

Item Number: 16
Application No: 22/00885/HOUSE
Parish: Flaxton Parish Council
Appn. Type: Householder Application
Applicant: David Bridle
Proposal: Raising of eaves and ridge height to allow the formation of first floor living accommodation, installation of replacement windows and erection of oak framed porch to the front elevation
Location: Swan Cottage Main Street Flaxton Malton North Yorkshire YO60 7RR
Registration Date: 3 August 2022
8/13 Wk Expiry Date: 28 September 2022
Overall Expiry Date: 24 October 2022
Case Officer: Eleanor Hardie **Ext:** Ext 43342

CONSULTATIONS:

Original scheme

Flaxton Parish Council No response received
Building Conservation Officer Some Design Concerns

Revised scheme

Flaxton Parish Council No response received
Building Conservation Officer No objection
Highways North Yorkshire No objection

Representations: Dr Stephen Axford, Jonathan Hotopf And Lesley Orgill,

SITE

Swan Cottage is a detached bungalow, located on the western side of Main Street in Flaxton.

The property is of brick construction under a clay pantile roof and features white, side and top hung, uPVC casement windows. The front elevation of the property features a small projection forming an extension and covered entrance canopy, with the roof form a continuation of the existing pitch.

The rear of the property benefits from a flat roof extension and a detached garage, both of brick construction and later additions.

The property is set back from the road, approximately 11.25 metres from the front boundary wall, with garden and driveway between. The property benefits from a long, linear garden to the rear.

The site lies within the Flaxton Conservation Area and Development Limits The grass verge to the front of the property is designated as a Visually Important Undeveloped Area and also forms part of the Flaxton Village Green & The Crofts Site of Importance for Nature Conservation.

PROPOSAL

This application seeks approval for the raising of the eaves and ridge height of the dwelling to allow the formation of first floor living accommodation, the installation of replacement windows and the erection of an oak framed porch to the front elevation.

The original scheme featured an asymmetrical pitch, which was considered to result in a dwelling with an unbalanced appearance. Furthermore, the resulting principal elevation featured fenestration detailing

which was not considered to be a reflection of other properties within the Conservation Area. Design concerns were raised by the Building Conservation Officer. In addition, comments were received from neighbouring properties, citing concerns with regards to the design, scale, highways and drainage.

These concerns were relayed to the Applicant's Agent and the scheme was revised, with consultations issued.

The revised design would have an eaves height of 5.2 metres and a ridge height of 8.5 metres. The existing front elevation projection would be removed to allow the formation of the symmetrical dual pitched roof.

The front elevation would feature uPVC windows and doors, a repositioned front door and the erection of an oak framed porch. The porch would measure 2.6 metres in length, 1.45 metres in depth and have a height of 3.45 metres.

To the rear elevation, the single storey extension would be retained but altered from a flat roof to a lean-to roof, measuring 3.4 metres to the highest point.

HISTORY

There is no planning history for this site.

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 SP12 Heritage

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development

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.

The Building Conservation Officer raised concerns to the original scheme with the following comments:

"Some Design Concern - This application is located within the Flaxton Conservation Area and as such, Ryedale District Council has a statutory duty to have special regard for the preservation or enhancement of the conservation area. In addition, the NPPF requires that great weight is given to the conservation of heritage assets. I do have concern with the width of the first floor gable when viewed from the church direction. This is measuring at c9.6m and in my opinion is too wide and is not reflective of the surrounding properties. In addition, the asymmetric design is giving an unbalanced appearance. In my opinion, the first floor could be brought in line with the rest of the first floor (northern elevation) and maintain a continuous roofline and give a more balanced appearance to the fenestration as is typical in the conservation area."

Comments were received from the occupiers of The Cottage, citing concerns with regards to the proposal:

"We wish to comment on the above application which is opposite our property. We have only just made aware of the planning application and received no mail notification, although we live opposite, and by accident noticed the notice which was outside the church and not outside the property under consideration.

