

North Yorkshire Council
Community Development Services
Thirsk and Malton Area Planning Committee

17th April 2025

ZB25/00435/FUL - Proposed upper storey en-suite bedroom extension to be constructed above an existing single storey rear residential annexe.

At Annexe One at The Old Black Bull, Thormanby, North Yorkshire

On Behalf of Mr Peter Gibson

Report of the Assistant Director Planning – Community Development Services

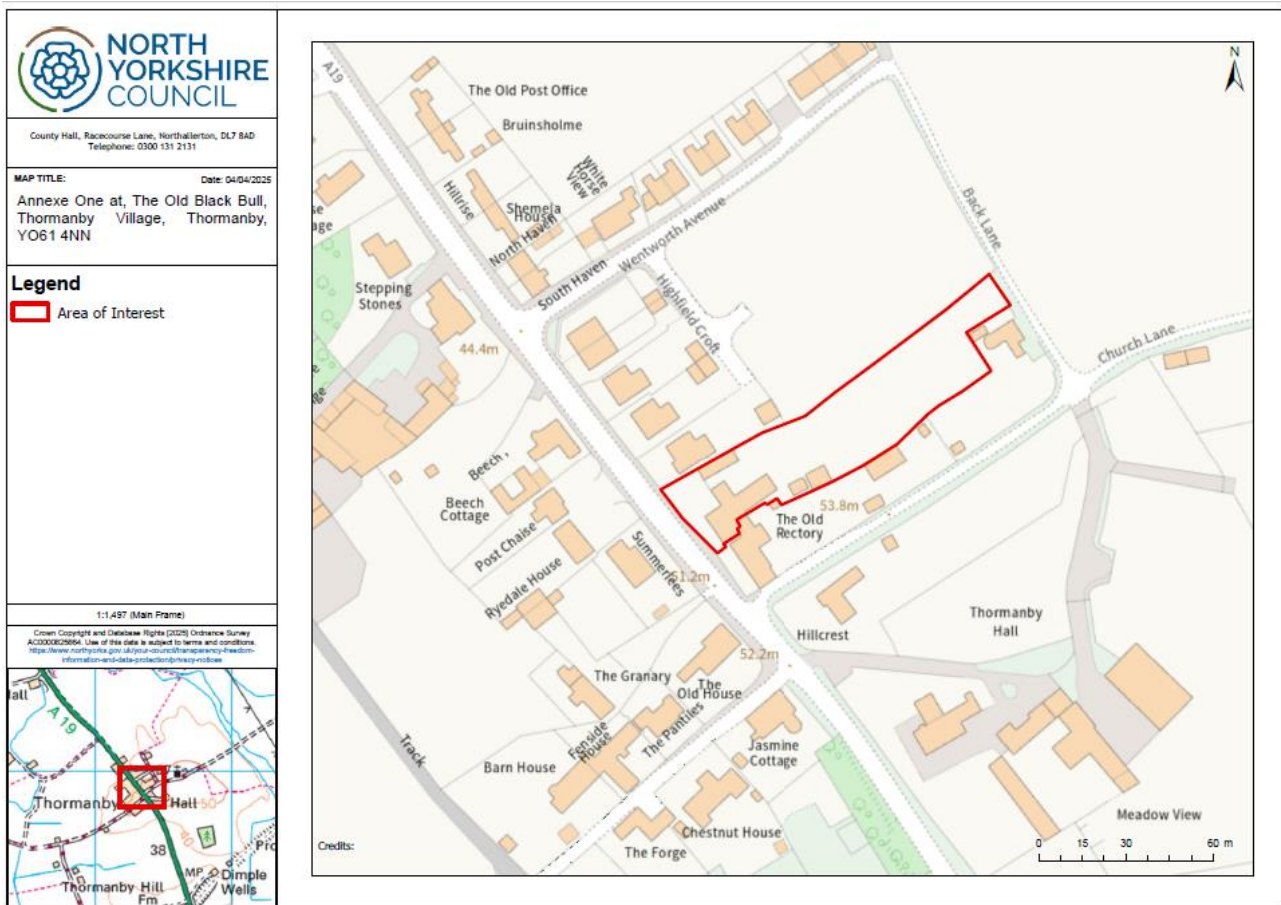
1.0 PURPOSE OF THE REPORT

- 1.1 To determine an application for full planning permission for a proposed first floor extension to be constructed above an existing single storey rear residential annexe.
- 1.2 The application is considered appropriate to be determined by the Planning Committee as the applicant is the partner of a Member of the Council, who resides at the property.

2.0 SUMMARY

RECOMMENDATION: That Planning Permission be **GRANTED** subject to the conditions set out in Section 12 of this report.

