

Item Number: 13
Application No: 22/00799/HOUSE
Parish: Settrington Parish Council
Appn. Type: Householder Application
Applicant: Mrs Celia Seaward
Proposal: Demolition of existing detached garage and erection of a single storey side extension to the east elevation
Location: Thorn Cottage Forkers Lane Settrington Malton North Yorkshire YO17 8NP

Registration Date: 27 July 2022
8/13 Wk Expiry Date: 21 September 2022
Overall Expiry Date: 7 October 2022
Case Officer: Lucy Toolan **Ext:** 43317

CONSULTATIONS:

Settrington Parish Council	No Comments
Highways North Yorkshire	Recommends Conditions

Representations: Andrew and Tracey Stephenson, Mrs Jean Miller,

SITE:

Thorn Cottage is a detached single storey property in the village of Settrington, which can be accessed via a side road off Forkers Lane. The property is of brick construction under a pantile roof, featuring uPVC windows and doors. To the rear of the property is single detached garage, shed and a modest sized garden. To the front of the property is a large gravelled drive. The property is located within the Settrington Development Limits.

PROPOSAL:

Planning approval is sought for the demolition of the existing detached garage and erection of a single storey side extension to the east elevation to allow additional bedroom and living room space to accommodate an elderly relative.

The proposed extension will have a width of c4.1 metres and a length of c13.4 metres which will run from the rear wall of the existing garage to be in line with the gable end on the western principal elevation. It will have a pitched roof form with an eaves height of c2.7 metres which matches that of the existing garage and main house and a ridge height of c4.3 metres. The exterior materials are proposed to be red brick under a clay pantile roof and white upvc door and window frames, which will match the host property. Glazing is proposed on the southern front elevation, northern rear elevation and western elevation in the form of windows.

Initial plans included the addition of a gable end to the eastern elevation which had a ridge height of c5.2 metres, however, following objections from neighbouring properties to the east regarding overshadowing and loss of lights concerns, the plans were amended to remove the gable end.

HISTORY:

04/00451/OUT - Erection of two detached dwellings with garages. Approved

05/01024/REM - Erection of 2 No two bedroom bungalows with attached single garages (outline application 04/00451/OUT dated 11.06.2004 refers). Approved.

POLICIES

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 relevant Development Plan policies for the determination of this application are:

The Ryedale Plan - Local Plan Strategy (2013)

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

REPRESENTATIONS

A brief summary of the position of statutory and non-statutory consultees is included on the front sheet of the report and issues raised are addressed in the relevant appraisal sections of the report. All consultation responses are available for Members to view in full on the public access webpage, and referred to in the report accordingly.

Settrington Parish Council has not made any comments.

An objection was received the 15th August 2022 from the neighbouring property at 2 Cockgarth. They raised the following concerns:

"We are writing to OBJECT to the proposal of the above application for the following reasons:

- 1. Overall height of the roof of extension.*
- 2. Loss of light to our property*
- 3. Overshadowing of our property.*
- 4. Overbearing impact of the physical presence of the proposed extension.*

With reference to the overall height of the extension and gable end which will be very close to our boundary the extension should be stepped down and that the roof of the extension that would replace the existing garage and runs parallel with our boundary fence should be no higher than the existing garage roof at its highest point. This was discussed before the decision along with no windows to be on the east elevation when the original plans to build the bungalows so it did not have such an impact on our property."

A further objection was received on the 31st August 2022 from the neighbouring property to the east at Wold View which read:

"I would like to object and comment on the following aspects of the proposal for the above application:

- 1. Overall height of the roof of the extension and potential loss of light to my property*
- 2. Impact caused by the physical presence of the proposed extension close to my boundary*

3. I have an oil tank close to the boundary of Thorn Cottage so this will need to be taken into consideration with any planning rules or subsequent rules coming into force

4. The extension, which is adjacent to my property should be no higher than the existing height of the garage. This would reduce the impact of proposed extension.

The above property is a reasonably new build and at the time of building I did not oppose the build as I felt it was a fair distance from my property, the proposed extension would be directly on my boundary. I have had a lot of new building around my property and this application will have further impact on my property.

I would appreciate it if my concerns regarding this planning application and those submitted prior to the original build are fully considered when making a decision."

Following the above objection comments the plans were subsequently amended to remove the gable end to the eastern elevation. During the reconsultation period the following comments were received from the neighbouring property at 2 Cockgarth.:

"Thank you for sending the revised plans for us to view. The proposed plans are still not to our satisfaction as the height of the extension is our biggest issue, as stated in our previous e mail the height of the proposed extension should be the same height as the existing garage which can be achieved by a lower pitched roof. We still would like to OBJECT until this height is achieved as we are concerned about the overbearing impact it will have on our surroundings. We hope that this can be achieved by submitting the plans with the proposed roof height the same as the existing garage."

No subsequent response has been received from Wold View and it is unclear whether that objection is still maintained.

APPRAISAL:

The main considerations within the determination of this application are:

- i. Design
- ii. Impact upon neighbouring amenity
- iii. Other matters, including consultation responses.

Design

Policy SP16 (Design) of the Ryedale Local Plan Strategy states that new development should reinforce and respect the context of its surrounding by virtue of its location, siting form, layout and scale. In particular, extensions and alterations to existing buildings should be sympathetic to the character and appearance of the host dwelling in terms of materials, form and scale. The National Planning Policy Framework makes it clear that development should be sympathetic to local character and history, including the surrounding built environment.

