

Item Number: 14
Application No: 16/00053/HOUSE
Parish: Welburn (Malton) Parish Council
Appn. Type: Householder Application
Applicant: Mr And Mrs C Foster
Proposal: Erection of a single storey extension to rear elevation, erection of a front porch, attached timber clad storage shed to the side (west elevation) and erection of a detached outbuilding (part retrospective application)
Location: Low Meadow Church Lane Welburn Malton YO60 7EG

Registration Date:
8/13 Wk Expiry Date: 9 March 2016
Overall Expiry Date: 13 March 2016
Case Officer: Tim Goodall **Ext:** 332

CONSULTATIONS:

Parish Council No objection
Neighbour responses: A And M Hewitt, David & Patricia Tildesley, Philip & Lesley Benham,

SITE:

The site contains a single storey dwellinghouse with an existing attached garage and a front and rear garden. The existing dwelling is of natural stone construction with a pitched roof hung with concrete pantiles.

The dwelling is located within the settlement limit of Welburn, to the south east of a designated conservation area. The site also lies within the Howardian Hills Area of Outstanding Natural Beauty (AONB).

PROPOSAL:

Planning permission is sought for the erection of a single storey extension to the rear elevation and the erection of a front porch to the dwelling.

Retrospective planning permission is sought for the retention of an existing attached timber clad storage shed to the side (west elevation) of the dwelling and the retention of a detached timber outbuilding.

The proposed single storey rear extension will have a dual pitched roof and will measure 5.4 metres deep, 7.4 metres wide and a maximum of 5.9 metres high. There will also be an flat roof infill section to the extension connecting the dual pitched section with the rear elevation of the existing garage. The proposed extension will have two rear facing windows and one side facing window that is obscure glazed. A roof light is proposed to the west facing side elevation to provide natural light to an internal bathroom.

The proposed porch will be 1.6 metres deep, 2.1 metres wide and 3.25 metres high with a dual pitch roof. The existing attached storage shed measures a maximum of 2.5 metres wide, reducing to 0.8 metres and is 5.25 metres deep.

The existing outbuilding has a maximum width of 5.13 metres, reducing to 3.2 metres. The building is 7.25 metres in length. The outbuilding sits on a concrete pad and is 3.0 metres in height with a shallow dual pitched roof. The storage shed and outbuilding are of timber construction.

PUBLIC CONSULTATION RESPONSES:

Four objections were received from local residents. These objections are available to view on the Council's website a summary has been provided below.

The occupiers of Ebb Cottage have responded to advise they would object to any future change of use to a part commercial use within a residential area as it would have an impact on the enjoyment of other owners and would have a downward effect on property prices. It would also result in more vehicles on Church Lane.

The occupiers of Strathway have responded to object to the application on a number of points which are summarised below.

- No objection to the front porch providing the design is in keeping with the dwelling
- They were informed that the timber storage shed was originally going to be temporary. They object as it is constructed of inferior materials and rainwater is directed towards their property.
- Extreme concern over the size and visual impact of the detached outbuilding as it is built beneath mature trees and a concrete base. There also concerns over where rain water will go and that it will be used as a business premises
- No objection in principle to the single storey rear extension providing the construction does not result in disruption to the public highway
- The building has been erected without planning permission and it and the concrete pad should be removed

The occupiers of Walnut House have objected to the application and set out 68 points and also a summary of these concerns. The full objection is available to view on the Council's website. The summary of the objection is set out below:

- The applicant intends to use the dwelling and outbuilding for running a business. Concerns over what is being stored in the outbuilding and side extension
- This proposed development is not in keeping with the philosophy of an AONB and should not be allowed or the spirit of the Howardian Hills development plan 2014-2019
- The proposed height of the outbuilding is flawed as it is not from the original ground level and the concrete pad is too high.
- The proposed development would over develop the site and would bring the rear wall much closer to Walnut House
- Concerns of overlooking, light pollution, noise of rainfall on roof and loss of privacy
- Loss of garage
- A compressor has been installed.
- There is a tree too close to the outbuilding, within falling distance. The tree should be protected.
- Concerns over drainage and flooding
- The outbuilding is 4 to 5 times larger than a normal garden shed. Domestic activity should not typically need this amount of covered storage
- All the proposed changes to the main building and the outbuilding in their current plans and unauthorised build impact negatively on our property
- The site borders onto a conservation area. Concerns that this development is directly affecting a property within the conservation area. Ryedale conservation policy states:
- Development will not be permitted if it would generate levels of traffic, parking, noise or environmental problems which would be detrimental to the character or appearance of the area.
- The requested developments at Low Meadow will impact negatively on Walnut House which is a building within a conservation area.
- Should planning permission be granted it would set a significant precedent for other developments and increase the density of buildings in an AONB to a significant degree.
- In combination the plans for the main building and storage shed look to account for a 70-80% increase in the size of the existing property of the plot.

