



Appeal Decision

Site visit made on 14 December 2021

by **C. Megginson**

an Inspector appointed by the Secretary of State

Decision date: 22nd December 2021

Appeal Ref: APP/W9500/D/21/3283169

Low Muffles, Hartoft, PICKERING, YO18 8RP

- 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 N Dixon against the decision of North York Moors National Park Authority.
 - The application Ref NYM/2021/0340/FL, dated 2 May 2021, was refused by notice dated 29 June 2021.
 - The development proposed is re-roofing of existing extensions along with internal alterations and extension to rear to form utility and entrance hall
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Decision

1. The appeal is allowed and planning permission is granted for re-roofing of existing extensions along with internal alterations and extension to rear to form utility and entrance hall at Low Muffles, Hartoft, Pickering, YO18 8RP in accordance with the terms of the application, Ref NYM/2021/0340/FL, dated 2 May 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: EX_001; EX_002 Rev A; EX_003; PL_001; PL_002; PL_003.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 1, Class A (or any order revoking and re-enacting that Order), no extensions to the dwelling shall be erected other than those expressly authorised by this permission.

Main Issue

2. The main issue is whether the proposed development would have a detrimental impact on the mix of dwelling types needed to sustain balanced communities within the National Park and result in the loss of a smaller more affordable dwelling.

Reasons

3. Low Muffles is a single storey dwelling located within Cropton Forest between the settlements of Rosedale Abbey and Cropton. It is constructed of coursed stone under a hipped pantile roof. The dwelling is accessed by a long forest track and is set within a secluded location in the bottom of a valley, along with one other property, Low Muffles Bridge.

4. Whilst there is disagreement over the exact percentage figure, it is accepted by both parties that the proposed development amounts to a total increase in floorspace well beyond the 30% limit of local plan policy CO17. The number of reception rooms and bedrooms would remain the same, and both parties agree that the increased space makes the currently impractical layout of the dwelling more useable.
5. Policy CO17 aims to ensure that householder development is appropriate in terms of scale, height, form, position, and design, so not to detract from the character and form of the original dwelling, or its setting in the landscape. The restriction of a 30% increase on habitable floorspace seeks to ensure that any extension is clearly subservient to the main part of the building.
6. The Council consider that the proposed utility roof extension to the east elevation and the first-floor extension over the existing kitchen extension to the north elevation respect the form and character of the original dwelling. They also consider that the proposed hipped roof extensions reflect the form of the original dwelling, whilst also being subservient to it. They consider the proposal to be of a high standard of design that would not detract from the character or form of the dwelling, or its setting in the landscape.
7. Notwithstanding the above, the Council consider that the significant increase in floorspace would result in the loss of a smaller, more affordable dwelling within the National Park. The loss of smaller, more affordable dwellings is not referred to directly within Policy CO17. However, the policy explanation states that very large extensions can be overbearing, and proposals which incrementally extend small dwellings beyond their original size can have a detrimental impact on the character of an area, and the mix of dwelling types needed to sustain balanced communities. It goes on to state that limiting the size of new extensions can avoid the loss of smaller more affordable dwellings in the National Park.
8. I have no evidence before me to establish the mix of dwelling types needed to sustain balanced communities within the National Park, and how the proposed development would affect this mix. I also have limited evidence on affordability within the National Park, and the evidence presented by the appellant indicates that the current property value may not be affordable. Furthermore, the resultant dwelling would still remain a relatively modest sized 3 bedroom property.
9. I therefore conclude that the proposed development would not have a harmful effect on the mix of dwelling types needed to sustain balanced communities within the National Park. Whilst there would be some conflict with Policy CO17 of the Local Plan, in that it would exceed 30% of the original habitable floorspace, it would nevertheless comply with the overall thrust of the policy in that it would not harm the character and appearance of the area or the mix of dwelling types needed to sustain balanced communities in the National Park. Therefore, taken as a whole, it would not conflict with Policy CO17 of the Local Plan.

Conditions

10. I have considered the conditions suggested by the Council, having regard to the six tests set out in the National Planning Policy Framework. For the sake of clarity and enforceability, I have amended the conditions as necessary.

11. For the avoidance of doubt, it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans.
12. The Council has supplied to me a condition seeking to require grant of planning permission for any further extensions to the property and I consider this to be reasonable, in the interests of the character and appearance of the host dwelling.

Conclusion

13. For the reasons given above, having considered the development plan as a whole and all other relevant matters, I conclude that the appeal should be allowed.

C Megginson

INSPECTOR