

Item Number: 7
Application No: 20/00920/HOUSE
Parish: Malton Town Council
Appn. Type: Householder Application
Applicant: Mr S Graham (Walker Graham Architects)
Proposal: Erection of part two storey part single storey wraparound extension following removal of existing conservatory, porch and garage, reroofing of dwelling and rendering of all external walls
Location: Sandreith Cottage 39 Middlecave Road Malton YO17 7NE

Registration Date: 15 October 2020
8/13 Wk Expiry Date: 10 December 2020
Overall Expiry Date: 28 January 2021
Case Officer: Ellie Thompson **Ext:** 43326

CONSULTATIONS:

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| Public Rights Of Way | Informative |
| Malton Town Council | Recommend Approval, subject to neighbour satisfaction |
| Highways North Yorkshire | No objection |
| Tree & Landscape Officer | Further information required |
| Highways North Yorkshire | Previous response still stands |

Representations: Mr David Aylmer, Mr David Barnet,

SITE:

The property is situated between Middlecave Road and the Malton Community Hospital site. It occupies a narrow plot of land which is accessed from Middlecave Road by a shared private driveway. A 'snicket' footpath linking Middlecave Road, Maiden Grieve and Hospital Road lies to the immediate north of the property. A small cul de sac of houses is situated beyond the footpath, with the rear of some of these properties facing the application property. The hospital car park is located to the west of the site and the garden of the neighbouring property is situated to the east.

The cottage is a relatively small, brick built cottage. It is understood that historically, the property was built as the servants quarters associated with the larger neighbouring property (no 37). It is orientated on the plot with its gable ends aligned in a north/south direction. The existing entrance is via small porch on the northern side of the property. A upvc conservatory is attached to the southern elevation, overlooking a small garden area and a free standing garage (now demolished) was positioned on the northern side of the site.

Several trees in the immediate vicinity of the site and in particular on the eastern boundary of the site are protected. The property is located within the Malton Development Limits.

PROPOSAL:

The application proposes a significant remodelling and extension of the existing dwelling. Two, two storey, hipped roof extensions are proposed to either side of the existing dwelling, each with a footprint of approximately 3.3 metres by 6.5 metres. This will result in the existing gable ends of the building forming a central gable in what will become the main (northern and southern) elevations of the building. An integral garage is proposed within the extension on the eastern side of the building, adjacent to the drive. A single storey flat roof extension, with a hipped edging and incorporating a feature roof light and

three sets of bi-fold doors is proposed to span the southern elevation of the dwelling, replacing the existing conservatory. The footprint of the single storey extension is approximately 4 metres by 12 metres.

In essence, the proposals are designed to maximise the width of the property on the narrow plot, in order to increase the size of the property whilst retaining sufficient, useable garden space. The resulting form of the building 're-orientates' the building on the plot with the north and south elevations becoming the main elevations of the property and the west and eastern elevations forming its new gable ends.

The building is proposed to be finished with render covering existing and new masonry. Brick quoin detailing will be retained. The proposed roofing materials include red clay tiles and GRP for the flat roof single storey extension. Existing upvc and timber windows are proposed to be replaced with painted timber double glazing. Following concerns raised in relation to overlooking, all of the first floor windows on the northern elevation are proposed to be obscure glazed.

HISTORY:

No relevant planning history. The dwelling has previously been extended to the side front and rear. These unsympathetic additions are proposed to be removed as part of the description of development proposed in the current application.

RELEVANT LOCAL PLANNING POLICY:

Ryedale Local Plan Local Plan Strategy (Adopted 203)
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP20 Generic Development Management Issues

CONSULTATION:

One objection has been received from the occupier of 41C Middlecave Road. The issues raised are summarised below:

- There will be five windows on the first floor elevation facing and overlooking our property. These face our bedroom windows and will result in an excessive loss of privacy. The privacy of the garden will also be compromised. Maintaining the windows in the eastern and western elevations would reduce our loss of privacy.
- The scale is unsuitable for the plot and is overbearing. It abuts the eastern and western boundaries of the site. Estimate that it doubles the footprint of the building and gives a dominating effect.
- The proposed appearance is out of character with the existing property.
- The objector has confirmed that these objections are retained following revisions to the scheme and has added that obscure glazing can still be looked out of and windows can still be opened.

The occupier of 41B Middlecave Road has provided comments which are summarised below:

- The tree in the corner next to the path is to remain
- Driveway to remain unlit
- No weekend working

APPRAISAL:

The key considerations in relation to this application are:

1. The design and appearance of the proposed dwelling as extended,
2. The impact on amenities of neighbouring residents and

3. Impact on trees.

Design and appearance

The existing dwelling is located within an established residential area within the built up area town.

