

Item Number: 10
Application No: 18/00771/HOUSE
Parish: Helmsley Town Council
Appn. Type: Householder Application
Applicant: Mr Simon Gospel
Proposal: Erection of two storey extension to rear
Location: 32 Bondgate Helmsley YO62 5BR

Registration Date: 30 July 2018
8/13 Wk Expiry Date: 24 September 2018
Overall Expiry Date: 14 September 2018
Case Officer: Alan Goforth **Ext:** Ext 332

CONSULTATIONS:

Parish Council No comment
Building Conservation Officer No objection

Neighbour responses: Jane Brooksbank, Phillippa Joad (Agent), Arnold Petch, Keith Maynard

SITE:

Number 32 Bondgate is a two bedroom residential property, located centrally within Helmsley. The application site is within the defined Development Limits and the designated Conservation Area and Article 4 Direction. The site currently consists of a mid-terraced, two storey property within a ribbon of terraced units of varying scales, and of a similar traditional appearance.

HISTORY:

15/00013/HOUSE- Erection of part two storey/part single storey extension. APPROVED 20.05.2015. Consent expired prior to the commencement of a lawful start.

10/00451/HOUSE - Erection of part two-storey/part single-storey extension. APPROVED 10.06.2010. Consent expired prior to the commencement of a lawful start.

09/01364/HOUSE - Erection of part two-storey/part single-storey extension. WITHDRAWN.

PROPOSAL:

Planning permission is sought for the erection of a two storey extension to the rear. The planning application is a resubmission of the previously approved scheme although the previously approved ground floor element to the rear has been omitted thereby reducing the overall footprint of the development.

The proposed two storey extension off the rear elevation would measure approximately 4.5 metres in width by 2.8 metres in depth. It would stand 6 metres to the ridge of the pitched roof. The extension would provide additional living space comprising a kitchen at ground floor level and two bedrooms at first floor.

The single storey, flat roof, red brick built kitchen on the rear elevation, which was described in the 2015 Officer report as being in a “terrible state of disrepair”, has now been demolished. The proposed extension would be constructed on the footprint of the demolished kitchen.

Externally the extension would be constructed from uncoursed limestone with lime mortar joints with a red clay pantile roof covering to match existing. The rear elevation would incorporate a single external door at ground floor (glazed hardwood with a twin light design) and three timber casement windows. The flue and the PVCu rainwater goods would be matt black. The extension would connect to existing drainage systems with foul water going to the combined sewer and rainwater harvesting via rainwater butts. There are no solar panels or rooflights included in the proposed scheme.

POLICY:

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 imposes a duty on Local Planning Authorities to ensure that special attention is paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

- The Ryedale Plan- Local Plan Strategy (2013)

The Ryedale Plan - Local Plan Strategy (2013)

Policy SP1 General Location of Development and Settlement Hierarchy

Policy SP12 Heritage

Policy SP16 Design

Policy SP20 Generic Development Management Issues

Material Considerations

Revised National Planning Policy Framework 2018 (NPPF)

National Planning Practice Guidance 2014 (PPG)

APPRAISAL:

The main considerations in the determination of this application are:

- i. Design, Character and Form;
- ii. Impact upon the character and appearance of the Conservation Area; and
- iii. Impact upon neighbouring amenity.

Design, Character and Form

The proposed extension would be located to the rear of 32 Bondgate and would be constructed in the area previously occupied by a dilapidated single storey extension.

There are a number of different size and scaled extensions to the rear of the properties in the surrounding area. The existing building stands 6.8m to the ridge and the ridge of the two storey extension would be stepped down from the existing roofline by approximately 800mm and this would allow the extension to appear subservient to the host dwelling. It is considered, in this instance, that the proposed extension is appropriate and sympathetic to the character and appearance of the dwelling.

The proposed extension would be of an appropriate design, which would reflect the characteristics of the existing property. It is noted that a two storey, flat roof extension has recently been constructed off the rear elevation of the neighbouring property (number 34). The proposed extension would not extend beyond the existing build line of the dwelling and would project no further than the recently constructed extension to the rear of number 34 Bondgate.

The application is accompanied by details of the external materials, including window and door detailing to ensure a consistent external appearance and these shall be secured by condition. It is considered that the design of the proposal is appropriate in terms of scale, form and use of materials and complies with policies SP16 and SP20.

Impact upon the character and appearance of the Conservation Area

Under the Planning (Listed Building and Conservation Areas) Act, 1990, the Local Planning Authority has a duty to pay special attention to the desirability of preserving or enhancing the character and appearance of the area. The proposed development is to the rear of the property and would have no impact on the historic streetscene.

The proposal would be constructed of lime stone and mortar with a red clay pantile roof covering, which would reflect the appearance of the existing dwelling. There are no objections from the Building Conservation Officer. Whilst there will be some views of the proposal from 'Pottergate', it is considered that the proposal would be appropriate in terms of scale, design, materials and orientation and would not significantly detract from the historic character of the Conservation Area in compliance with the requirements of Policy SP12.

