

**Item Number:** 16  
**Application No:** 22/00676/HOUSE  
**Parish:** Norton Town Council  
**Appn. Type:** Householder Application  
**Applicant:** Mr D Harnan  
**Proposal:** Erection of extension to detached garage to form a home office.  
**Location:** 29 Welham Road Norton Malton North Yorkshire YO17 9DS

**Registration Date:** 10 June 2022  
**8/13 Wk Expiry Date:** 5 August 2022  
**Overall Expiry Date:** 15 July 2022  
**Case Officer:** Eleanor Hardie **Ext:** Ext 43342

#### **CONSULTATIONS:**

**Norton Town Council** Recommend approval

**Representations:** Jane And Frank Greatorex,

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#### **SITE:**

29 Welham Road is a semi-detached, traditionally designed, period property located on the east side of Welham Road.

The site is located within the Norton Development Limits and part of the site lies within Flood Zone 2.

The property benefits from a traditional, brick built, detached garage, located on the southern boundary of the site, with vehicular access to the building taken from the public right of way which runs adjacent to the southern boundary.

#### **PROPOSAL:**

This application seeks approval for the erection of a single storey extension to the detached garage to form a home office/garden room, following the removal of the existing veranda.

The extension would measure 7 metres in length, with a width of 3.7 metres and be of dual pitched roof construction measuring 4.55 metres to the ridge. To the north facing elevation, the proposal would include a veranda over an area of raised decking, extending the length of the extension with a width of 1.5 metres and measuring 3.2 metres to the highest point.

The extension would be constructed with pewter grey, flush fitting, vertical cladding and a natural slate roof with aluminium windows and doors. The veranda would be constructed using timber posts, and a timber trellis structure over, with the decking edge constructed using pewter grey cladding to match that of the extension.

#### **HISTORY:**

There is no relevant planning history for this 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 that comprise 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 SP16 Design

Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development

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 letter of objection has been received from the occupiers of the neighbouring property, Mill House which stated the following:

*With reference to the above, I am not sure what the criteria are for passing such applications, but I assume reasons must have substance, in this case for the erection of an outside building named a 'Home office'. It is apparent from past sale data the 'Home House' is of ample size to accommodate an office. Therefore, logically the proposal must be for other reasons rather than a simple office, and this is apparent in the development statement, 'Garden room, home office, toilet, kitchenette' with the addition of a sofa bed, indicating something very different. Generally, a home office means an office situated at home.*

*In terms of the proposed plans, we know if permission is given the 'home office building' will be built of the finest materials, wood, solar panels, and **log burner**, (interesting) with decking outside to sit and enjoy the view, in this case my garden shrubbery and house, an enhancement of their property, as people do tend to look out rather than in. We, to gain outside privacy at Mill House, have cultivated the shrubbery to block out the sight of the buildings, however sadly a shed has been built in full sight of the terrace where we sit (some 20 yards away), yet tucked away out of sight of the so-called Home House.*

*One would hope this is not an example of compulsive building syndrome, becoming if passed, a precedent for other applicants on Welham Road to build their own additional self-contained office/come sleepover accommodation? And whilst I can see how such projects would make an overall property more valuable, it could well detract from the value of others in close proximity. We are not against this particular application, but all applications of this nature, and feel truly sad that we have had to re-act in such a negative way.*

A further response from the occupier of Mill House was received on 14<sup>th</sup> July stating the following:

*I refer to our letter dated 5th July, ref., planning permission above, noting that my reply was marked on your site as neutral. However, we did say that we are against all applications of this nature, meaning that we are against all applications of this nature, (or like this one), which is not neutral. We apologise for not being completely clear as to our position on this matter.*

*Clearly this is far from an office, as kitchen, toilet, sofa bed and Wood burner indicate; the latter being a global warning issue. However, a wood burner (we don't have one), already in situ in a house, might*

*be considered historically acceptable for now.*

*We note the close for comments is the 15th of July, and once again apologies for being unclear on the issue.*

Norton Town Council have specifically indicated ‘Recommend Approval’ but have provided no material planning reasons.

No responses have been received from any other neighbouring property or third party.

