

Item Number: 10
Application No: 17/00689/73A
Parish: Welburn (Malton) Parish Council
Appn. Type: Non Compliance with Conditions
Applicant: Mr & Mrs C Foster
Proposal: Variation of Condition 05 of approval 16/00053/HOUSE dated 21.03.2016 to replace Drawing No 15-1118-4 with Drawing No 15-118-4a
Location: Low Meadow Church Lane Welburn Malton North Yorkshire YO60 7EG

Registration Date: 6 June 2017
8/13 Wk Expiry Date: 1 August 2017
Overall Expiry Date: 10 July 2017
Case Officer: Joshua Murphy **Ext:** 329

CONSULTATIONS:

Parish Council No comment

Neighbour responses: Peter & Ella Brown, Mr & Mrs Allan & Maureen Hewitt,
Mr & Mrs Tildesley, Philip & Lesley Benham,

SITE:

Low Meadow is a detached bungalow located within the village of Welburn. The site is also located within an Area of Outstanding Natural Beauty but is outside of the designated Conservation Area.

PROPOSAL:

Variation of Condition 05 of approval 16/00053/HOUSE dated 21.03.2016 to replace Drawing No 15-1118-4 with Drawing No 15-118-4a

HISTORY:

16/00053/HOUSE - 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)

POLICY:

The Ryedale Plan - Local Plan Strategy (2013)
Policy SP13 Landscapes
Policy SP16 Design
Policy SP19 Presumption in Favour of Sustainable Development
Policy SP20 Generic Development Management Issues

National Planning Policy Framework (2012)

Chapter 7. Requiring good design

APPRAISAL:

The main considerations in relation to the application are:

- i) Design
- ii) Neighbouring Impact

The application proposes to vary condition number 05 of approval 16/00053/HOUSE, which would replace Drawing No 15-1118-4 with Drawing No 15-118-4a. The main difference is the roof space which was previously void, is now proposed to accommodate 2 bedrooms. The previously approved plan included a rooflight which was located on the western elevation/roofslope, which served the ground floor bathroom.

However the proposed plan now includes 2 velux windows to the west elevation, along with the relocation on the previously approved bathroom window. It is considered in terms of the overall design however that the proposal complies with relevant policies. It is considered thought that the proposal is in conformity with SP16 of the Ryedale Plan - Local Plan Strategy in terms of its design.

- ii) Neighbouring Impact

There have been responses from neighbouring occupiers regarding the application. The occupiers of Strathway which is the immediate neighbour to the west, has submitted an objection to the proposal. Concerns are raised regarding the retrospective nature of the application, however this is not a material condition.

Concerns have also been raised regarding adverse impact due to overlooking from the west facing velux windows. The rooflights are located approximately 13m away from the western boundary. The rooflights face the neighbouring dwelling. There are no windows in the neighbouring property which directly face the extension and there is a fence that screens the ground floor of the neighbouring bungalow. However, the private garden space to the rear of the property can be seen in part. This is because there is a gap along the boundary fence between the rear facing wall of the adjacent bungalow and the tall conifers which screen the remainder of the western site boundary. A condition has therefore been recommended in order to ensure that the top hung Velux window is obscure glazed.

The second Velux window is considered not to create impact as any outlook on the neighbouring property is obscured by the tall boundary hedgerow/trees. As such, subject to the additional condition, it is considered that the proposal would not have an adverse impact on the neighbour.

The development is considered to not create a material adverse impact upon neighbouring amenity and will comply with Policy SP20 if the Ryedale Plan - Local Plan Strategy subject to the obscure glaze condition. In the 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 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Proposed Plans: Drawing No - 15-1118-4a

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