We have viewed the proposal and have some concerns:

1. The property is in a row of smaller scaled cottages (School View row) the proposal will be taller and wider than these and the adjacent property (Fir tree house) due the depth /width of the existing building footprint and single pitch roof, the drawings did not show the proposed building height in relation to the adjacent properties.

2. The proposal looks out of character and scale with houses in the conservation area, those above single storey, match the georgian period aesthetic of the conservation area,

We are surprised that such a major development has been given permission for consideration in the centre of the conversation area, we understood the conservation area had tighter restrictions having tried to make a simple change of finish to an external wall which was rejected due to the effect on the conservation area.

Regards

Jonathan Hotopf

Lesley Orgill"

The occupiers of Fir Tree House to the north of the application site also wrote in with concerns:

"I agree with the Conservation Officer's comments, particularly about the northern elevation facing the street to be altered to have a symmetrical appearance of the fenestration, like other surrounding properties. This aspect would be much more visible from the street with the additional storey.

Replacement of the roof will also require renewal of roof drainage It is not clear whether the surface water and foul drainage are separated at present, but they should be, so the opportunity should be taken to survey the drainage arrangements and their adequacy before consent is give.

There are flooding problems in the village, so the opportunity should also be taken to specify that any changes to the front garden area should use permeable materials, and that no increase in soil levels should be allowed, as these are already above the interior floor levels at the front of the adjoining Fir Tree House.

In order to avoid unnecessary light pollution, conditions should also be applied in relation to any external lighting.

The application also needs conditions to maintain existing wayleaves for foul drainage from the neighbouring Fir Tree House and electricity to adjoining properties, and may require a survey of these to protect them during the planning works.

The Green outside the property is common land that does not belong to the property, so vehicles, materials and equipment should not be placed here during the works, especially so as this would restrict visibility of the road for neighbours entering and leaving their property. Although there is a 30mph speed limit, many vehicles exceed this considerably. Parking on the road or inside the property is preferred.

No widening, excavation or resurfacing of the entry track across the Green is allowed and any damage to the Green should be repaired with suitable materials and seed mixture after discussion with the Flaxton Green Gait Owners.

The area is inhabited by great crested newts, so construction guidelines to protect this species should be followed."

Following the reconsultation, the occupiers of Fir Tree House provided the following comments:

"I am in favour of the revisions to the fenestration and front elevation that would fit in far better with existing buildings in the village.

I hope you will still take into account my concerns about drainage and conditions that might be imposed during the construction phase to protect the common land and road visibility."

No further comments were received from the occupiers of The Cottage following the reconsultation.

The Local Highway Authority have advised that the number of off-road parking spaces required for the increase in the size of dwelling can be accommodated within the site and therefore, they have no objections to the proposed development, nor have they recommended any conditions relating to the construction works period.

Following receipt of the revised plans, the Building Conservation Officer has confirmed no objections.

Flaxton Parish Council provided no comments on the original scheme, but provided the following comments on the revised scheme:

“Flaxton Parish Council discussed this application at a meeting on 29th September 2022. The council has no objection to this application now the revised plan for the frontage has been produced. We feel that the proposed fenestration on the gable end should match the window design on the front of the property. The council also feel that, due to the location of the property, contractor vehicles should be parked on the site rather than the road during the course of the works to avoid creating traffic issues through the village.”

No responses were received from any other third party or neighbouring property.

APPRAISAL

The main considerations within the determination of this application are:

- i. Design and Heritage
- ii. Impact on neighbouring amenity
- iii. Other matters

Design and Heritage

Swan Cottage lies within the Flaxton Conservation Area and as such, Ryedale District Council has a statutory duty to have special regard for the preservation or enhancement of the Conservation Area.

The property is one of very few that lie on the western side of Main Street, located south of York Lane and north of St Lawrence's Church. The property is located south of a traditional double fronted brick built property (Fir Tree House) sited at the front of its plot and north of a brick built bungalow (Tyneholme).

Both the host dwelling and the bungalow to the south are set back from the road, with Tyneholme set back approximately 3 metres from the front wall of Swan Cottage.