- These requested developments do not maintain the historic appeal of the village of Welburn.
- There are 5 properties surrounding Low Meadow which are all in an AONB and three of which are also in a conservation area. How could a development of this nature possibly be permitted?

The occupiers of Maple House have objected to the application for a number of reasons and a summary of the objection is set out below:

- Concern that the development went ahead without planning permission and that pipes visible suggest a possible business use
- An explanation of the term 'part retrospective' would be welcomed
- No objection to the principle of a rear extension, however this will increase the floor area of the dwelling by around 50% which is considered to be excessive
- The ground floor windows of the extension could overlook our property to an extent not currently possible
- Two high intensity lights have been installed to the rear elevation of the dwelling, disturbing sleep and increasing light pollution
- The extension would be more acceptable if reduced in depth by 1.25 metres
- No comments over the porch and no concerns over the timber shed provided it is not used for business purposes
- The outbuilding by virtue of its size and appearance is not in keeping with its immediate surroundings within the AONB
- The building is visually obtrusive, in terms of shape, size, roof materials and height
- The raised platform is a concern and appears to be contrary to AONB guidelines. It is unclear what impact was had on drainage and trees.
- Drainage is of particular concern
- There is concern that the outbuilding will be for business use and this is inappropriate within a quiet residential area within the AONB.

Welburn (Malton) Parish Council have no objection to the proposal.

The objections include a number of material planning considerations relevant to the determination of the application. As the application is recommended for approval, in accordance with the Council's scheme of delegation it is brought before Members of the Planning Committee for consideration and determination.

HISTORY:

15/01410/HOUSE - Application withdrawn - Erection of a single storey extension to rear elevation, erection of a porch to front elevation and erection of a detached outbuilding (part-retrospective)

POLICIES:

National Planning Policy Framework
National Planning Practice Guidance

Ryedale Plan - Local Plan Strategy
SP12 - Heritage
SP13 - Landscapes
SP16 - Design
SP19 - Presumption in Favour of Sustainable Development
SP20 - Generic Development Management Issues

APPRAISAL

- i. Character and Form
- ii. Impact on the setting of the Welburn Conservation Area
- iii. Impact on the Howardian Hills AONB

- iv. Neighbouring Amenity
- v. Commercial Use of the Outbuilding
- vi. Other Matters
- vii. Conclusion

i. Character and Form

To accord with Policies SP16 (Design) and SP20 (Generic Development Management Issues) and reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings. Attention should be paid to the grain of settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings. Consideration must also be given to the type, texture and colour of materials, quality and type of building techniques and elements of architectural detail.

The proposed development includes the erection of a porch extension to the front elevation of the dwelling and a single storey rear extension. Planning permission is also sought for the retention of the existing side extension. The extensions are considered to be of a scale that respect the host dwelling. The application site is relatively well screened from Church Lane to the north and the proposed porch extension and the existing side extension will be/are less visible as a result. The porch and the side extension are modest additions to the dwelling.

The proposed rear extension is no higher than the existing dwelling and will have a dual pitched roof of a similar design and pitch to that of the dwelling. The extension will not be visible from the public highway and will not project beyond the existing side elevation of the dwelling. The proposed materials will match those of the existing dwelling. As such, the character and form of the proposed rear extension is considered to accord with Policies SP16 and SP20. The existing outbuilding has a shallow, dual pitched roof and is of timber construction. The outbuilding sits on a concrete pad that in itself does not require planning permission.

ii. Impact on the setting of the Welburn Conservation Area

Policy SP12 (Heritage) of the Ryedale Plan - Local Plan Strategy states that conservation areas and their setting will be conserved and where appropriate, enhanced. Proposals which result in less substantial harm will only be agreed where the public benefit of the proposal is considered to outweigh the harm and the extent of the harm to the asset.

