

**Item Number:** 14  
**Application No:** 10/00073/HOUSE  
**Parish:** Leavening Parish Council  
**Appn. Type:** Householder Application  
**Applicant:** Mrs V Crowder  
**Proposal:** Erection of two storey extension to rear (revised details to refusal 09/01066/HOUSE dated 26.11.2009)  
**Location:** Providence 4 Back Lane Leavening Malton North Yorkshire YO17 9SZ

**Registration Date:** 27 January 2010  
**8/13 Wk Expiry Date:** 24 March 2010  
**Overall Expiry Date:** 2 March 2010  
**Case Officer:** Sue Wood **Ext:** 276

#### CONSULTATIONS:

**Parish Council** No objections some concerns  
**Neighbour responses:** Mrs S J Dandy,

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#### SITE:

The site lies towards the north of Leavening within the defined development limits for the settlement. The property falls within a ribbon of residential properties of a variety of scales and designs. The application site currently consists of a mid terraced property, demonstrating a staggered appearance with two properties stepped forward. The dwelling benefits from an adequate amenity area to the rear.

#### PROPOSAL:

Permission is sought for the construction of a two storey extension to the rear elevation of the existing dwelling. The extension would be stepped back at first floor level. The proposal would measure 4.8m in width x 2.5m in depth at ground floor and 1.5m in depth at first floor x 7.2m to the highest point. The development would incorporate a pitched roofline with a sloped roof to the first floor.

The application is a resubmission of a previously refused application for the construction of a two storey extension, (09/01066/HOUSE).

#### HISTORY:

09/01066/HOUSE - Erection of two storey extension to rear. Refused.  
'The proposed development would, by virtue of its design, scale and orientation, have an adverse effect upon the existing amenity of the adjacent properties due to overdominance and overshadowing. the proposal is therefore contrary to the provisions of Policy H13 (iv) of the adopted Ryedale Local Plan.'

#### POLICY:

##### National Policy Guidance

PPS 1- Delivering sustainable development

##### Ryedale Local Plan

H13 - Extensions to existing dwellings

## **APPRAISAL:**

The main considerations to be taken into account are:

- i) Character and form
- ii) Impact upon residential amenity

i) Character and form

The site lies within a predominately residential area consisting of a variety of housing scales and designs. The property is of a fairly modern construction and forms the western element of a small staggered terrace.

The application is a resubmission of a previously approved application (09/01066/HOUSE). Although the proposed development would be orientated to the rear of the property and would be largely unseen from the highway, there are concerns with the submission and the potential precedent for similar developments within the immediate vicinity.

However, it is considered that the proposed design would reflect the character of the existing dwelling. Given the orientation of the proposal, it is considered that the proposal would be acceptable on balance.

ii) Impact upon residential amenity

The proposed application is a resubmission for a similar application; however the two storey element extended 2.5m in depth. Following the refusal, subsequent discussions were held with the applicant. The current submission has reduced the first floor element to 1.5m in depth, in order to reduce the potential impact upon the adjacent properties.

It is acknowledged that a single storey extension would fall under the provisions of Permitted Development. Therefore, the area of concern is the potential impact of the first floor projection. There is an existing step between the application site and No 6, measuring approximately 1.1m. Although the development would result in a 2.6m step, it is acknowledged that there is an existing conservatory at No. 6 and the existing windows to the rear elevation serve one room. It is considered that the development would on balance be acceptable and would result in unacceptable overshadowing or a overbearing nature.

A letter of objection has been received from an adjacent property, relating to the loss of light and loss of views. It is considered that the right to a view and the affect on the market view of the property is not a material planning objection. Although there are concerns regarding the potential impact upon neighbouring amenity, it is considered that the proposal would be appropriate on balance and would not significantly detract from the levels of amenity currently experienced and would not reduce the amenity area serving Providence to an unacceptable level.

In light of the above assessment, it is considered that the balance would be appropriate on balance and would comply with the provisions of the development.

**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 H13 (i); of the Ryedale Local Plan

- 3 Prior to the commencement of the development, details of all windows, and doors, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure an appropriate appearance and to comply with the requirements of Policy H13 (i) of the Ryedale Local Plan

- 4 The development hereby permitted shall be carried out in accordance with the following approved plan(s): BC2009/1003A.

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

**Background Papers:**

Adopted Ryedale Local Plan 2002  
Regional Spatial Strategy  
PPS1 - Delivery Sustainable Development 2005  
Responses from consultees and interested parties