

Item Number: 13
Application No: 18/01250/HOUSE
Parish: Scampston Parish Council
Appn. Type: Householder Application
Applicant: Mr & Mrs James Firby
Proposal: Erection of single storey rear extension, replacement of existing front conservatory and bay window with timber clad extensions and erection of detached outbuilding in rear garden - part retrospective application (revised details to approval 17/01480/HOUSE dated 05.02.2018)
Location: Kyleakin Main Street West Knapton Malton YO17 8JB
Registration Date: 12 November 2018
8/13 Wk Expiry Date: 7 January 2019
Overall Expiry Date: 28 January 2019
Case Officer: Niamh Bonner **Ext:** 325

CONSULTATIONS:

Scampston Parish Council No response received
Neighbour responses: Mr & Mrs Stead,

SITE:

Kyleakin is a detached modern bungalow which is located at the southern end of the village, inside development limits. It is located to the west of the road, adjoined by linear residential development to the north and south. To the rear (western) boundary of the site lies the Classic Car and Sports Car Centre.

PROPOSAL:

Planning permission is sought for the erection of single storey rear extension, replacement of existing front conservatory and bay window with timber clad extensions and erection of detached outbuilding in rear garden - part retrospective application (revised details to approval 17/01480/HOUSE dated 05.02.2018).

This proposal relates to alterations beyond what was approved in 2017 where the principle of the extensions and outbuilding were established. Following a site visit, it was noted that the outbuilding has been erected, without the finishing elements. Internal and external works to the property have commenced and are ongoing.

The main differences between the approved scheme and the proposed plans are summarised below.

Outbuilding:

- The position is further away from the northern boundary.
- The outbuilding has been clad with insulated fire proof boards, rather than grey timber.
- The roof is pitched, rather than asymmetric, covered with bitumen tiles.

Dwelling

- The windows along the principle eastern elevation are full length and the door is repositioned. Minor alterations have been made to the roof form, incorporating a higher lean to roof element, projecting partly across a gable.

- 1no. window along the southern elevation and 2no. windows along the western elevation are larger.
- Alteration to the roof form along the rear western elevation. This incorporates a higher lean to roof element.
- The colour of the timber cladding is natural (to weather over time) rather than grey.
- A small inset area along the principal elevation will be enclosed by cladding, forming external storage, creating a 'flush' wall line.

HISTORY:

The following planning history is considered relevant to the current proposal:

17/01480/HOUSE: Erection of single storey rear extension, replacement of existing front conservatory and bay window with timber clad extensions and erection of detached outbuilding in rear garden. Approved

POLICIES:

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

National Planning Policy Framework

National Planning Practice Guidance

APPRAISAL:

The main considerations within the determination of this application are:

- i. Character and Form
- ii. Impact on neighbouring amenity
- iii. Other matters, including consultation responses

It is noted that one letter of objection has been received, from the occupiers of the adjoining property to the north, White Owls. The letter provided the following response.

"We wish to object to the part retrospective application which Mr & Mrs Firby has applied for on the following reasons:

- 1. Breaking planning application*
- 2. Size and location.*
- 3. Window over looking our property*
- 4. There is no provision for top water off the outbuilding and does flood our garden and soak away*
- 5. The building in its self blocks our view.*
- 6. The building is been used for business purposes and we are very concerned about the noise levels*
The application was readvertised during the determination period, to ensure that the neighbouring residents were made fully aware of all proposed alterations to the scheme."

The proposed outbuilding:

The proposed outbuilding, as noted has been erected and incorporates a width of c5.1m and a length of c8.2m, with an eaves height of c 2.8m and a ridge height of c3.75m.

The previous scheme incorporated a width of c6.05 and a length of c8.5m, with a monopitched roof rising from c2.85m at the northern boundary to c3.5 at the southern boundary.