The host dwelling has a low profile, measuring 2 metres to the eaves and 4.3 metres to the ridge. By virtue of the dwellings design and fenestration detailing, the property is considered to be of little architectural merit and makes a neutral contribution to the character of the conservation area.

The increase in eaves and ridge height would facilitate the creation of first floor living accommodation, with the height of the dwelling increased by approximately 4.1 metres. In addition, the fenestration detailing at ground floor level would be altered which would result in a property with a neat, double fronted appearance, characteristic of properties within Flaxton.

The host dwelling is considered to be of little architectural merit and therefore, whilst the proposed development would result in a significant change to the appearance of the dwelling, it is considered to result in a dwelling which is sensitive to the area in terms of the architectural details and materials.

The property sits within a large plot and it is considered that in design terms, the plot can take the enlarged dwelling and on balance therefore, the proposed design of the development is considered to be acceptable.

To conclude, it is considered that as a result of its position and design, the proposed development would not be harmful to the character or appearance of the Conservation Area and as such complies with Policies SP12 and SP16.

Impact on neighbouring amenity

Whilst there are neighbours to both sides of the dwelling, it is not considered that the increase in roof height would have a detrimental impact in terms of loss of light or overbearing effects.

Both the neighbouring properties do not feature any windows in their gable elevations facing into the application site and as such, it is not considered that the proposed development would result in any loss of light to these dwellings.

To the first floor, one gable window would be installed on the elevation facing Tyneholme. Due to the relationship with Tyneholme, it is not considered that this window would result in any direct overlooking of rooms within the dwelling or private amenity space.

No windows are proposed to the gable elevation facing Fir Tree House at first floor level, however given the position of the dwellings on their plots it is considered necessary to include a condition restricting the formation of additional openings to this elevation, to protect the amenity of future occupiers.

On this basis, the proposed development is considered to comply with Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy.

Other matters

Some concern has been raised regarding the parking of vehicles and material storage during the construction period. The Local Highway Authority were consulted on the application and confirmed that they have no objections to the proposed development and have not recommended the inclusion of any conditions.

The occupier of the property to the north has raised queries with regards to the proposed renewal of drainage systems. The Applicant's Agent has confirmed that the proposals will seek to utilise the existing drainage systems. The proposal does not seek to increase the surface area of the roof or hard standing areas and it is therefore not considered that the proposal would result in any increase in water run-off.

The concerns relating to external lighting are noted, however given that this is not something that currently applies to surrounding neighbouring residential properties, this is not considered to be a reasonable condition to impose in these circumstances.

Conclusion

The proposed development is considered to be of a proportionate and acceptable design, and it is not considered that it would give rise to a significant detrimental impact on neighbouring amenity. The proposed development is considered to meet the relevant policy criteria set out in Policies SP12 (Heritage), SP16 (Design), SP19 (Presumption in Favour of Sustainable Development) and SP20 (Generic Development Management Issues) of the Ryedale Local Plan Strategy and the NPPF. 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 plans;.

Existing & Proposed Site Plan & Block Plan, drawing number DB01/03, Rev A, scanned to file 29.09.2022

Existing & Proposed Elevations, drawing number DB01/02, Rev A, scanned to file 29.09.2022

Existing and Proposed Plans & Section, drawing number DB01/01, Rev A, scanned to file 29.09.2022

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/Plans 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 All new brickwork required to complete the development hereby approved, shall match the brickwork used in the construction of the original dwelling.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP16 of the Ryedale Plan - Local Plan Strategy.

5 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) no further windows or any other openings shall be created within the north-west (side) elevation of the dwelling hereby approved at first floor level.

Reason: To protect the privacy of adjoining properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

INFORMATIVE(S)

1 Great Crested Newts are protected by both the Wildlife and Countryside Act (1981) and the Conservation of Habitats and Species Regulations (2017). Killing, injuring, capturing, handling or possessing the species is prohibited, as is damage to their habitats and trade in the species. Should any great crested newts or evidence of great crested newts be found prior to or during the development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given Natural England's contact details.

- 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=

- 3 The applicants attention is drawn to the need to obtain Building Regulations Approval for the works hereby approved.