## **APPRAISAL:**

The main considerations within the determination of this application are:

- i. Design, form and character
- ii. Impact on neighbouring amenity
- iii. Other matters

### Design, form and character

The new single storey extension is proposed to have a pitched roof form and has been designed so that it has a lower eaves and ridge height than that of the existing garage building.

It is considered that the overall form of the extension will reflect the form and character of the existing dwelling and garage. On this basis the form of the development is considered to be acceptable.

In terms of the hierarchy of buildings in this location, it is not considered that the building would visually compete with the principal dwelling, or the surrounding properties. It would remain subservient in scale and mass to the main dwelling which is relatively generous in size. The proposed buildings would remain commensurate with the overall size and scale of the residential unit.

The extension is proposed to be constructed from vertical Cedar cladding and aluminium framed windows and doors. These materials will result in the extension having a modern, contemporary design however, the use of a contemporary design approach is considered acceptable in principle.

On this basis, the proposed development is considered to comply with Policy SP16 (Design) of the Ryedale Plan – Local Plan Strategy.

### Impact on neighbouring amenity

As detailed previously, an objection has been received from the occupiers of the neighbouring property to the east, Mill House, citing concerns with regards to loss of privacy.

The eastern boundary of the application site does not currently benefit from boundary treatment, with Mill Beck forming the boundary between the application site and Mill House.

Given the site layout and the lack of boundary treatments, Mill House does currently experience overlooking from 29 Welham Road. Likewise, Mill House overlook the application site. The proposed building would be located in an area currently used for outdoor seating and therefore it is not considered that the proposal would result in an unacceptable detrimental impact on neighbouring amenity, in terms of loss of light, loss of privacy or overbearing effects, over and above what is currently experienced at the site.

The proposal includes one window installed on the southern elevation of the building, facing onto the mill pond. The window would be fixed and as such, is not considered to result in any public safety concerns. A condition is recommended to ensure that this window remains fixed shut in the interest of public safety.

On this basis, it is considered that the proposed development complies with Policy SP20 (Generic Development Management Issues) of the Ryedale Local Plan Strategy.

#### Other matters

The proposal is not considered to have any impact on highways safety or access.

The concern relating to the effect of the development on property values is not a material planning consideration.

Some concern has also been raised in relation to the proposed use of the new building, and the potential for the building to be used for other purposes given the addition of a WC and kitchenette. As outlined above, this application seeks permission for a home office and garden room, with the convenience of a WC and kitchenette given the separation distance from the host dwelling. A condition is recommended to ensure that the home office is used as either additional outbuilding space or additional living accommodation associated with 29 Welham Road to prevent it being separately occupied in the future. The application must be considered on the basis of the use applied for and not on the basis of speculation over future use. Any future use which would require planning permission would need to be the subject of a future planning application

#### Conclusion

The proposed extension is considered to be of a proportionate and acceptable design, and it is not considered that it would give rise to a significant detrimental impact on neighbouring amenity. The proposed development is considered to meet the relevant policy criteria set out in Policies SP16 (Design), SP19 (Presumption in Favour of Sustainable Development) and SP20 (Generic Development Management Issues) of the Ryedale Local Plan Strategy and the NPPF. On this basis approval is recommended subject to 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 plans;

Location Plan, drawing number 03-LO Rev B, dated June 2022  
Plan and Elevations as Proposed, drawing number 02-PR Rev C, scanned to file 21.07.2022

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

3            The materials of the development hereby approved shall be in accordance with the details included on the planning application form/plans unless otherwise agreed 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 Ryedale Plan - Local Plan Strategy.

- 4 The cladding to be used on the exterior of the extension hereby approved shall be Cedral Click Smooth in Pewter, unless otherwise agreed 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 Ryedale Plan - Local Plan Strategy

- 5 The home office hereby permitted shall be used for domestic purposes only, in connection with the dwelling currently known as 29 Welham Road, Norton, Malton, and shall not be sold or let off separately.

Reason: For the avoidance of doubt and to ensure the development is used for its intended use as per the description, and is not used as a separate dwelling or commercial enterprise, and in order to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 6 The south facing window shall be permanently fixed (non-opening). The fixed window shall be retained for the lifetime of the development.

Reason: In the interest of public safety and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.