Whilst on site, the north eastern corner of the building was measured at a distance of c1.9m from the shared boundary. This is at a greater distance that the previously approved scheme, which was c0.9m. The previously approved garage was to be constructed of light grey painted timber, with a black roof

EPDM roof covering. The construction materials now include cladding with fireproof boards that will be conditioned to incorporate a painted cream, white or off white finish, Siberian larch cladding and bitumen tiles. The applicant confirmed that *“the fireboards are secured onto batons which are attached to felted 18mm OSB board. The OSB is attached to a wooden structure with 75mm acoustic grade rock wool in between. On the inside, will be a double layer of plasterboard. The building is therefore very sturdy and soundproofed.”*

In an email dated the 3rd January the applicant noted:

- We do intend to install guttering and a soakaway as soon as possible. We will make a start within a couple of weeks of approval, if this is granted. (He have only postponed doing this as we did not want to incur any additional costs or spend time working on the outbuilding until we knew the outcome of the application).
- The current look of the outbuilding is temporary, as are the doors and windows. The finished windows and doors will be wooden and painted in anthracite grey to match the house. Above the windows and in the eaves will be Siberian larch cladding, again to match the house.
- The cladding will be painted in a white/off-white colour with exterior paint. We would be willing to paint the exterior wall on the north elevation any colour which would suit our neighbours if white /off-white is not satisfactory.
- We are willing to add a privacy screen/film to the glass of the window on the East elevation. If necessary, we would board this window up.
- The building is not intended to be used for business purposes. We are happy to have this specified should the application be approved.
- This was in addition to an earlier email dated 3rd December. It also covered the aspects highlighted above, but in addition noted:
- The overall size is smaller than the original approved plans and the location is further away from the neighbouring boundary.
- We assure Mr and Mrs Stead that we cannot see over the large hedge and fence which separates our properties. The window looks directly onto our brick shed and is only there to provide natural light.
- There is a large (and noisy) commercial workshop with heavy goods vehicles parked behind our outbuilding.

All emails are available to review on the public access website.

It is acknowledged that the outbuilding was not erected in accordance with the approved plans, however two site visits by the Case Officer afforded the opportunity to review the development.

It is not considered that the proposed outbuilding when complete would appear incongruous in this domestic garden setting. The proposed form, including a traditional pitched roof, together with the proposed modern materials are acceptable in this domestic environment. It is noted that there would be no streetscene impact and it is considered that when the larch cladding/painting is undertaken this will improve the overall appearance of the structure. It is considered appropriate to ensure that the completion of the building should be undertaken within 2 months of the date of the decision notice.

Whilst the ridge height of the pitched roof outbuilding is higher than the monopitched roof previously approved, with the maximum height point in closer proximity to the shared boundary than the previous version, it is not considered that this would result in harm to neighbouring amenity, as it would not result in overshadowing nor result in any overbearing development.

The eaves height of the proposed building along the rear northern boundary, in closest proximity to White Owls is similar to the height approved for the monopitched building in that location previously and the building is c.0.9m further southwards increasing the distance from the boundary. Whilst the roof form is higher, the pitched roof element slopes away from the shared boundary, limiting potential overshadowing. The garage is also offset from the rear windows of the neighbouring dwelling, with mature landscaping to the side northern boundary. Between this new outbuilding and the neighbouring property are an existing pitched roof outbuilding associated with White Owls, an existing pitched roof

outbuilding and a greenhouse associated with Kyleakin.

The reference to the window overlooking the property relates to the newly installed window within the eastern elevation. It is not considered that in this location, this opening would result in harm to neighbouring amenity, due to the presence of the existing outbuilding in the application site between the eastern elevation of the outbuilding and the rear elevation of the dwelling, together with the outbuilding associated with White Owls. The applicant has however agreed to apply obscure glazing this opening and it is considered that this may aid in the neighbours perception of overlooking, so will be conditioned as part of any approval.

In relation to the building blocking the views of the occupiers of White Owls, the loss of a view is not a material planning consideration and therefore weight cannot be attached to this in the determination of a planning application. It is noted that directly to the rear of White Owls lies an open field and directly towards the rear of the application site is part open field, part land associated with the Classic Car and Sportscar Centre.

