

Item Number: 15
Application No: 15/00923/HOUSE
Parish: Swinton Parish Council
Appn. Type: Householder Application
Applicant: Mr Peter Midgley
Proposal: Erection of single storey extension to rear and side elevations
Location: Viewley Hill 15 West Street Swinton Malton YO17 6SP

Registration Date:
8/13 Wk Expiry Date: 5 October 2015
Overall Expiry Date: 9 September 2015
Case Officer: Charlotte Cornforth **Ext:** 325

CONSULTATIONS:

Parish Council

Neighbour responses: Mrs Freda Suddaby,

SITE:

Viewley Hill is a semi-detached bungalow, situated on an elevated plot located within the village of Swinton. The property benefits from a rear and side domestic curtilage, with a driveway and garage located to the south of the dwelling. The adjoining property is known as 'High Viewley House' and the property to the south of the site is known as 'High Pastures'.

PROPOSAL:

Erection of single storey extension to rear and side elevations.

The proposed single storey rear extension will measure 11.7m in width, 3m in depth, 2.7m to the eaves and 3.9m to the ridge. It will be located 1 metre to north of the boundary of the property 'High Viewley'.

The proposed single storey side extension will measure 5.6m in depth (at the largest part to the rear), 11.2m in width, 2.6m to the eaves and 5.5m to the ridge. The ridge will run east-west.

HISTORY:

The relevant planning history includes:

- 15/00791/GPDE - Prior approval refused - Erection of single storey rear extension extending a maximum of 6.0 metres from the rear wall of the original dwelling house and having an eaves height of 2.7 metres and a maximum height of 4.0 metres.

Members should note that the above extension was refused on the following grounds:

The proposed single storey rear extension, would by virtue of its scale and massing in close proximity to the boundary have an overbearing presence and an unacceptable impact upon the day light presently enjoyed by the occupiers of the adjoining property currently know as 'High Viewley'. The proposals are therefore considered to be contrary to the requirements of SP16 (Design) and SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy and contrary to the National Planning Policy Framework.

APPRAISAL:

The main considerations to be taken into account are:

- i. Character and form
- ii. Impact upon the street scene
- iii. Impact upon neighbouring amenity
- iv. Conclusion

i. Character and form

The proposed single storey rear extension will be constructed of coursed stone and clay pantiles. The north elevation of the side extension will be constructed on coursed stone and clay pantiles, with the eastern elevation facing the street scene being cedar clad. It is considered that the proposed extensions are appropriate and sympathetic to the character and appearance of the existing dwelling in terms of scale, form and use of material, complying with Policies SP16 (Design) and SP20 (Generic Development Management Issues) of the Ryedale Plan – Local Plan Strategy.

ii. Impact upon the street scene

The extension is considered to not have a detrimental impact upon the street scene of the West Street due to the extension being set back from the front elevation and the elevated position of the property within the street scene. The extension is also subordinate to the main part of the original dwelling house.

iii. Impact upon neighbouring amenity

Members should note that a letter of objection has been received from the occupier of High Viewley Hill which is located to the south of the site. It states the following:

- *The proposed extension will impinge on the light to the bedroom and to the conservatory/sitting room*
- *It will have an overbearing effect given to the proximity to my property and will cause loss of amenity and have a considerable visual impact on my property.*
- *The boundary retaining wall must be structurally protected*

The proposed single storey rear extension will be located 1 metre to north of the boundary of the property 'High Viewley'. It will extend out by 3m and measure 2.7m to the eaves.

Part 1 (Development within the curtilage of a dwelling house), Class A (enlargement, improvement or other alternative of a dwelling house) (Development is not permitted by Class A) A.1 (f) states:

subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and -

- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or*
- (ii) exceed 4 metres in height;*

Furthermore A.1 (i) states:

- (i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;*

Officers have taken on board the points raised by the neighbour of High Viewley Hill. Nevertheless the 'fall back' position is such that the proposed single storey rear extension (on its own) would be permitted development. Whilst there is potential for some loss of daylight to the bedroom, this is

considered to not have a material adverse impact upon neighbouring amenity, complying with Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy. It is considered that the proposed single storey side extension will not result in a material advise impact upon the neighbouring property of 'High Pastures'. This is in terms of being overbearing in presence, causing loss of light or loss of privacy.

There has been no response from Swinton Parish Council or any other third parties regarding the proposal.

Conclusion

In light of the above, the proposal is considered to meet the relevant policy criteria outlined within Policies SP16, SP19 and SP20 of the Ryedale Plan - Local Plan Strategy and within the National Planning Policy Framework. The proposal is therefore recommended for approval.

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 Before the development hereby permitted is commenced, 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 the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

(NB Pursuant to this condition the applicant is asked to complete and return the attached proforma before the development commences so that materials can be agreed and the requirements of the condition discharged)

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

3 The development hereby permitted shall be carried out in accordance with the following approved plan(s):PM20158 - 2 Proposed Elevation and Block Plan.

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

4 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, (or any Order revoking, re-enacting or amending that Order), no windows, other than those shown on the plans hereby approved, shall be formed in the walls or roof of the extension hereby permitted without the prior written consent of the Local Planning Authority following a specific application in that respect.

Reason:- To safeguard the privacy and amenity of adjoining residents and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy

Background Papers:

- Adopted Ryedale Local Plan 2002
- Local Plan Strategy 2013
- National Planning Policy Framework
- Responses from consultees and interested parties