

Item Number: 10
Application No: 16/01635/HOUSE
Parish: Norton Town Council
Appn. Type: Householder Application
Applicant: Mr Glynn Clemit
Proposal: Erection of a detached double garage
Location: The Old Pottery St Nicholas Street Norton Malton North Yorkshire YO17 9AQ

Registration Date:
8/13 Wk Expiry Date: 29 November 2016
Overall Expiry Date: 29 November 2016
Case Officer: Charlotte Cornforth **Ext:** 325

CONSULTATIONS:

Parish Council Recommend Approval
Parish Council

Neighbour responses: Mr Clarence Rawling, Mrs Fenwick, Tracy Cuthbertson
And Ian Jarvis, Mrs Charlotte Bean, Miss Julie Cuthbertson, Mrs Margaret Wilson,

SITE:

The Old Pottery is a stone and pantile detached property, within a predominantly residential area of Norton. The property is accessed via a private single lane driveway between the properties of 38 and 40 St Nicholas Street. The sites north eastern and southern boundaries back onto the rear gardens of St Nicholas Street and Spring Field Garth. The site is also located within the designated Norton Conservation Area, Flood Zones 2 and 3 and within an archaeological sensitive area.

PROPOSAL:

Erection of a detached double garage.

The initial scheme sought the erection of a detached double garage measuring 6.42m in width, 6.5m in depth, 2.675m to the eaves and 3.935m to the ridge. The pitch of the roof was initially very shallow at approximately 17.5 degrees.

The agent has submitted a revised scheme, reducing the gap from the top of the garage doors to the eaves. The revised scheme now measures 6.42m in width, 6.5m in depth, 2.475m to the eaves and 3.935m to the ridge. The pitch of the roof has now been increased to 21 degrees in order to improve its appearance.

The proposed detached garage will be positioned to the south east of the main dwelling of The Old Pottery. It will be positioned 1.5m from the boundary of 27 Springfield Garth to the south and 2.7m from the boundary of 44 St Nicholas to the east.

The detached garage is proposed to be constructed of cement render with white wash, stone edging on the corners under a pantile roof. Two single timber garage doors are proposed on the north west elevation with a personnel door on the north east elevation.

HISTORY:

The relevant planning history in connection with the site includes:

16/01161/HOUSE - Planning application withdrawn - Erection of a detached part two storey/part single storey double garage and storage building with first floor domestic living space following demolition of existing shed.

POLICY :

The Ryedale Plan - Local Plan Strategy (2013)

Policy SP12 Heritage

Policy SP16 Design

Policy SP17 Managing Air Quality, Land and Water Resources

Policy SP19 Presumption in Favour of Sustainable Development

Policy SP20 Generic Development Management Issues

National Planning Policy Framework (2012)

Chapter 7. Requiring good design

Chapter 12. Conserving and enhancing the historic environment

National Planning Practice Guidance (2014)

APPRAISAL:

The main considerations to be taken into account when considering the proposal are:

- i. Character and form
- ii. Impact upon character of the Norton Conservation Area
- iii. Impact upon neighbouring amenity
- iv. Other matters

i. Character and form

The proposed detached garage is sited within the existing domestic curtilage of the dwelling known as The Old Pottery. This part of the site is gravelled and is where there is an existing domestic shed. The proposed garage is of a pitched roof design, with a roof pitch of 21 degrees. The proposed detached garage will be constructed of cement render with white wash, stone edging on the corners under a pantile roof.

It is considered that the proposed detached garage is appropriate and sympathetic to the character and appearance of the host building in terms of scale, form and use of materials, complying with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

ii. Impact upon character of the Norton Conservation Area

Due to the scale, form, detailed design and use of materials, the proposal is also considered to not be detriment to the character of the Norton Conservation Area. The Building Conservation Officer has raised no objection to the proposal.

iii. Impact upon neighbouring amenity

Numerous letters of objection have been received from neighbouring occupiers of 1 and 21 Springfield Garth, 44, 46, 48 and 50 St Nicholas Street. These objections were generated as part of the consultation process for the initial scheme and also for the revised scheme.

