

Item Number: 8
Application No: 18/00911/FUL
Parish: Wintringham Parish Council
Appn. Type: Full Application
Applicant: Mr & Mrs B Jolly
Proposal: Erection of a two storey side extension to form a one bedroom self-contained residential annex and the erection of 2 no. timber clad outbuildings including a verandah to be used for domestic purposes (part retrospective).
Location: Joiners House Main Street Wintringham Malton YO17 8HX
Registration Date: 17 September 2018
8/13 Wk Expiry Date: 12 November 2018
Overall Expiry Date: 5 December 2018
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Wintringham Parish Council	No comments received
Parish Council	Objection
Highways North Yorkshire	No objections
Neighbour responses:	Chris & Sheila Bridge, David Wootton, Mr Nicholas Waddington

SITE:

The application site is located within both the designated Conservation Area and the development limits of Wintringham. The existing property is an imposing three-storey semi-detached dwelling of vernacular form and detailing.

The dwelling is set in a large curtilage with open countryside to the south. To the rear the dwelling has single-storey extensions and outbuildings, including an extension that aligns with the boundary with the adjoining dwelling to the east and which projects around 14m from the dwelling.

PROPOSAL:

It is proposed to erect a two storey extension to the side of the property to be used a 1 bedroom self-contained annex to the main dwelling along with 2 no. detached outbuildings and a verandah. This application is part retrospective, and this aspect relates to the 2 no. detached outbuildings and verandah.

The proposed extension will replace an existing single storey side extension that has a footprint of 4m in width by 6m in depth and a ridge height of 5m, with a 2 storey extension also having a width of 4m and a depth of 11m measuring 4.7m to the eaves height and 8.2m to the ridge height. The proposed extension includes a utility room and an en-suite bedroom on the ground floor with a kitchenette and living area on the first floor. A Juliet balcony is proposed on the rear elevation at first floor level. The proposed extension will project beyond the rear elevation of the main property by 3.75m. It is proposed to construct the proposed extension of brick under a Calderdale concrete slate roof.

The proposed outbuildings will have footprints of 6m by 5m, and 8.2m by 5m. The ridge heights are 4.1m, and 3.9m respectively. They are both timber clad under a Calderdale concrete slate roof. The proposed verandah is located to the southern side of the outbuilding farthest from the dwelling, and looks onto open countryside to the south.

HISTORY:

2009: Planning permission granted for the erection of an extension.

2007: Planning permission refused for the erection of a single storey extension to the rear of the dwelling.

POLICY:

National Planning Policy

National Planning Policy Framework (NPPF) 2018
National Planning Policy Guidance (NPPG) 2014

Local Plan Strategy

Policy SP2 - Delivery and Distribution of New Housing
Policy SP12 - Heritage
Policy SP16 - Design
Policy SP19 - Presumption in favour of sustainable development
Policy SP20 - Generic Development Management Issues
Policy SP21 - Occupancy Restrictions

APPRAISAL:

The principal considerations in assessing the proposed development against the listed development plan policy are:

- Whether the proposals are sympathetic to the character and appearance of the original dwellinghouse
- Whether the proposals preserves or enhances the character and appearance of the Conservation Area.
- The impact of the proposals upon on the open countryside
- Whether the proposal has an unacceptable impact on the amenities of neighbouring properties.

This application is referred to Planning Committee as there are objections from the Parish Council and the occupiers of neighbouring properties. During the consideration of this application there has been a minor reduction in the projection of the two storey extension from the rear elevation of the property and alterations to the proposed balcony. It was also apparent during the consideration of this application that 2 no. detached outbuildings and verandah also required planning permission. These were the subject of an enforcement complaint. The unauthorised outbuildings had been erected without planning permission, with the applicant wrongly of the belief that they were 'permitted development'. This application has been amended to include both the proposed extension and the outbuildings and verandah. The fact that the works have been undertaken already is not a material planning consideration.

Design and Scale

The imposing three-storey dwelling house and its neighbour are traditional vernacular dwelling houses, situated centrally in the attractive conservation village of Wintringham. The proposed extension is the

same width as the existing single storey extension (4m) but with the additional floor of accommodation the ridge height increases approximately 3.1m. The proposal also extends 11m in depth whereas the existing single storey element only extends 6m into the site. Therefore the proposed replacement extension is 3.1m higher and 5.2m deeper than the current extension. The proposal also extends beyond the rear elevation of the existing property by 3.75m.

