

Item Number: 10
Application No: 21/00010/HOUSE
Parish: Malton Town Council
Appn. Type: Householder Application
Applicant: Mr & Mrs Blades
Proposal: Installation of part recessed hot tub with patio surround and installation of privacy screens (part retrospective)
Location: 20 The Mount Malton YO17 7ND

Registration Date: 5 January 2021
8/13 Wk Expiry Date: 2 March 2021
Overall Expiry Date: 30 March 2021
Case Officer: Emma Woodland **Ext:** 43324

CONSULTATIONS:

Malton Town Council
Environmental Health Recommend conditions
Environmental Health
Malton Town Council

Representations: Barry And Emmy Gillespie, Leslie Nayler, Mr David McAfee, Mr Tony Hartley, Mrs Lindsay Wrightson, Mrs Jill Pritchard, Ms Hannah Senior, Heather Bell, Mary McAfee, Andrew & Sarah Everitt,

Site:

20 The Mount is located within the Malton conservation area. The semi-detached stone and slate dwelling 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 west.

Proposal:

The application seeks permission for the installation of a hot tub pool with additional privacy screens. The application has been amended to better reflect those aspects which require planning consent thus reference to an alteration from a sash window to french doors has been removed as this as detailed, is permitted development. The application is part retrospective due to the excavation of the pool. Revised plans have been submitted to address officer design concerns and concerns from the Town Council and others.

The application seeks planning permission for a part submerged hot tub pool. The pool measures c.5.7m long by c.2.4m wide and is positioned approximately in line with the principal elevation of the house. Privacy screens are proposed to be positioned to the front (west) side and the north side and are c.5.4m long and c.8.1m long respectively and are c.1.9m high set on the outer boundary of a proposed patio. The privacy screens have been amended to a timber design softened by green planting to better reflect the conservation area and to match the existing on site.

Policies:

SP12 - Heritage
SP16- Design
SP20- Generic Development Management Issues
National Planning Policy Framework

Appraisal:

The principle considerations are:

- . whether the application preserves the character of the conservation area.
- . impacts on neighbour amenity

The application is for a domestic hot tub pool set c.16m back from the edge of the public pavement within the depth of the site in a private domestic garden. It is considered that the principle of development is acceptable as the proposal is commensurate with the expected enjoyment of a domestic property. The position of the pool in line with the front facade of the principal building. However taking on board the lack of rear garden, the new fence bounding the road to the front and additional screening and planting it is considered an acceptable intervention. Materials have been amended to better reflect the existing palette within the conservation area. Overall the character of the designated area is considered to be preserved.

Concerns have been raised by a number of neighbours regarding noise, lights, location, out of keeping and other matters that are outwith the planning system. The third party responses can be viewed in full on the Council's website

The Council's Environmental Health Officer has been consulted and considers that acoustic barriers would be over zealous for what is a domestic hot tub. A condition is recommended to limit the use of the hot tub to ancillary domestic use.

The Town Council have no objections subject to mature screening and closing of the gap in screening facing the front, which has been addressed in the amended plans.

It is considered that the proposal is commensurate with the enjoyment of a domestic dwelling and that it preserves the conservation area. The design is considered to be sympathetic to the dwelling house and its context. The revised privacy screens and proposed conditions regarding lighting and use are suggested to address concerns expressed by neighbours. It is considered that there will not be a material adverse impact on the amenity of the occupants of neighbouring properties. The application therefore complies with Policies SP12, 16 and 20 of the Ryedale Plan and the NPPF and I recommend it for approval.

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

RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 18(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

543-02B, 543-01B

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

- 3 Details of any external lighting associated with the enjoyment of this development should be submitted and approved in writing by the Local Planning Authority.

Reason: To preserve the conservation area and comply with Policy SP12 of the Ryedale Local Plan

- 4 The approved hot tub pool shall be used for domestic purposes only incidental to the enjoyment of the dwelling house

Reason: To protect the amenity of the occupants of neighbouring properties and comply with Policy SP20 of the Ryedale Local Plan