

**Item Number:** 13  
**Application No:** 17/00739/HOUSE  
**Parish:** Malton Town Council  
**Appn. Type:** Householder Application  
**Applicant:** Mr & Mrs Hanagan  
**Proposal:** Erection of single storey side extension to replace existing lean-to extension, removal of 2no. chimney stacks, replacement of all windows with timber double glazed sash windows with enlargement of and addition of a window to the east elevation and alteration of an existing window to form French doors.  
**Location:** 18 The Mount Malton YO17 7ND  
**Registration Date:** 4 July 2017  
**8/13 Wk Expiry Date:** 29 August 2017  
**Overall Expiry Date:** 29 August 2017  
**Case Officer:** Joshua Murphy **Ext:** 329

#### CONSULTATIONS:

**Parish Council** Recommend approval  
**Building Conservation Officer**

**Neighbour responses:** Tony & Rosanna Hartley & Klouda, Mr Barry Gillespie, Ian Abrahams, David And Marie McAfee, ,

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#### SITE:

18 The Mount is a two storey dwellinghouse, The dwelling is also sited within the Malton Conservation Area and within the development limits of the town

#### PROPOSAL:

The proposal is for the erection of a single storey side extension to replace an existing lean-to extension. The extension will measure 6.3m in length by 2.9m in width. It has a height of 2.8m although there is a drop of 1m to ground level which the extension will fill.

The proposal also includes the removal of 2no. chimney stacks; the replacement of all windows with timber double glazed sash windows ; the enlargement of and addition of a window to the east elevation and, alteration of an existing window to form French doors on the south elevation.

#### HISTORY:

There is no relevant history for this site.

#### POLICY:

The Ryedale Plan - Local Plan Strategy (2013)

Policy SP12 Heritage  
Policy SP16 Design  
Policy SP19 Presumption in Favour of Sustainable Development  
Policy SP20 Generic Development Management Issues

Planning (Listed Buildings and Conservations Areas) Act 1990

## Section 72

### National Planning Policy Framework (2012)

Chapter 7. Requiring good design

Chapter 12. Conserving and enhancing the historic environment

#### **APPRAISAL:**

The main considerations to be taken into account are:

- i) Design
- ii) Impact upon the Malton Conservation Area
- iii) Impact upon neighbouring amenity

#### **i) Design**

The proposal includes the erection of a single storey side extension to replace an existing lean-to extension. The extension will measure 6.3m in length by 2.9m in width and will be built up to the site boundary. It is a modern design and features, flat roof and is 2.8m in height. The external materials will be rendered walls coloured to match the existing stone and a slate grey coloured flat roof. The openings will be grey UPVC. It is considered that the extension is sympathetic and subservient to the host dwelling and it will not detract from the appearance of the host dwelling. With this in mind, it is considered that the proposal is in conformity with Policy SP16 of the Ryedale Plan - Local Plan Strategy.

#### **ii) Impact upon the Malton Conservation Area**

Section 72 of the Planning ( Listed Buildings and Conservation Areas) Act 1990 states:

*'In the exercise of planning functions in respect of Conservation Areas 'Special attention shall be paid to the desirability of preservation or enhancing the character or appearance of that area'*

Although flat roof extensions are not a common feature in the Conservation Area, it is considered that the design of the proposal is sympathetic to the host dwelling. There are also very limited views of the extension due to its siting. Despite it being of a modern design it is not considered to detract from character or appearance of the conservation area.

The proposed replacement windows for the main dwelling will be a like - for - like replacement. The windows are being replaced due to the state of disrepair they are currently in. As such there would be no additional impact caused, and the replacements would overall improve the appearance of the dwelling.

There has also been no objection to the removal of the 2no chimney stacks.

The Council's Conservation Officer has no objections to the proposal and as such it is considered that the proposal is in conformity with Policy SP12 (Heritage).

#### **iii) Impact upon neighbouring amenity**

A number of objections have been made by neighbouring residents, mainly from Middlecave Road. The issues raised are considered below:

*- "The extension is not in keeping with the Conservation Area"*

It is considered that the proposal is in accordance with Policy SP16 (Design) and Policy SP12 (Heritage). It is considered the removal of the existing lean too and the addition of an extension of a modern design is appropriate in the Conservation Area. The fact that the property is located within the

Conservation Area does not exclude a modern design approach. Indeed this can often be an appropriate and sympathetic way to extend traditional buildings within the Conservation Area. This has reflected in fact the Conservation Officer has not objected to the scheme. It should also be noted that the site is also well screened from the public realm.

- *"The addition and alterations of the new windows on the eastern elevation will impact on the neighbouring amenity in a way of overlooking."*

As originally proposed the scheme showed of 2no 4 pane windows proposed to the eastern elevation which serve the kitchen. There is an existing small opening on this elevation which one of the proposed windows replacement. Following negotiation the applicant has reduced the size of these two proposed windows to reflect the design and scale of the window that currently exists in this elevation. The windows are also high compared to the floor level of the proposed kitchen area and are being installed with the purpose of allowing light rather than to take advantage of the outlook or for any other design purpose. The objections take the view that the windows will overlook their private garages and will also allow partial views of the rear amenity spaces of the dwellings situated on Middlecave road. The private amenity space associated with the dwellings on Middlecave Road are located at some distance from the property and a range of garages and outbuildings are situated on the intervening land. With this in mind its considered that the proposal would not result in the overlooking of the private amenity space with the dwellings on Middlecave Road that is feared by the objectors.

- *" If the additional windows were granted approval, this would then set a precedent of other similar developments in the area"*

All applications are considered on their own merits and as such this application can not be judged against potential future developments.

The development is considered to not create a material adverse impact upon neighbouring amenity it complies with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

In the light of the above, the proposal is considered to meet the relevant policy criteria outlined within Policies SP12, SP16 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 Floor Plans - Drawing No: PD230-05 PD230-04-B

Proposed Elevations - Drawing No: PD230-06-D

Site Location Plan - Drawing No: PD230-07

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

3            Before the development hereby permitted is commenced, details and samples of the materials to be used on the exterior of the proposed building(s) shall be submitted to and approved in writing by the Local Planning Authority. No variation of the approved materials shall be undertaken without the express consent in writing of the Local Planning Authority.

Reason:- To ensure a satisfactory external appearance.

Background Papers:

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