Policy SP16 and Policy SP20 of the Local Plan Strategy requires extensions to properties to be sympathetic and appropriate in terms of the scale design and materials. The proposed extension is considered to be subservient to the host dwelling and its scale is considered to be sympathetic to the existing dwelling. The form and detailing is considered to relate to the traditional vernacular of the existing building. The proposed extension projects beyond the rear elevation by 3.75m at two storey level. It is noted that there are other similar two and single storey projections beyond the rear elevations of the adjoining properties. Moreover the proposed extension will be shorter than the rear projecting two storey element on the property to the west. The descriptions of the proposed materials are considered to be acceptable in principle however, exact samples are required by planning condition.

It is understood that the proposed annex is to be occupied by the applicants allowing their son and his family to occupy the house. This family occupancy arrangement is a common arrangement with annex accommodation across the District.

The proposed outbuildings are of a domestic scale and there are other similar structures in other gardens nearby. Their rectangular shape and size is not dissimilar to a domestic garage. In view of their location to the rear of the property and their limited wider impact, the proposals are considered to be acceptable in terms of their design and scale.

In view of the above the proposals in terms of its scale and design is considered to be compatible with Policy SP16 and SP20 of the Local Plan Strategy

Conservation Area

S72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 places a duty of Local Planning Authorities to ensure new development either preserves or enhances the character and appearance of the Conservation Areas. In addition, Policy SP12 of the Local Plan Strategy requires an assessment of the impact of proposals upon heritage assets. The main views of the proposed development are from the front elevation. The appearance of the proposed extension is subservient to the main dwelling and the scale and design of the proposed timber outbuildings are considered to be acceptable in the context of this back garden location. The proposed development is considered to ensure the character and appearance of the Conservation Area is preserved.

Landscape impact

The application site is located within the Yorkshire Wolds Area of High Landscape Value, and there is a footpath located immediately to the south of the application site. The proposed development is related to an existing dwelling and located between two existing properties. There are other projecting rear extensions from the rear of the surrounding properties. The proposals are located within an existing built environment as such the proposal is not considered to have an adverse effect upon the Yorkshire Wolds Landscape Character area.

Impact upon the residential amenities of adjoining properties

Dovetail Cottage, a detached dwelling is located to the western side, and the adjoining semi-detached property, The Old Post Office, is located to the eastern side. Dovetail Cottage is located in a side-by-side arrangement with a projecting two and single storey extension from its rear elevation parallel to the boundary to the application site. Dovetail Cottage is located approximately 1.2m from the eastern side boundary with a tall fence between that and the application site. Dovetail Cottage has two ground floor windows, being the main kitchen window and a cloakroom window and two first floor windows

both being bathroom windows. The proposed extension is approximately 4.6m from the boundary to the east of Dovetail House, and 5.8m in total. The Case Officer upon request from the owner of Dovetail Cottage, inspected the application site from within the property and garden of Dovetail Cottage. Whilst there will be some impact from the proposal in terms of the massing, there is considered to be adequate separation between the properties to avoid a significant adverse effect upon the windows on the side of Dovetail Cottage or to result in a significant shadowing issue. The Juliet balcony is not considered to have an adverse effect in terms of potential overlooking. It is noted that there is a first floor window on the rear wing of Dovetail Cottage that is closer to the boundary between the properties.

The Old Post Office to the east has an outbuilding that aligns with the common boundary to the rear, thereby mitigating much of the potential impact upon that property. It is noted that there is a side window in the first floor part and it is recommended that this is obscure glazed because of the potential for direct overlooking.

The proposed outbuildings are located approximately 1.35m from the adjoining boundary with Dovetail Cottage. The ridge height of 4.1m is also some 3.7m from the boundary. The outbuildings are located to the eastern side. Whilst there will be views of the proposed structures from the neighbouring gardens, it is considered very difficult to consider them as having an adverse effect upon the amenity of surrounding occupiers. Members should note that if the structures were no higher than 2.5m at ridge height, planning permission would not be required, or if they were moved an additional 0.7m from the boundary the ridge height could be 4m in height. With this in mind it is again considered to be difficult to reasonably object to the proposals in terms of their scale or use. A condition is however, recommended to ensure that the outbuildings are only used for domestic purposes.

In view of the above it is considered that the proposals are not considered to be likely to have an adverse effect upon the amenity of adjoining properties.

Other issues

The local Highway Authority has confirmed that there are no objections to the proposal.