With reference to the above policies, the proposed side extension is proposed to be constructed of red brick under a clay pantile roof with white upvc windows which match that of the host dwelling. In addition to this, the extension will incorporate a pitched roof form which is also reflective of the existing western pitched roof gable ends, and will create a visual balance and uniformity in the overall form of the property. These key aspects of the design will strengthen the integration between the proposed extension and the existing dwelling, as well as being sympathetic of the materials and character of the surrounding area.

The proposed materials are not annotated on the plans, as such it will be conditioned that the development is constructed in accordance with the materials noted in the submitted planning application.

In view of this, the proposals are considered acceptable in relation to SP16 (Design) of the Ryedale

Impact upon neighbouring amenity

An objection has been raised by the occupiers of the neighbouring property to the east, 2 Cockgarth, and Wold View. The detail of the objections are summarised earlier in the report.

The objectors properties are a pair of semi-detached properties to the east of the application site, with the rear gardens attached to east side of Thorn Cottage. The proposed extension would be 0.4 metres from the neighbouring boundary to the east, which is the same distance as the existing garage is from the boundary. The garage currently has an eaves height of c2.7 and a ridge height of c3.8, with the proposals increasing the ridge height by 0.5 metres to 4.3 metres.

The existing fence on the eastern boundary is approximately 1.8 metres with a small section of hedging above the fence line between Thorn Cottage and Wold View which measures approximately 0.4 metres. The existing garage extends approximately 1.1 metres above the fence at eaves height and 2 metres at ridge height. The proposed extension would also extend approximately 1.1 metres above the boundary fence at eaves height and 2.5 metres at ridge height with the roof sloping away. Although the extension will result in a greater mass closer to and along the boundary with the neighbouring properties, it is not considered to be overbearing in nature due to the height and the roof orientation. There is no proposed glazing on the eastern elevation. The rear wall of the extension is approximately 16.3 metres from the rear wall of the neighbour to the north.

In relation to loss of light and overshadowing, it is not considered that the 0.5m increase in ridge height will have an adverse impact on neighbouring amenity, and the revised application which removes the originally proposed gable end, assists in this respect. It has been suggested that the ridge height could be lowered to the height of the existing garage, however this could unbalance the overall form of the property and disrupt the integration between the extension and host property. Therefore it is considered that the development proposed in accordance with Policy SP20 (Generic Development Management Issues).

In relation to the fall-back position on this site, there are no overall height restrictions as to extensions built adjacent to a boundary. In relation to eaves height for extensions adjacent to the boundary, Class A.1 (i) of the GPDO states:

the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

In relation to the overall height of single storey extensions, the GPDO states at Class A.1 (f)(ii):

subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—exceed 4 metres in height;

Therefore, it would be possible for an extension to be built on this boundary with a height of 4 metres under permitted development. The application needs permission due to the height of the proposed extension exceeding 4 metres and protruding more than 4 metres from the rear wall.

In relation to the concerns regards to the oil tank, which is positioned close to the boundary of Thorn Cottage at Wold View, this is not something that can be considered as part of the application process. The applicant is aware of the presence of the neighbouring oil tank and can seek advice from Building Control. Notwithstanding this, it is the responsibility of the owner of the neighbouring property to ensure that their oil tank is of a specification and positioned which accords with the relevant legislation.

Other matters

It is also noted that there are overhead lines in the vicinity of the proposed extension. An informative

shall be included to ensure the applicant is aware that a consultation or diversion may need to be applied for with Northern Powergrid.

The Settrington Parish Council have not made any comments and the Highways Authority have recommended a pre-commencement condition for a Construction Management Plan.

It is considered that this proposal conforms with Policies SP16 Design and SP20 Generic Development Management Issues of the Ryedale Local Plan, Local Plan Strategy and the National Planning Policy Framework. On this basis, approval is recommended 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 The development hereby permitted shall be carried out in accordance with the following approved documents/plan(s):

-Proposed Elevations, Floor and Block Plan - Drawing Number TC202206-2 Revision A dated 16.09.2022

-Site Location Plan - scanned into file 08.08.2022

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

3 The materials of the development hereby approved shall be in accordance with the details included in the Planning Application Form (scanned to file on 08.08.2022) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Local Plan Strategy.

4 MHC-15B Construction Phase Management Plan- Small sites

No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. Wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
2. The parking of contractors' site operatives and visitor's vehicles;
3. Areas for storage of plant and materials used in constructing the development clear of the highway;
4. Details of site working hours;
5. Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason for Condition: In the interest of public safety and amenity

INFORMATIVE(S)

- 1 The applicant's attention is drawn to the need to obtain Building Regulations Approval for the works hereby approved.
- 2 In addition to planning permission, you may require a consultation or diversion to be applied for with Northern Powergrid in relation to the overhead network line next to the property.

Applicants should contact Northern Powergrid, to obtain up-to-date information and to apply for any alterations to the overhead network line.

Please follow the link provided for information and how to apply for the alteration.

https://myservices.northernpowergrid.com/connections/login.cfm?&connections_customer.level=2&connections_customer.type=connectionsnetworkdiversion&connections_customer.country=GB&som_event=