The application site lies to the south of the Welburn conservation area. The nearest part of the development to the conservation area boundary is the existing outbuilding. The proposed outbuilding, while larger than many garden sheds only marginally exceeds 'permitted development' tolerances. The outbuilding primarily only affects the setting of the conservation area, when viewed from the applicant's dwelling. The outbuilding due to its design and location is not considered to result in harm to the setting of the conservation area and as such accords with Policy SP12.

The Council's Building Conservation Officer has been consulted on the proposal and considered the impact on the setting of the Welburn Conservation Officer. The Building Conservation Officer has no objection.

iii. Impact on the Howardian Hills AONB

In accordance with Policy SP13 (Landscapes), development proposals in the AONB will be supported where they do not detract from the natural beauty and special qualities of this nationally protected landscape. Proposals will be supported by seek to facilitate the delivery of the Howardian Hills AONB Management Plan Objectives.

The application site is located within the development limit of Welburn and surrounded on all sides by residential development. The proposal is for residential extensions and a detached outbuilding in the rear garden.

The development will be primarily obscured from view from any public rights of way and is not considered to detract from the natural beauty and special qualities of the AONB.

iv. Neighbouring Amenity

New development will not have a material adverse impact on the amenity of present and future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence.

The proposed porch extension and the existing side shed extension are due to their size and location not considered to result in a materially adverse impact to the amenity of the occupiers of neighbouring buildings.

The proposed rear extension will be no higher than the existing single storey dwelling and will be not extend past the side elevations of the existing dwelling. The existing dwelling has a staggered rear elevation and is sited a minimum of 16.25 metres from the rear boundary of the applicant's garden. While, the proposed extension to the rear will bring the building line of the dwelling closer to the rear elevations of Walnut House and Maple House by up to 5.4 metres in places, it will remain a minimum of 15 metres from the rear shared boundary. The proposed extension is single storey in design and therefore it is relevant to consider that under the 'larger' household extension permitted development rights, a single storey extension up to 8 metres deep could be constructed without planning permission. Due to its design, scale and location, the proposed rear extension is not considered to result in a materially adverse impact to the amenity of the occupiers of neighbouring buildings.

The existing outbuilding for which retrospective planning permission is sought does not have any windows and is set back from the boundary by a minimum of 1.8 metres. If the outbuilding were to be set back a further 0.2 metres, the outbuilding would constitute permitted development and not require planning permission. The outbuilding reaches a maximum height of 3.0 metres and is in a corner of the garden that is relatively well screened by the existing planting. As such the outbuilding is not considered to result in an a materially adverse impact on the amenity of the occupiers of the neighbouring buildings.

v. Commercial Use of the Outbuilding

The objections refer to concerns that the outbuilding is, or might in the future, be used for commercial purposes. The change of use of the outbuilding to commercial use is not the subject of this application and would require a separate planning permission. A condition is proposed restricting the building for domestic use.

vi. Other Matters

The proposed drawings show the conversion of the attached garage to habitable space. This in itself does not require planning permission. It is noted that the remaining off street parking area (the drive) provides space for 2 vehicles. This meets the North Yorkshire County Council Interim Parking Standards for a 3 bedroom dwelling.

The objections also refer to a district heating system to the rear of the dwelling. This heating system meets permitted development requirements and therefore planning permission is not required for its retention. Additionally, the objectors raise concerns over drainage, specifically in relation to the existing structures. These structures are set in from the boundaries and rainwater will continue to drain into the ground.

vii. Conclusion

In conclusion, the proposal is considered to accord with national and local planning policy and is recommended for approval subject to the follow conditions.

Local Plan Strategy - Policy SP12 Heritage
Local Plan Strategy - Policy SP13 Landscapes
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
National Planning Policy Framework
National Planning Policy Guidance

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 Unless otherwise approved in writing by the Local Planning Authority, the materials, colour and external finish to the external walls and the roof tiles of the single storey rear extension and porch extension hereby permitted shall match that of the existing dwelling, currently known as 'Low Meadow'.

Reason:- To ensure a satisfactory external appearance and to comply with Policy SP16 (Design) of the Ryedale Plan - Local Plan Strategy.

3 Unless otherwise agreed in writing by the Local Planning Authority, there shall be no windows or doors constructed on the northern elevation of the detached outbuilding.

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

4 The development of the outbuilding hereby permitted shall be used for domestic purposes only, in connection with the dwelling currently known as Low Meadow and shall not be sold or let off separately.

Reason: For the avoidance of doubt and in order to satisfy policy SP20 of the Ryedale Plan - Local Plan Strategy.

5 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

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

Background Papers:

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