

Item Number: 17
Application No: 19/00993/HOUSE
Parish: Slingsby Parish Council
Appn. Type: Householder Application
Applicant: Mrs Sue Milner
Proposal: Erection of timber framed carport with integral shed
Location: Sawpit Cottage The Green Slingsby Malton North Yorkshire YO62 4AA

Registration Date: 22 August 2019
8/13 Wk Expiry Date: 17 October 2019
Overall Expiry Date: 11 October 2019
Case Officer: Ellie Thompson **Ext:** 43326

CONSULTATIONS:

| | |
|--------------------------------------|----------------------|
| Highways North Yorkshire | Recommend conditions |
| Building Conservation Officer | No objection |
| Slingsby Parish Council | Recommend refusal |
| Slingsby Parish Council | Objections |

Neighbour responses: Dr P Dixon, Dr Kate Giles, Alex George, Mrs Tamsin Smurthwaite,

1.0 SITE:

- 1.1 Sawpit Cottage is located off The Green in the Slingsby Conservation Area. It is situated along the eastern boundary of the site, and faces west into its own domestic curtilage, at right angles to the road with its gable end onto The Green. The property benefits from a good-sized domestic curtilage, which has vehicular access, a lawn area and a garden shed.
- 1.2 It is a long linear building in three parts with varied ridge heights diminishing towards the north. The property is bounded by stone walls and hedges, and fencing along its eastern, southern and the majority of its northern boundary. The eastern elevation of this property forms the rear boundary with two properties on The Green Crescent.
- 1.3 A previous application (19/00540/HOUSE) was approved at Planning Committee in July 2019, for the erection of a lean-to side extension, raising part of the existing roof and creation of vehicular access. That development is yet to be carried out. However, this application has been made using the recently approved plans, as it relates to the new vehicular access that was previously approved in July.

2.0 PROPOSAL:

- 2.1 The application proposes the erection of a carport and shed building within the garden of the property. The proposed building would be sited in the north-western corner of the site, where the current garden shed is located. This location is proposed so that the carport will correspond with the recently approved formation of new vehicular access along the western perimeter of the site.
- 2.2 The building was originally proposed to be constructed from timber under a clay pantile roof, and to house 6 flat plate solar panels. It was originally proposed to be of a pitched roof design, with an eaves height of approximately 2.2 metres and a ridge height of 3.9 metres. The overall

footprint of the building would be approximately 26 square metres.

- 2.3 Following objections from neighbours and the Parish Council the plans were revised.
- 2.4 The revised plans show that the car port will have the same approximate footprint of 26 square metres, and will be in the same location as originally proposed. However revisions have been made to the form of the building, in response to concerns relating to neighbouring amenity. The proposed solar panels were also removed from the revised plans, and as a result the description of the proposed development was changed. It is understood that the applicant will site the solar panels elsewhere on the main property under permitted development rights.
- 2.5 The revised plans propose a timber framed carport and shed building under clay pantiles, featuring an asymmetric pitched roof. The overall ridge height of the proposed carport has been lowered to 3.1 metres. The southern eaves height is approximately 2.2 metres, while the northern eaves height is 1.8 metres.

3.0 HISTORY:

- 3.1 19/00540/HOUSE: Approval was granted for the erection of a lean-to extension, the raising of part of the roof and the creation of a vehicular access.
- 3.2 No further relevant planning history.

4.0 POLICY:

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that the determination of any planning application must be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises:

The Ryedale Local Plan Strategy (2013)
The Policies Map (2019)
The Local Plan Sites Document (2019)
The Yorkshire and Humber Plan (Regional Spatial Strategy)- York Green Belt Policies (YH9 and Y1)

(The latter two components are not considered as part of the determination of this proposal)

The Ryedale Plan - Local Plan Strategy (5 September 2013)

Policy SP12 Heritage
Policy SP16 Design
Policy SP20 Generic Development Management Issues

Material Considerations:

National Planning Policy Framework (NPPF) (2019)
National Planning Practice Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990
1990 c. 9 Part I Chapter VI Special considerations affecting planning functions
s.72 General duty as respects conservation areas in exercise of planning functions.

5.0 CONSULTATIONS:

5.1 This application was consulted on twice, with a second re-consultation taking place after the revised plans were submitted.

5.2 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 on the public access webpage, and referred to in the report accordingly. Slingsby Parish did not originally object, but then subsequently objected- making reference to the consultation responses.