- 2.1 The proposed development comprises a first-floor extension above the existing attached single storey annexe accommodation at The Old Black Bull.
- 2.2 Compliance with Local Plan Policy E1 (Design) is one of the main considerations, with particular regard to the link between the main dwelling and the annexe and the impact of the annexe extension on the character and appearance of the surrounding area. Further considerations include the impact of the development on residential amenity and the impact on the adjacent Listed Building.



3.0 PRELIMINARY MATTERS

3.1 Access to the case file on Public Access can be found here: [Planning documents](#)

Planning history

3.2 05/00986/FUL - Single storey extension to existing dwelling to form ancillary accommodation. Approved 20.06.2005.

4.0 SITE AND SURROUNDINGS

4.1 The Old Black Bull is located within the village of Thormanby, which can be accessed from the A19. The proposed development is at Annex One of the Old Black Bull, which is sited to the rear of the main dwellinghouse. Located on the site is an additional Annex, which is sited opposite Annex One. To the western elevation of the property is the Grade II Listed Building, The Old Rectory.

5.0 DESCRIPTION OF PROPOSAL

- 5.1 The application seeks full planning permission for the construction of a first-floor extension above the existing single storey annexe to the rear of The Old Black Bull.
- 5.2 The proposed extension to the first floor of the annexe includes the addition of a bedroom, dressing room, and shower room. Changes to the ground floor layout involve converting the annexe kitchen into a living room and converting the existing bedroom into a Home Office. The existing utility/storage room would be converted into a staircase to provide access to the first floor of the annexe.

6.0 PLANNING POLICY AND GUIDANCE

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

6.2 The Adopted Development Plan for this site is the Hambleton Local Plan (adopted February 2022).

Emerging Development Plan - Material Consideration.

6.3 The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

Legislation, Policy and Guidance - Material Considerations

6.4 Relevant material considerations for this application are:

- National Planning Policy Framework 2024
- National Planning Practice Guidance
- Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

7.0 CONSULTATION RESPONSES

7.1 The following consultation responses have been received and have been summarised below:

7.2 Thormanby Parish Council – No response received. Consultation deadline 09.04.2025.

Local Representations

7.3 No local representations have been received. Consultation deadline 09.04.2025 and 14.04.2025.

8.0 ENVIRONMENT IMPACT ASSESSMENT (EIA)

8.1 The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environment Statement is therefore required.

9.0 MAIN ISSUES

9.1 The key considerations in the assessment of this application are:

- Principle of Development
- Design
- Amenity
- Impact on Heritage Asset

10.0 ASSESSMENT

Principle of Development

- 10.1 Policy E1 of the Local Plan states that a proposal for the extension of an existing residential dwelling or the provision of ancillary accommodation within the residential curtilage will be supported provided certain criteria are met.
- 10.2 Annexe accommodation is defined in the Local Plan as accommodation ancillary or incidental to the main dwellinghouse. An annexe must be designed to provide additional facilities and not become a self-contained dwelling, that could be separate from the original dwellinghouse, particularly in open countryside. In the case of a detached residential annex, the following is set out in Policy E1 (Design) of the Hambleton Local Plan:
- I. The annex is within the curtilage of the main dwelling,
 - II. Visually subordinate to the main dwelling,
 - III. Sited to ensure a clear functional link between the annexe and main dwelling,
 - IV. Shares the same access, parking and garden areas.
- 10.3 The Domestic Extensions Supplementary Planning Document (SPD) was adopted in October 2022 and sets out basic principles for the design of domestic extensions and alterations to dwellings. The document provides advice on five design principles, namely maintaining character, subservience, form, maintaining privacy and daylight. The SPD states that the relationship of an annexe to the main building is one of the most important aspects of designing a successful scheme.
- 10.4 Policy E1 of the Hambleton Local Plan requires extensions and annexes to meet specific criteria. Annexes and other outbuildings within the curtilage should:
- I. Respect the scale, massing and materials of the original dwelling and not cause unacceptable harm to its character,
 - II. Ensure that there is no unacceptable harm caused to the character or appearance of the surrounding area or to the amenity of other homes and buildings nearby,
 - III. Ensure that there is no unacceptable loss of parking or garden or amenity areas,
 - IV. Be visually subordinate to the main dwelling, sited to ensure a clear functional link between the annexe and main dwelling and share the same access, parking and garden areas.
- 10.5 The proposed extension of Annexe One at The Old Black Bull would be sited within the curtilage of the main dwelling, is visually subordinate to the main dwelling, maintains the functional link to the main dwelling and shares the same access, parking and garden area to the Old Black Bull and there is no loss of parking, garden or amenity areas.
- 10.6 The proposal is therefore considered acceptable in principle subject to compliance with the expectations and requirements of the relevant policies of the Local Plan and as set out in more detail below.

