

**Item Number:** 10  
**Application No:** 21/00023/FUL  
**Parish:** Norton Town Council  
**Appn. Type:** Full Application  
**Applicant:** Mr Robert Hopkinson  
**Proposal:** Erection of a first floor and single storey rear extension to the annexe of Wellington House to create 2no. additional residents bedrooms to include a rendered finish; the insertion of an additional obscure glazed window at first floor level of the existing western elevation of Wellington House, and the installation of 2no. rooflights to Wellington House and 1no. rooflight to the existing single-storey rear extension.  
**Location:** Wellington House 63 Wood Street Norton Malton YO17 9BB

**Registration Date:** 7 January 2021  
**8/13 Wk Expiry Date:** 4 March 2021  
**Overall Expiry Date:** 27 May 2021  
**Case Officer:** Ellie Thompson **Ext:** 43326

#### CONSULTATIONS:

<b>Norton Town Council</b>	Recommend Refusal
<b>Housing Services</b>	Objections in principle to the application.
<b>Highways North Yorkshire</b>	No objection
<b>North Yorkshire Fire &amp; Rescue Service</b>	No response received

<b>Norton Town Council</b>	Recommend refusal
<b>Housing Services</b>	Objection in principle
<b>North Yorkshire Fire &amp; Rescue Service</b>	No response received
<b>Highways North Yorkshire</b>	No further response received

**Representations:** Miss Nakita Hicks-Johnson, Miss Laura McMaster, Mrs Lynne McMaster, Mrs Elizabeth Gallagher, Mrs Palmer, Mr Edward Cross,

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#### SITE:

The property is a large, two-storey, 19<sup>th</sup> century detached villa, located on Wood Street in Norton, within the Norton Development Limits. The property currently operates as a House of Multiple Occupation (HMO) property, with 15 existing bedrooms.

The main villa building is constructed from grey/light brown brick under a slate tile roof, and features large, traditional sash windows. There is an original, smaller two-storey extension at the rear of the main building and constructed from the same materials. The property features a modern, 'L-shaped', single-storey annexe extension to the rear, which is constructed from a light brown/buff coloured brick under a grey, concrete tile roof.

#### PLANNING HISTORY:

The key relevant planning history of the site includes:

18/00598/FUL: Planning permission was granted for the erection of a single storey pitched roof extension to form 3no. additional resident's bedrooms (overall net increase of 2no. resident's bedrooms) following internal alterations to form Manager's accommodation.

14/00625/FUL: Planning permission was granted for the change of use of existing residential care home (Use Class C2) to a 15no. Bedroom house of multiple occupation (HMO) (retrospective).

The planning history can be viewed in full on the uniform system.

### **PROPOSAL:**

This application originally sought permission for the erection of a first floor extension to the existing annexe of Wellington House, with a half rendered, half timber-clad finish to provide additional bedroom accommodation. However Officers raised concerns in relation to the proposed materials, and their appearance against the context of the main, traditional building on the site. The Housing Officer also raised concerns in relation to the proposed development's impact on natural light and ventilation, for two existing bedrooms to the rear of the main building. As a result, the application that was initially submitted was revised.

The application now seeks permission to erect a first floor extension to the existing, modern annexe extension to the rear of the site, to allow for the creation of 2no. additional residents bedroom to include a rendered finish; the insertion of an additional obscure glazed window at first floor level of the existing western elevation of Wellington House, and the installation of 2no. rooflights to Wellington House and 1no. rooflight to the existing single-storey rear extension.

The new extension is now proposed to have a hipped roof form, with a fully rendered, off-white finish under a grey concrete tile roof. It is proposed to feature traditionally styled, sliding sash timber windows to its front (southern) elevation, and white, uPVC casement style windows to its rear (northern) elevation. The new extension will raise the roof height of the rear annexe by approximately 2 metres, to align with the scale of the existing, original two-storey rear extension. As a result, the overall new ridge height of the development will be approximately 6.4 metres, with a new eaves height of approximately 4.7 metres.

A small, lean-to style extension is proposed to be constructed on the rear elevation of the annexe building, to accommodate the new stairwell. The overall ridge height of this extension will be approximately 3.3 metres, with an eaves height of approximately 2.5 metres. The overall additional footprint of this extension will be approximately 6 square metres.