Impact upon neighbouring amenity

A letter has been received from a neighbouring property (number 30), raising the following points:

- Concern about the applicant accessing their land and compliance with the Party Wall Act and Building Regulations;
- Request that all windows are in the gable end only and objects to rooflights due to overlooking (*NB all windows are to be in the gable end and there are no rooflights proposed*);
- Request that the windows are not PVCu and that the tiles match existing (*NB the application proposes timber windows and clay pantiles to match existing*);
- Rainwater goods not installed on/over the land owned by number 30 Bondgate (*NB the location shall be secured by condition*);
- Rear access on the back lane for vehicles and pedestrians should be unhindered (*NB the applicant proposes access for building and waste materials will be by wheel barrow to the rear*);
- Construction work should be limited to 08:00 to 16:00 Monday to Friday only.
- The extension would dominate, cause overshadowing/loss of light to the rear of number 30 Bondgate

The majority of the points raised above do not conflict with the details contained within the planning application in terms of the proposed materials and finishes, access for construction etc or are not material planning considerations by virtue of being civil matters (rights of access/property law).

Nevertheless, in light of the concerns of the neighbour, an informative will be attached advising the applicant that planning permission does not grant permission to access any neighbouring land and that works should comply with Building Regulations and the Party Wall Act 1996.

The occupant of number 30 Bondgate has requested a restriction to the hours of construction to minimise disturbance. Due to the close proximity of neighbouring properties a restriction on the hours of construction shall be imposed by condition to ensure that there is no noise or other disturbance arising outside of reasonable working hours.

The boundary between numbers 30 and 32 Bondgate comprises a close boarded timber fence approximately 2m in height. There would be no windows in the proposed extension that would directly face onto the neighbouring properties and no anticipated issues in terms of overlooking or loss of privacy.

The comment in relation to the extension dominating and causing overshadowing/loss of light to the rear of number 30 Bondgate to the west of the development site is material to the planning application under consideration.

The proposed two storey extension would utilise the footprint of the recently demolished single storey kitchen and is of the same scale and massing as that deemed acceptable in 2010 (permission ref. 10/00451/HOUSE) and 2015 (permission ref. 15/00013/HOUSE). The current application omits the previously approved single storey element which reduces the mass of built development along the shared boundary.

The eaves of the extension would be approximately 3.9m above ground level. It is considered that the proposed development would not result in a dominating effect or create a significant level of overshadowing for the neighbouring property that would warrant refusal of the application. Furthermore, the previous planning permissions have established the principle of a two storey extension in this location and as such, it would be difficult to resist this application.

The potential impact upon amenity has been taken into account and it is considered that the proposed extension would not result in a material impact upon the levels of amenity currently experienced by the adjacent property. The proposed extension would not have overbearing presence, cause unacceptable loss of light or loss of privacy and complies with the relevant parts of Policy SP20.

Conclusion

Helmsley Town Council have no comments to make on the proposal. A letter of support has been received from the occupant of number 34 Bondgate who is also the Agent for this application. It states that due to the current state of number 32 Bondgate the extension would allow number 34 to be made watertight and address a problem with damp. It also states that the extension is on the same footprint as the former kitchen extension, would be the same size as the neighbouring two storey extension and would hugely improve the outlook from number 34 Bondgate. Two other letters of support have been received from numbers 38 and 42 Bondgate which state that the proposed extension would be an improvement and would be no bigger than other extensions in the area.

In light of the above assessment, it is considered, on balance, that the proposal is acceptable and complies with policies SP12 (Heritage), SP16 (Design) and SP20 (Generic Development Management Issues) of the adopted Ryedale Plan - Local Plan Strategy and the revised National Planning Policy Framework. Therefore the recommendation is one of conditional 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 plans:

Existing and Proposed Site Plans ref. GA10 01, dated 09.10.09
Proposed Ground Floor Plan ref. GA20 01, dated 20.02.09
Proposed First Floor Plan ref. GA20 02, dated 20.02.10
Proposed Front & Rear Elevations ref. GA30 01, dated 29.09.09

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

3 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 extension (stone, mortar, tiles, windows, door, flue and rainwater

goods) the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

- 4 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details showing the location of rainwater goods associated with the extension shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and the provision of appropriate drainage arrangements.

- 5 Any demolition, excavation or construction work associated with the development hereby approved shall be carried out only between the hours of:-

0800 -1700 hours Mondays to Fridays

0800 -1300 hours Saturdays

and at no time on Sundays and Bank (or Public) Holidays.

Reason: To protect local amenity during construction.

INFORMATIVE

- 01 The applicant is advised that this decision does not grant any permission to access or build over any neighbouring land. The applicant should ensure compliance with Building Regulations and the Party Wall Act 1996.