

**Item Number:** 8  
**Application No:** 22/00524/HOUSE  
**Parish:** Malton Town Council  
**Appn. Type:** Householder Application  
**Applicant:** Mr M Blades  
**Proposal:** Erection of detached garage following demolition of existing garage  
**Location:** 20 The Mount Malton North Yorkshire YO17 7ND

**Registration Date:** 3 May 2022  
**8/13 Wk Expiry Date:** 28 June 2022  
**Overall Expiry Date:** 27 September 2022  
**Case Officer:** Emma Woodland **Ext:** 43324

### **CONSULTATIONS:**

**Malton Town Council**  
**Malton Town Council**  
**Malton Town Council**

**Representations:** Mr Matt Messias, Mr Tony Hartley, Mr Tony Hartley On Behalf Of Mr And Mrs McAfee, Mr Barry Gillespie, Mary And David McAfee, Mr Tony Hartley, Mr Tony Hartley On Behalf Of Mr And Mrs McAfee (Landlords ), Mr tony hartley, Mr Tony Hartley,

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### **Site:**

20 The Mount is located within the Malton 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 semi-detached stone and slate property dates from the 19th century and makes a strong contribution to the character of the conservation area. It is set back from the road behind a front garden with an additional garden to its side. Due to the design of the houses and the position on their plots, there is no rear garden. There are currently open views of the property however a new hedge has recently been planted in front of a new timber fence to the western boundary. The area is predominantly residential with a Residential Retirement Care Home situated directly adjacent to the north. To the east is a row of terraced housing with small rear yards adjoining a service access track. This is set lower down than 20 The Mount which is located higher up on a retaining wall, due to the changing topography of the area. Due to the strong contribution the property makes to the conservation area it can be identified as a Non Designated Heritage Asset.

### **Proposal:**

The application seeks consent for the erection of a detached garage following the demolition of an existing garage. The application has been revised twice following Officer concerns and objections raised regarding the proposal being an overbearing presence. This includes the deletion of the side elements of the attached bin and cycle store and the re-location of the garage away from the boundary and reduction in floor level lowering its height.

### **Relevant Property History:**

21/00010/HOUSE-Installation of part recessed hot tub with patio surround and installation of privacy screens (part retrospective)- Approved

21/01046/HOUSE-Erection of single-storey side extension- Approved

22/00474/HOUSE-Erection of single-storey extension to side (revised details to approval 21/01046/HOUSE dated 18.03.2022).-Approved

### **Policies:**

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

National Planning Policy Framework

The principle considerations are whether the application preserves the conservation area and will not have a material adverse impact on the amenity of the occupants of neighbouring dwellings by presenting an over bearing presence.

### **Appraisal:**

20 The Mount is a sizeable property set within reasonably generous grounds. The form of the property is one of a long linear dwelling running down the length of the plot. The properties have limited curtilage to the rear- and the curtilage is focused to the front and sides. The application is for a detached garage in a similar location of a similar size to an existing garage proposed for removal. The proposed stone and slate garage is set c.30m back from the pavement edge of The Mount within the depth of the site.

The existing garage measures c.6.7m deep c.7.5m wide with a ridge height of c.3.2m located c.1.7m from the rear boundary with Middlecave Road. The proposed garage measures c.6.7m deep, c.7m wide with a ridge height of c.4.3m and c.3.7m off the boundary with Middlecave Road. The existing garage proposed for removal is considered to be neutral/negative in its contribution to the conservation area and its removal is therefore acceptable in principle. Although the height of the garage has been increased, its steeper pitch is more reflective of the conservation area. In addition, mitigation has been introduced to reduce the overbearing impacts of the increased ridge height by moving the garage away from the rear boundary and setting it down by 300mm.

The neighbouring properties located to the east have small rear yards with the closest being c. 7.5m distant from the proposed site of the development with a service road and some outbuildings in between. Concerns have been raised regarding an overbearing effect for properties to the east, on Middlecave Road. The side extension has been removed to address this concern along with the re-positioning of the garage away from the rear boundary and setting down. The revised plans were distributed for re-consultation.

Although the development site is in an elevated position in relation to the neighbouring properties to the east, it is considered that due to the established presence of the existing garage, distance from the neighbouring properties and the set down floor level reducing the ridge height, that the proposal will not result in an additional material overbearing / over shadowing impact on the amenity of the occupants of the neighbouring properties.

It is considered that the amended proposal is proportionate in scale to the principal dwelling and that the proposed materials are reflective of the property and wider area. Due to the similar size of the proposed garage in relation to the existing garage and proposed appropriate materials, it is considered that the proposal ultimately retains the principal character of this part of the conservation area of large houses in generous plots. It is considered that the garage location, scale, design and materials preserves the character and appearance of the conservation area and is sympathetic to the dwelling house and its

context.

### **Other Matters Raised Including Consultation Responses Received:**

Following objections from neighbours on Middlecave Road related to overbearing, revised plans were re-submitted to include the deletion of a bike/bin store side projection. The Town Council recommend approval of the application subject to the removal of Permitted Development Rights. Further to re-consultation on the amended plans, no other comments have been received. Whilst there are no objections to the proposal raised by the revised plans, this application has been brought before Planning Committee due to concerns raised by Members regarding the potential cumulative impact of applications on the site.

### **Recommendation:**

For the reasons given above, it is considered that the proposal will not have a material adverse impact on the occupants of neighbouring properties. It will preserve the conservation area and is sympathetic to the principle dwelling. The application therefore complies with Policies SP12, 16 and 20 of the Ryedale Plan and the NPPF and Members are requested to approve it.

### **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: 561-01B, 561-02 B  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3            Prior to the erection of any external lighting in relation to the above permission, further details of external lighting shall be submitted and approved by the Local Planning Authority  
  
Reason: To preserve the conservation area in accordance with Policy SP12 of the Ryedale Plan
- 4            Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order, 1995 (or any Order revoking, reenacting or amending that Order), there shall be no material extension or external alteration to any building forming part of the development hereby permitted (including the erection of a detached garage) without the prior grant of planning permission in that respect.  
  
Reason:- To ensure that the amenity of the occupants of neighbouring properties is not materially adversely impacted and comply with Policy SP20 of the Ryedale Plan.
- 5            Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modifications), no fences, gates, walls or other means of enclosure shall be erected on the eastern boundary within the curtilage of any dwellinghouse other than as shown on the approved plans, or as may be approved by the Local Planning Authority following specific application in that respect.  
  
Reason:- To ensure that the amenity of the occupants of neighbouring properties is not materially adversely impacted and to comply with Policy SP20 of the Ryedale Plan.