A new traditionally styled, obscure glazed, timber sash window is proposed to be installed in the existing, western (side) elevation of the existing two-storey rear extension, to allow for adequate light to a first floor, rear-facing bedroom. Two rooflights are also proposed to be installed in the northern and western roof slopes of this section of the property. An additional rooflight is also proposed to be installed in the western roof slope of an existing single-storey extension, situated on the eastern boundary of the site.

### **POLICIES:**

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies of the Development Plan unless material considerations indicate otherwise. The relevant Development Plan policies for the determination of this application are:

#### The Ryedale Plan - Local Plan Strategy (2013)

Local Plan Strategy – Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy – Policy SP2 Delivery and Distribution of New Housing

Local Plan Strategy – Policy SP4 Type and Mix of New Housing

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

## Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

### **REPRESENTATIONS:**

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 in full on the public access webpage, and referred to in the report accordingly.

A summary of the representations received from the Town Council and the Local Highway Authority in response to the initial application is as follows:

Norton Town Council responded to the application with a recommendation for refusal, citing the following issues:

- Out of character with the area
- Overdevelopment of the site
- Lack of Parking.

The Local Highway Authority noted that no further residents parking is proposed to be provided at the site, however due to the town centre location, providing access to the strong public transport links and long stay municipal parking areas, the LHA raised no objections to the proposed development.

No responses from neighbours were received following an initial consultation on the application.

A summary of comments received in response to consultation on subsequent revisions to the scheme is as follows:

Three neighbour objections and two objections from members of the public raised the following concerns:

- Overshadowing/loss of light due to scale of development
- Loss of Privacy for neighbouring properties
- Lack of Parking on site
- Impact on Highway Safety, on-street parking and increased vehicular movements
- Proposed Materials do not adhere to the character of a 19<sup>th</sup> Century property.
- Potential over-extension/overdevelopment of the property.
- Property has already been granted permission for an additional 3 bedrooms in 2018; if both are implemented the property would have 19 bedrooms.
- No drainage details have been provided.
- No bike or bin store is proposed
- The New rooms are too small, and no indoor recreation (tv/sitting room) space is proposed.
- Impact on Noise nuisance; people arriving/leaving at unsociable hours, loud music/talking during the night and car usage.
- Intimidating behaviour of residents for residents and young children passing on the way to school.
- Concern over the current turnover of people residing at the property.
- Concern relating to the submitted plans, as they do not show the neighbouring properties as context, and no measurements are provided.

The Environmental Health Housing Officer raised an objection in principle to the proposed development, in respect of a lack of natural lighting and ventilation of the two rooms to the northern elevation of the existing property.

Norton Town Council responded to the revised plans, and confirmed their original objection still stands.

A summary of comments received in response to a third set of revisions to the design of the scheme is as follows:

The Occupiers of nos. 65 and 67 Wood Street both wrote in to confirm their previous objections still stand, as only external revisions had been made.

The Occupier of the Annexe at no 67 Wood Street also objected to the proposed development, citing the following concerns:

- Overshadowing and loss of light
- Lack of onsite Parking and impact on on-street parking and vehicular movements
- Overdevelopment of the Site

The two members of the public who had previously written in restated their previous objections, and raised the following additional concerns:

- The use of render on the proposed development
- The property is not a registered HMO on the Ryedale Homes register.
- Setting a precedent in the area for overdeveloping a site.

The Environmental Health Housing Officer originally objected to the revised proposed scheme, on the basis of a lack of light and ventilation for two rooms to the north elevation of the property which the new extension abuts against, and a lack of sufficient kitchen facilities within the property to serve the occupants.

North Yorkshire Fire and Rescue Services were also consulted during this application, but did not respond to the consultation.

No further revisions were made to the parking arrangements at the site, and so the Local Highway Authority made no further comments in relation to the proposed scheme.

## **APPRAISAL:**

The main issues relating to this application re considered below.

### The Principle of the Development

The application site lies within the Norton development limits and within Ryedale's Principal Town. The principle of developing the application site to provide further residential accommodation is considered to be acceptable, as residential development is considered to be acceptable in principle in this location, under Policies SP1 and SP2 of the Local Plan Strategy.