The Parish Council has objected to the proposed development on the basis of its impact upon the adjoining occupiers' amenities (particularly in relation to Dovetail House to the western side); the appearance of the proposed development; and because the Parish Council is concerned at the 2 no. unauthorised outbuildings and tree removal in the rear garden of the application site. There have been three neighbour responses in relation to the proposal. Two of these responses were from the adjoining occupiers. One of these responses from the adjoining occupier to the eastern side welcomes the balcony amendment discussed above, and seeks to ensure that there is no external balcony subsequently allowed to be constructed. A condition will ensure that the approved plans cannot be altered and planning permission would be required for any extension to the proposed Juliet balcony. The response also raises concern at the potential overlooking from the east side first floor window, which is assessed in the appraisal above. A condition is recommended to ensure this window is obscure glazed.

The other objections raised include the following issues:

- The unauthorised structures and verandah in the rear garden area;
- That permission was refused in 2007 for an extension to the rear of the property;
- The proposal would create a terrace of 3 dwellings;
- The impact of the proposal upon the character and appearance of the area;
- The impact of the proposal upon the residential amenities of the adjoining property to the west, including loss of day light and sun lighting;
- That shrubs and trees have been removed and no additional planting is proposed; and,
- Unacceptable potential overlooking from the proposed balcony.

The complaint regarding the timber structures to the rear of the property has been investigated and it has been confirmed that planning permission is required. This application has been amended and re-consultation has taken place with interested parties. At this point in time no further views have been received. The consultation period for responses does not expire (due to the requirement for a press notice until 5 December 2018). Therefore any decision on this application is subject to the expiry of that consultation period and no new issues being raised. The appraisal above has considered the 2 no. unauthorised outbuildings and veranda in detail. The impact of the proposal upon the amenity of adjoining properties, its design and relationship to the host dwelling and impact upon the Conservation Area have been assessed in the appraisal above.

The proposal is a subordinate extension to the main property which is intended to be used as annex accommodation. It is designed to be subservient to the main dwelling and it is not considered that it will result in a terrace of dwellings.

The loss of the trees is regrettable. Notice should have been served on the Council for the removal of any tree in a Conservation Area. However, the trees did not appear to be significant from the photos submitted, in terms of their overall amenity value. It is noted however, that their loss has changed the outlook from the neighbour's garden. In the circumstances a planning condition requiring replacement planting within the rear garden area to offset the loss of the trees is considered to be reasonable.

The proposed annex is considered to contain basic accommodation to enable it to be occupied as an annex to the main dwelling. It will share its curtilage, parking areas with Joiners House. There is also an interconnecting door into kitchen of the Joiners House. It is considered that the accommodation proposed is capable of being occupied as an annex and a condition is recommended to ensure it is not sold or let off separately.

In view of the above, the recommendation is one approval (subject to the expiry of the consultation period) and subject to the conditions listed below.

RECOMMENDATION: Approval – subject to the expiry of consultation period

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, 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.

3 Prior to their installation, details of all windows, doors and garage 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 SP20 of the Ryedale Plan, the Local Plan Strategy.

4 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Drg No. 18 - 1260 - 3 revised; 18 - 1260 - 2 revised; 1260 -4.

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

- 5 The annex accommodation hereby approved shall only be used as ancillary domestic accommodation in association with the main dwelling currently known as Joiners House, and shall not be sold off or let off separately.

Reason: In order to ensure the accommodation is not used as a separate independent dwelling unit and to satisfy Policy SP2 Policy SP20 and Policy SP21 of the Local Plan Strategy.

- 6 The proposed first floor window on the eastern elevation shall be permanently obscure glazed with the level of obscurity to be submitted and agreed in writing with the Local Planning Authority prior to its installation.

Reason: In order to protect the amenity of the adjoining occupiers and to satisfy Policy SP20 of the Local Plan Strategy.

- 7 The outbuildings hereby approved shall only be used for domestic purposes in association with Joiners House.

Reason: In order to protect the amenity of surrounding occupiers and to satisfy Policy SP20 of the Local Plan Strategy.

- 8 Before the end of the first planting season (November - March inclusive) following the commencement of development, plans showing details of landscaping and planting schemes shall be submitted to and approved in writing by the Local Planning Authority prior any such planting taking place. The schemes shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed where appropriate to the development. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs including existing items to be retained.. All planting, seeding and/or turfing comprised in the above scheme shall be carried out in the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved and to comply with the requirements of Policy SP20 of the Local Plan Strategy.