Design

- 10.7 Local Plan Policy E1 (Design) states that all development should be of a high quality, integrating successfully with its surroundings in terms of form and function, reinforcing local distinctiveness and help to create a strong sense of place.
- 10.8 The application proposes the construction of a first-floor extension above the existing single storey annexe to the rear of The Old Black Bull. The existing annexe has an established functional link to the main dwellinghouse, as the annexe is attached to the rear of the property, has shared access and outdoor amenity areas.

- 10.9 The proposed first floor of the annexe will include a bedroom, dressing room, and shower room, with access to the external terrace above the kitchen, which is already accessible from the main dwelling. Changes to the ground floor layout involve converting the annexe kitchen into a living room and converting the existing bedroom into a Home Office. The current shower room will remain unchanged. The existing utility/storage room will be converted into a staircase to provide access to the first floor of the annexe.
- 10.10 The first-floor extension would increase the ridge and eaves height of the existing annexe by approximately 2.1m. The plans propose the installation of three Velux rooflights to the rear elevation of the roof and two additional windows on the first-floor front elevation, one of which is a bay window measuring approximately 2.7m by 2.2m. The proposed materials are smooth facing brickwork with contrasting colour smooth facing brickwork detailing and double pantile clay interlocking roof tiles, to match the materials of the host dwelling and existing annexe. The materials for the windows and doors will be dressed timber with a black gloss paint finish, to also match those of the host dwelling.
- 10.11 The extension of Annexe One at The Old Black Bull maintains the functional link to the main dwellinghouse, is visually subordinate and does not have the facilities to become a self-contained dwelling. Furthermore, the proposal respects the scale and materials of the host dwelling and does not dominate or detract from the host dwelling. The proposal is acceptable in terms of design and appearance and would not cause unacceptable harm to the character of the host dwelling or harm the character of the surrounding area. The proposal therefore complies with Policy E1 (Design) of the Local Plan and SPD guidelines.

Amenity

- 10.12 Policy E2 (Amenity) of the Local Plan expects all proposals to provide and maintain a high standard of amenity for all users and occupiers, including both future occupants and users of the proposed development as well as existing occupants and users of neighbouring land and buildings, in particular those in residential use.
- 10.13 Taking into consideration the position of the proposal within the rear garden of The Old Black Bull, screening is provided by the host property and neighbouring properties and as such the development cannot be seen in public views from the street scene.
- 10.14 The proposal includes the addition of three Velux rooflights on the rear of the first-floor roof and the addition of two windows to the front elevation of the annexe. The windows and doors on the ground floor level will remain the same. The addition of rooflights to the rear elevation will not increase the level of overlooking at this elevation. The addition of two first floor windows to the front elevation is not considered to significantly impact the level of overlooking to the neighbouring property at this elevation.
- 10.15 Taking into consideration the location of the annexe and the separation distance to neighbouring properties, there is not considered to be a significant impact as a result of overshadowing or loss of light on neighbouring properties.
- 10.16 The proposed development is not considered to have an adverse impact on the amenities of neighbours and would therefore comply with Policy E2 (Amenity) of the Local Plan.

Impact of Heritage Asset

- 10.17 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in determining a planning application for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.18 The National Planning Policy Framework (NPPF) requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset and requires that harm should be weighed against the public benefits of the proposal, including securing the optimum viable use of the building.
- 10.19 The Old Black Bull is sited to the western elevation of the Grade II Listed Building, The Old Rectory. The proposed development at Annexe One, including the increase in roof height, the addition of Velux windows on the rear roof and the addition of two windows on the front elevation is not considered to have an impact on the setting of the Listed Building. Taking into consideration that the proposal is within a domestic setting and of domestic scale, the setting of the Listed Building will be preserved and there is not considered to be any harm to the setting of the Listed Building. Furthermore, the proposed development will not impact how the Listed Building is perceived. The proposal therefore meets Policy E1 of the Hambleton Local Plan, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1 To conclude, the proposed development is acceptable in principle and in terms of design, scale and appearance and would not harm the character and appearance of the surrounding area. The proposal raises no concerns with regards to neighbour amenity.
- 11.2 Overall, the proposal complies with Policy E1 and E2 of the Hambleton Local Plan, SPD guidelines and the NPPF. The approval of this application is recommended on this basis.

12.0 RECOMMENDATION

- 12.1 That permission be **GRANTED** subject to the imposition of the below listed conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered PG/001, PG/002, PG/003 received by the Local Planning Authority on 06.03.2025 unless otherwise approved in writing by the Local Planning Authority.

Reason: In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Local Plan Policies S1 and E1.

3. The development hereby approved shall not be formed of materials other than those detailed within the application form received by the Local Planning Authority on 06.03.2025

Reason: In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Local Plan Policies S1 and E1.

Target Determination Date: 01/05/2025

Case Officer: Emily Hampton
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