Policy SP4 of the Ryedale Local Plan Strategy aims to ensure the provision of an appropriate type and mix of new housing, in order to respond to changing demographics and market drivers. The proposed development would result in the creation of two additional resident's bedrooms at the site, bringing the total number of bedrooms to 17. It is acknowledged that shared residential accommodation meets a specific housing need and that there is a demand for this type of accommodation, particularly in Malton and Norton. As such, the proposed development will contribute to addressing specific housing requirements and is considered to comply with Policy SP4 of the Ryedale Local Plan Strategy.

## Design

The new first floor extension is proposed to have a hipped roof form, and will feature an off-white render under a grey concrete tile roof. The hipped roof form of the development is considered to be acceptable, as it reflects the form of the existing property, and reduces the massing of the development when viewed from the east and west. The first floor extension will result in the new overall height of the annexes reaching approximately 6.4 metres. It will be set down from the height of the existing original two storey extension by approximately 0.2 metres and set down from the overall height of the main, 19<sup>th</sup> century villa by approximately 4.7 metres. The proposed first floor extension would not result in any significant increase in the footprint of the annexe building. On this basis, the proposed first floor extension is considered to be appropriate in scale and form to the host property, which is an impressive property of traditional character and in the context of the locality. It will not appear visually dominant within the context of the existing site and building or detract from the appearance of the villa, by virtue of its resulting scale and form.

It is considered that the use of render on the extension and the existing, ground floor section of the annexe will unify and neaten the appearance of the building. While render has not been predominantly used within the locality, it is considered that render can often look attractive when paired with a brick built building, particularly if the existing building is of a traditional style and appearance. It is considered that the new development will have a simple, neat and unobtrusive appearance, which will be clearly legible as a modern addition to the property. On this basis, it is considered that the use of render on the annexe and proposed first floor extension is acceptable in terms of design, however a condition is proposed in order to ensure an appropriate colour and finish of render will be used.

The use of traditional windows on the front (southern) elevation of the annexe is considered to be appropriate, as it is considered they will create a sense of visual cohesion between the original, 19<sup>th</sup> century building and the modern annexe; particularly when viewed from the public vantage points along Wood Street. On this basis, it is considered that the traditionally designed windows would improve the appearance of the annexe building, and its impact on the character and appearance of the street scene.

The installation of the new, traditionally styled window in the side (western) elevation of the existing property is considered to be acceptable, as it is of a traditional style and design, which reflects the existing fenestration on the property. The three new rooflights proposed to be installed on the existing rear extensions to the main building are also considered to be acceptable.

The Environmental Health Housing Officer raised some concerns over the lack of lighting and ventilation for the two bedrooms situated to the north of the existing building, which will abut the new extension. The new, obscure glazed window in the western elevation of the existing building, and two of the new rooflights have been proposed to address this concern. The applicant's agent has confirmed that the new window and rooflights meet the required building regulation requirements for minimum rapid ventilation. Both rooms will feature a window and a rooflight, and as such it is considered that there will be a sufficient level of natural lighting within the two rooms.

The Officer also originally raised some concerns relating to the provided kitchen facilities at the site, stating that one kitchen must be available for every five people in residence at the property. The proposed development would result in the addition of 1 extra kitchen facility at the site, resulting in a total of 5 kitchens. Following clarification, the Officer has confirmed that the property would be licensed in line with the provided facilities, and as such has withdrawn her objection to the lack of kitchen facilities.

## Effect on Neighbours

The property is situated on Wood Street, which features a mixture of residential and commercial properties. The application site is situated on the opposite side of Wood Street to Bright Steels,

between a single-storey dwelling to the west (61 Wood Street) and two semi-detached, two and a half-storey dwellings to the east (65 and 67 Wood Street).

The proposed first floor extension would result in the raising of the overall height of the annexe building by approximately 2.2 metres, with the eaves height raising by approximately 1.8 metres. The annexe building is positioned so that it is in line with the neighbouring single-storey dwelling to the west. It does not extend any further to the north or south. The eastern elevation of the neighbouring property does not feature any openings, and there is no outdoor amenity space between the application site and the neighbouring property.

