2.

Protected species

- 5.12 The planning officer has asked the applicant and agent for further information about the potential risk to bats. Further information will be provided in the update sheet if received from the applicant. Should this not be received prior to determination, it would form an additional reason for refusal.

Planning balance

- 5.13 It is found that the proposed development would result in less than substantial harm to the significance of the Conservation Area. The NPPF paragraph 202, states 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. The site would remain a private dwelling and no public benefits are found. The design does not contribute positively to local character, views or vistas and does not integrate successfully with its surroundings. The application is recommended for refusal.

6.0 Recommendation

- 6.1 That subject to any outstanding consultations the application be **REFUSED** for the following reason(s)

1. It is considered that the proposed development has a harmful impact on the character and appearance of the host building and the Nether Siltion Conservation Area. This harm is considered to amount to less than substantial harm to the significance of the Conservation Area which is not outweighed by public benefit, contrary to Local Plan Policies E1 and E5, as well as the requirements of the NPPF.