The full letters of objection can be viewed on the Council's website. A summary of the objections from each of the neighbouring occupiers include the following main points:

1 Springfield Garth

- There is a large tree that could fall if the roots are disturbed
- The garage could be used as a working garage
- The proposed garage will intrude on privacy

21 Springfield Garth

- The application site is located within the flood plain and should be used only for car storage.
- The proposed garage is too high and will cause a loss of privacy
- The proposed garage is too high and should have a flat roof

44 St Nicholas Street

- Regarding the re-consultation, the scheme is exactly the same as previous (note this is not the case)
- The proposed garage is too high and will block natural daylight
- The applicant should consider a mono pitch roof
- The proposed garage is quite high for a domestic garage having a pitched roof
- There are alternative sitings for the detached garage within the plot

46 St Nicholas Street

- The size, location and height of the building will still drastically obstruct direct sun light into our garden, creating large areas of shadow, decreasing our day-time sun and impeding on right to light.
- As regards visual impact, the surrounding garden buildings are characterised by having a shallow pitch and a low eaves. It is evident from the drawings that this proposed building still clearly goes against the characteristics of neighbouring structures and would therefore be out of place in its proposed location
- There are alternative sitings for the detached garage within the plot
- Consideration of the rear amenity of the existing buildings surrounding the proposed site; these focus directly on the proposed location of the building with relatively low boundary fences and little planted screening.
- The loss of existing views from neighbouring properties would adversely affect the residential amenity of neighbouring owners.

48 St Nicholas Street

- The proposed garage is too high and will block sunlight and day light as well as being too close to property and garden
- The proposed roof is unsuitable for a garage
- Questioning why the garage needs to be this high

50 St Nicholas Street

- Norton Town Council has recommended for refusal
- The proposed garage is 19m from No 44 St Nicholas Street boundary and closer to properties in Springfield Garth

- It can be better sited
- The large proposed double garage is not domestic in proportions
- A condition should be added to any approval to forbid commercial usage

Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy states:

New development will not have a material adverse impact on the amenity of present or 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

It is considered that due to the orientation of the proposed garage, the distance from the neighbouring boundaries, its ridge height being 3.935m and eave height being 2.35m and there being no windows, there will not be a material adverse impact upon neighbouring occupiers. This is in terms of being overbearing in presence, causing loss of light or loss of privacy, complying with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

With regard to other points raised by the neighbouring occupiers, the garage is classified by the National Planning Practice Guidance as 'minor development' whereby a sequential and exception test does not need to be applied despite the site being in Flood Zones 2 and 3. The proposed garage has been applied for as a domestic building and not for the purposes of a trade or business. Whilst it is acknowledged that the surrounding garden buildings are mainly characterised by having a shallow pitch and a low eaves, the pitched roof garage is considered to be appropriate in scale and form reflects the character of the main dwelling within the Norton Conservation Area. The garage does not incorporate additional first floor storage. The garage doors are approximately 2.1m high, which is considered to be a typical height for a domestic garage door. A double garage is not considered to be 'non-domestic' in this location, given the size of the dwelling and the size of the plot. Whilst there could be alternative locations for the proposed garage, this application is required to be considered on the basis of the information submitted and the siting proposed. Members will be aware that right to a view is not a material planning consideration.

iv. Other matters

Norton Town Council has raised no objection to the proposal.

In light of the above, the proposal is considered to meet the relevant policy criteria outlined within Policies SP12, 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, subject to the following conditions.

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 Notwithstanding the submitted details, prior to the commencement of the development hereby permitted, 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.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP12, SP16 and 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):

Location Plan - Drawing Number - 15sw412 dated 04/10/2016.

New Garage Plan & Elevations - Drawing Number 15sw412.101.D dated 15/11/2016.

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