The proposed first floor extension will be situated approximately 4.9 metres into the site from the eastern neighbouring boundary. The existing single storey extension, which forms part of the eastern boundary wall, is situated between the proposed extension and the boundary, and is not proposed to be altered in scale as part of this development. On this basis, it is not considered that the proposed first floor extension of the annexe building would result in any significant detrimental impacts on the amenity of the occupiers of the neighbouring properties to the east and west, in terms of loss of light and overbearing effects.

Three new windows in the eastern elevation of the proposed first floor extension, and one window in the northern elevation, are proposed to be obscure glazed and of a fixed, non-opening construction. The proposed new window in the existing western elevation is also proposed to be obscure glazed and of a fixed construction. On this basis, it is considered that the proposed development would not result in a significant level of overlooking and loss of privacy for the occupiers of the neighbouring properties, over and above what is currently experienced.

#### Extant Permission and Fall Back position

Under application no. 18/00598/FUL, planning permission was granted for the erection of a single storey pitched roof extension to form 3no. Additional resident's bedrooms (overall net increase of 2no. resident's bedrooms) following internal alterations to form Manager's accommodation.

The applicant has confirmed that they no longer wish to implement that permission and that the proposed scheme represents the latest plans for the site. The applicant has confirmed that they consider this current application as a 'replacement' of the previous permission. However the permission could still be lawfully implemented until the 18<sup>th</sup> September 2021. It is considered that if the current application was approved, and both permissions were implemented, there would be implications in terms of the overdevelopment of the site.

The applicant's agent has confirmed that the applicant would provide a unilateral undertaking (section 106 agreement), to legally commit not to implement the 2018 permission if this is necessary. Such an undertaking would ensure that development at the site is acceptable, and if members are minded to approve the application it is considered that this should be on the basis that a legal undertaking is provided.

#### Other issues

Several objections were received which cited an increase in noise and disturbance as a concern in relation to the proposed development. The proposed development would result in a net increase of 2 no. residents' bedrooms at the site. It is not considered that the level of noise that is experienced from the site would significantly increase as a result of 2 additional bedrooms. It is also considered that the number of residents at the site is controlled by the HMO licence, and not through this planning application.

Some concerns were also raised in relation to the proposed drainage at the site. The applicant's agent has confirmed that water from the development would discharge into the existing combined sewer system, already used at the site.

## Conclusion

The principle of the proposed development complies with Policies SP1, SP2 and SP4 of the Ryedale Local Plan Strategy. The proposed first floor extension is considered to be of an acceptable design, which is subservient in scale to the main building on the site. The application site is large and is situated within a built up area, and as such the proposed first floor extension is considered to be of an appropriate scale against its surrounding context. The proposed development is not considered to result in any detrimental impact on neighbouring amenity, over and above what is currently experienced.

On this basis, the proposed development is considered to meet the criteria set out in Policies SP1, SP2, SP4, SP16 and SP20 of the Ryedale Local Plan Strategy and the NPPF. On this basis approval is recommended, subject to the provision of a legal agreement to ensure the previous permission (18/00598/FUL) is not implemented and the following conditions:

### **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 plan(s):

- Site Location Plan, drwg. no. 4368C EX10 01, dated 05/01/2021 (scanned to file on 14.01.2021)
- Revised Proposed Plans and Elevations, drwg.no. 4368C PL50 01 Rev. E, (scanned to file on 26.04.2021).

Reason: For the avoidance of doubt and in the interests of proper planning in accordance with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

3            Prior to works of above ground construction, details and samples of the render (including colour reference) and roof tile to be used on the exterior of the extension hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Local Plan Strategy.

4            Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) no further doors, windows or any other openings shall be created within the eastern or western (side) elevations of the extension hereby approved at first floor level.

Reason: To protect the privacy of adjoining properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

5            Unless otherwise agreed in writing with the Local Planning Authority, the proposed obscure glazed windows as indicated on the 'Proposed Plans and Elevations Drawing (no. 4368C PL50 01 Rev E)' hereby approved shall be obscured to the highest level of obscuration ( Pilkington Glass Level 5 or equivalent). Unless otherwise agreed in writing with the Local Planning Authority, these windows shall be fixed or top hung only and retained for the life time of the development.

Reason:- To protect the privacy of adjoining properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.