5.3 Comments for First Proposed Scheme:

4 Neighbour Objections (2 from one neighbour) raised the following issues:

- Detrimental impact on neighbouring amenity: including loss of light, overshadowing, and overbearing effects.
- Design: relating to the scale and form of the development and the use of timber
- Impact on the Conservation Area: relating to the solar panels
- Landscaping: the removal of a tree trunk from the site
- Noise: regarding noise from a ground source heat pump (Permitted Development - not part of this application), which will be housed in the proposed shed.

Parish Council: No objection; later revised comments to Objection

Building Conservation Officer: Raised concerns regarding the proposed solar panels.

NYCC Highways: Recommend Conditions

5.4 Comments for the Revised Scheme:

2 Neighbour Objections (from Briar Cottage and 1 Prospect Cottage), raising the following issues:

- Detrimental Impact on Neighbouring Amenity: including loss of light, overshadowing and overbearing effects.
- Design: relating to the scale and form of the development and the use of timber
- Noise: regarding noise from the ground source heat pump (not part of this application) which will be housed in the proposed shed.

Parish Council: Recommend refusal due to a number of neighbour objections.

Building Conservation Officer: No objection to revised plans.

NYCC Highways: Recommend Conditions

6.0 APPRAISAL:

6.1 This application has undergone key revisions. The main considerations to be taken into account are:

- i) Design and impact on the character and appearance of the Conservation Area;
- ii) The impact on residential amenity; and
- iii) Access

i) Design and impact on the character and appearance of the Conservation Area

- 6.2 Sawpit Cottage is located within the Slingsby Conservation Area and as such, Ryedale District Council have a statutory duty to have special regard for the preservation or enhancement of the Conservation Area.
- 6.3 The Building Conservation Officer's concerns regarding the prominence of the solar panels has been addressed by their deletion from the scheme.
- 6.4 There have been two neighbour objections that cited the scale of the development to be a concern. However, it is considered that the proposed building will be close to the minimum requirement for its proposed use, and it still retains a reasonable garden space.
- 6.5 It is considered that the proposed carport and shed building is appropriate in terms of design. It is subservient to the main dwelling in scale, and is considered to be appropriate in size for the plot and its proposed use as an ancillary outbuilding. It is also set back in the site, and does not dominate the street scene.
- 6.6 The proposed building features an asymmetric roof, which will ensure that the building retains a pitched roof (a traditional form within the area). Its northern roof slope will slope away from the northern boundary with neighbours, at a much shallower pitch to reduce the impact of the proposed development on their outdoor amenity space. The southern eaves of the development are approximately 2.2 metres in height, which is the minimum entry height for vehicles. The ridge height of 3.1 metres will create the lowest pitch that can maintain clay pantiles. The height of the building is appropriate for a domestic outbuilding, and is considered to be acceptable in design terms.
- 6.7 Neighbours have commented that they would not object to a flat-roof design. However, it is considered that flat-roofed outbuildings can appear modern and unattractive in design. It is considered that a flat-roofed design would have a detrimental impact on the character and appearance of the Conservation Area.
- 6.8 There was also a neighbour objection to the proposed use of timber, as the majority of Slingsby is constructed from stone. However, it is considered that the proposed materials of timber under a clay pantile roof are acceptable. Clay pantiles are common within Slingsby, and timber is a commonly used material for domestic outbuildings.
- 6.9 It is therefore considered that the inclusion of the proposed outbuilding, as revised, will have a neutral impact on the character or appearance of the Conservation Area.

ii) The impact on residential amenity

- 6.10 The property has a reasonably close relationship with neighbours and as with many village locations, the juxtaposition of traditional and new buildings, gardens and boundaries has evolved over time. Two letters of objection have been received, from occupiers of properties to the north (Briar Cottage) and west (1 Prospect Cottage) of the application site. These raised concerns that the proposal will have a significant and detrimental effect on their environments. Concerns are raised regarding overshadowing, loss of light, overbearing effects and noise.
- 6.11 As previously discussed, in relation to the scale of the proposed carport/shed building, the revised building features an asymmetric roof, which allows it to retain a traditional pitched roof whilst having a reduced impact on the neighbours to the north, at Briar Cottage, and to the west at 1 & 2 Prospect Cottages.
- 6.12 The proposed building is approximately 5 metres in length, spanning the majority of the width (7.8 metres) of the boundary with the neighbour immediately to the north. The height of the eaves of the proposed carport is 1.8 metres, which is slightly lower than the existing boundary fence. The asymmetric roof has been designed so that it will slope upwards and away from

the northern boundary, in order to reduce any sense of bulk. The highest point of the proposed carport (3.1 metres to the ridge) will be approximately 3.6 metres away from the northern boundary with Briar Cottage.