In relation to the concern that the building has been used for commercial purposes, the applicant has responded to confirm that this is not the case. It was noted the outbuilding has been used to facilitate the internal refurbishment of Kyleakin and the applicants are willing to accept a condition to ensure that the outbuilding remains strictly linked with the domestic dwelling only. This is considered a pragmatic approach.

Concerns in relation to noise levels within a domestic outbuilding fall outside the remit of planning. However it is considered likely that when the final doors and windows are fitted that this will limit instances of noise being experienced. As previously noted, it will be conditioned that the building shall be completed within two months of the date of any approval. This will also include the additional of appropriate drainage equipment that will address the concerns raised in relation to surface water disposal.

The proposed alterations to the dwelling:

No alteration has been proposed to the internal footprint of the previously approved extensions. These limited alterations relate to the items denoted above including materials, openings and roof forms along the principle and rear elevations. The minimal enclosure of an inset area along the principle elevation is also considered minor and acceptable. This alteration was clarified through the submission of revised floor plans (received 6th February 2019.)

It is considered that the variation of the previously approved grey cladding wall finish to natural larch is acceptable as this remains a high quality construction material and that the alterations to the openings are acceptable in terms of amenity and design.

The alteration to the roof form along the principal elevation is acceptable in terms of its design and would not result in harm to neighbouring amenity. It is considered that this would create an overall visual improvement along this elevation.

The increase of the scale of the roof to the rear is noted. However it is considered that this would not result in an incongruous appearance as it remains subservient to the host dwelling. It is furthermore not considered that this would result in harm to neighbouring amenity and it would not result in harmful massing of development, nor overshadowing.

Conclusion

It is acknowledged as highlighted in the letter of objection that this proposal relates to a part retrospective application. Members are aware that the Local Planning Authority must give this the same consideration as any other proposal and this decision cannot be prejudiced by virtue of the fact the application is partly retrospective.

It is therefore considered that subject to the recommended conditions, the proposal is acceptable in character and form and would not result in harm to neighbouring amenity in compliance with Policies SP16 and SP20 of the Local Plan Strategy.

RECOMMENDATION: Approval

- 1 Within 2 months of the date of the approval hereby issued, the works necessary to secure the completion of the domestic outbuilding hereby approved shall be completed, including; the installation of the permanent doors and windows, cladding, painting, the installation of drainage equipment and plasterboard/insulation.

Reason: In the interests of good design and in compliance with Policy SP16 and SP20 of the Ryedale Plan- Local Plan Strategy and the NPPF.

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

Site Location Plan

Proposed Floor Plan (Dwelling) and Proposed Site Plan (Received 6th February 2019)

Proposed Elevations (Outbuilding)

Proposed Elevations (Dwelling)

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

- 3 Unless otherwise agreed in writing with the Local Planning Authority, the materials to be used on the exterior of the domestic extensions hereby approved shall be larch cladding and flat rubber roof covering (EPDM).

Reason: In the interests of good design and in compliance with Policy SP16 and SP20 of the Ryedale Plan- Local Plan Strategy and the NPPF.

- 4 Unless otherwise agreed in writing with the Local Planning Authority, the materials to be used on the exterior of the domestic outbuilding hereby approved shall be painted boards in white/off white/cream, larch cladding and bitumen roof tiles.

Reason: In the interests of good design and in compliance with Policy SP16 and SP20 of the Ryedale Plan- Local Plan Strategy and the NPPF.

- 5 Use of the domestic outbuilding hereby approved shall be restricted to purposes incidental to the enjoyment of the dwelling and it shall not be used for any business or commercial purpose.

Reason: In the interests of the amenity of the occupiers of neighbouring properties, to accord with Policy SP20 of the Ryedale Plan- Local Plan Strategy and the NPPF.

- 6 The new window to be installed within the side eastern elevation of the outbuilding hereby approved shall be obscure glazed. This obscure glazing shall be retained for the life time of the development.

Reason: In the interests of neighbouring amenity in compliance with Policy SP20 of the Ryedale Plan- Local Plan Strategy and the NPPF.