The surrounding residential properties are mainly relatively modern and have traditional brick and tiled roofs although there are a mix of other building materials found in the vicinity. The existing dwelling is thought to have been built at around the same time as Number 37 Middlecave Road and both properties have a 30's influence with arts and crafts elements in their detailing. These are shown on the submitted existing plans and the applicant proposes to retain existing quoin, verge and window detailing features a part of the submitted proposals.

The existing dwelling is predominantly brick with slate roof. However the property has been unsympathetically extended in the past with an unfortunate choice of materials used in the construction of these later additions.

It is acknowledged that the original brickwork would be very difficult to satisfactorily replicate and the proposed scheme which indicates two storey extensions to both sides and a single storey flat roof addition to the rear proposes a rendered finish to the external walls in order to improve the appearance of the end result. Red clay tiles are proposed for the new and existing roof structures.

Whilst the existing property has its main roof orientation roughly running north/south the two storey extension proposed on both sides of the existing dwelling have the effect of changing this visual orientation of the roof to an east/west alignment. The property is however set to the side and rear of existing dwellings and accessed via a relatively long private driveway. It does not therefore appear prominently locally within the street scene. In these circumstances officers consider that the design approach proposed is acceptable in terms of the general character and appearance of the original dwelling and in terms of its impacts on the visual amenities of the immediate locality. The design considerations of Policies SP16 and SP20 are considered to be satisfied.

2. Impact on adjacent residents.

The dwelling is located to the south of Numbers 41b and 41c Middlecave Road as shown on the appended plans. The plot does not however directly abut the curtilage of either of the above properties because there is an intervening public footpath which links Middlecave Road to Hospital Road. The footpath is fenced and hedged both sides and this prevents any inter visibility at ground floor level. The gap between the nearest part of the front facing wall of Number 39 and the rear wall of number 41c is approximately 20 metres. Currently there is one first floor window that faces towards Number 41c and this serves a bathroom. The proposed scheme would introduce four additional windows in the first floor which would serve an en-suite bathroom to bedroom 1, the stairwell, two windows to bedroom 1 and also the dressing room to bedroom 1.

During the initial consideration of the application officers were concerned about the potential for overlooking from these additional windows (this privacy issue was also the subject of an objection from the occupiers of No 41c Middlecave Road). Amended plans were therefore sought to address this issue and the scheme was amended to show that all of the windows in the north facing elevation at first floor level are to be obscured. Subject to the obscure glazing being the equivalent of Pilkington Glass Obscuration level 5 and the details of the window openings being agreed it is considered that any overlooking aspects of this proposal can be satisfactorily addressed.

Concerns have also been raised about the size of the extensions proposed and that they are considered to be overbearing in nature. Whilst it is agreed by officers that the extensions are relatively large, the cumulative impact of the proposed development is not overbearing in its context within the built up area of the town and that the resulting dwelling is not considered to represent overdevelopment of the plot. The amenity aspects of Policy SP20 of the adopted Local Plan Strategy are therefore also considered to be satisfied subject to the imposition of appropriate conditions.

3. Impact on Trees

There are a number of mature trees located on and adjacent to the application site, three of which are the subject of a Tree Preservation Order. Initially the application as submitted without a proper assessment of the trees on site and further information has been submitted during the processing of the application. This has been assessed by the Council's Tree and Landscape Officer who confirms that no trees will be lost as a result of the development –however measures will be taken to protect trees during the construction process and these are shown on the submitted additional drawings.

Subject to an appropriate condition any impacts on trees is considered to be satisfactorily addressed.

OTHER MATTERS:

Malton Town Council recommended approval of the application as originally submitted 'subject to neighbour satisfaction'. It is unclear what that means in practice. Officers have sought and achieved amendments to the application to satisfactorily address objections regarding overlooking that have been received from one neighbour and to address potential concerns about impacts on trees from another neighbour at Number 41b Middlecave Road. However the third party concerns from the Occupier of Number 41c remain as originally stated and set out above. The full responses from third parties can be viewed on the planning file which is available on the Council's website.

The amended scheme is considered to be acceptable to officers and subject to the conditions listed below is recommended for approval.

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;

Proposed Drawings, Drawing Number WG923 021, Dated February 2021

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

- 3 First Floor North Facing Windows to be permanently obscure glazed to the equivalent of Pilkington Glass obscuration level 5 and details of windows openings to be agreed.

Reason: For the avoidance of doubt and in the interest of protecting the residential amenities of adjacent neighbouring properties in accordance with Policy SP20 of the Ryedale Plan – Local Plan Strategy.

- 4 No other new openings to be inserted in the north facing wall without the express consent in writing of the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of protecting the residential amenities of adjacent neighbouring properties in accordance with Policy SP20 of the Ryedale Plan – Local Plan Strategy.

- 5 Tree protection measures to be carried out in accordance with submitted Plan Number WG923 03

Reason: For the avoidance of doubt and to ensure that significant trees located on and adjacent to the site are adequately protected during construction works in accordance with Policies SP16 and SP20 of the Ryedale Plan – Local Plan Strategy