- 6.13 The roof of the proposed carport will be visible from the rear amenity space of the neighbouring property to the north, Briar Cottage. However it is considered that the development would not have an unacceptable impact on the amenity of the occupants of this property. The proposed building would not result in a loss of daylight, nor be overbearing to this property, due to its modest roof pitch, which is only approximately 0.6 metres higher than what could be achieved under permitted development. It is also positioned on the south facing aspect, where the sun is highest in the sky. The presence of the building in these dimensions will not result in the loss of any day light, nor direct sunlight, for the occupants of Briar Cottage.
- 6.14 The proposed building is adjacent to the boundary of a drive way serving properties to the west. It is considered that the proposed height of the building together with the intervening distance between buildings will mean that the proposed development will not result in any unacceptable loss of daylight or sunlight to properties to the west. The proposed roofline of the building along the western boundary follows the height line of the existing planting that is present. While some planting may be removed during construction, it is considered that the proposed works would not result in any additional loss of daylight for 1 Prospect Cottage and other properties to the west of the application site. There is also a large residential drive way between the application site and the properties to the west (1 & 2 Prospect Cottages and Prospect House), and it is considered that this area will allow ample light to continue to reach these properties and their outdoor amenity spaces.
- 6.15 There are no windows proposed and so there are no issues regarding over-looking or loss of privacy.
- 6.16 The ground-source heat pump (GSHP) that is shown on the plans within the proposed structure is not part of this application. The installation of the GSHP system comes under permitted development limitations and does not need planning permission. However, the potential noise from the system has been cited in an objection from the neighbours to the north, at Briar Cottage. Following this objection, the Environmental Health Officer was asked to comment on the potential noise from the specified Nibe F1145 Ground Source Heat Pump system to provide a view and context to scheme's impact. Their comments are as follows:
- "The heat source pump to be used is a Nibe F1145, the manufacturers specification states that the Sound Pressure Level for this precise model to be 43dB(A), this would be classed as quiet and unlikely to be heard at neighbouring properties.
To give some perspective a quiet library sound pressure level would measure between 30 - 40 dB(A) and a household dishwasher would measure between 45 - 55dB(A). I would have no concerns with this pump being housed within the construction as indicated in the plan".*
- 6.17 As set out by the Environmental Health Officer, the potential noise from the Ground Source Heat Pump would be regarded as quiet and unlikely to be heard from neighbouring properties. It is considered that the proposed carport and shed building would also create a barrier between the GSHP system and the neighbouring properties, which would mitigate the low level of noise that will emit from the unit. As previously explained, the GSHP system is permitted development.
- 6.18 As such, it is considered that the revised roof, in combination with the other features of the scheme will not result in material harm to the residential amenity of the occupiers of any of the neighbouring properties. On that basis, the scheme complies with the requirements of the Policy SP20.

iii) Access

6.19 No objections have been raised by the Local Highway Authority, and they have proposed a recommended condition regarding the specification of the access. This is imposed on the basis that they may not implement the previous permission. As such it complies with Policy SP20.

iv) Other Issues

6.20 Some concerns have been raised over the extent of consultation on the application. Immediate neighbours have been consulted and a site notice has been displayed at a prominent location. The consultation undertaken is considered to have been appropriate.

Conclusion

6.21 The revised scheme has satisfactorily addressed the issues raised concerning the height of the structure, the removal of the solar panels. The building represents a subservient outbuilding which will not dominate the site, and will not result in harm to the residential amenity of the residents to the rear of the site. As such it is considered that the scheme complies with the provisions of SP12 (Heritage), SP16 (Design) and SP20 (Generic Development Management Issues) of the adopted development plan. On this basis conditional approval is recommended.

RECOMMENDATION: Approval subject to the following conditions

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 plan(s):

Site Location Plan

Revised Carport Elevations, Block Plan and Site Plan, drwg. no. PL50 02 C (received by the Local Authority on 25/09/2019)

Reason: For the avoidance of doubt and in the interests of proper planning in accordance with Policies of the Ryedale Plan - Local Plan Strategy.

3 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

d. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.

h. The final surfacing of any private access within 2 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

No part of the development shall be brought into use until the existing access on to The Green has been permanently closed off and the highway restored. These works shall be in accordance with details which have been approved in writing by the Local Planning Authority in consultation with the Highway Authority. No new access shall be created without the written approval of the Local Planning Authority.

Reason: In accordance with Policy SP20 and in the interests of Highway Safety.

INFORMATIVE

These works shall include, where appropriate, replacing kerbs, footways, cycleways and verges to the proper line and level.